

University of Oklahoma College of Law

## University of Oklahoma College of Law Digital Commons

---

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

---

12-16-1889

**Letter from the Secretary of War, transmitting a report upon the war claims of the State of California, in response to Senate resolution of February 27, 1889.**

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indigenous, Indian, and Aboriginal Law Commons](#)

---

### Recommended Citation

S. Exec. Doc. No. 11, 51st Cong., 1st Sess. (1889)

This Senate Executive Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact [Law-LibraryDigitalCommons@ou.edu](mailto:Law-LibraryDigitalCommons@ou.edu).

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

*A report upon the war claims of the State of California, in response to Senate resolution of February 27, 1889.*

DECEMBER 16, 1889.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT,  
Washington City, December 14, 1889.

The Secretary of War has the honor to transmit herewith, in compliance with resolution of the Senate of February 27, 1889, reports on the war claims of the State of California, submitted by the board of officers on State and Territorial war claims appointed under section 2 of the act of Congress entitled "An act for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory," approved August 4, 1886.

REDFIELD PROCTOR,  
*Secretary of War.*

THE PRESIDENT OF THE UNITED STATES SENATE.

*Resolved*, That the Secretary of War, through the Board of War Claims Examiners, appointed under section 2 of the act of Congress entitled "An act for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada, when a Territory," approved August 4, 1886, be, and he is hereby, authorized and directed to examine all accounts, papers, and evidence which heretofore have been, or which hereafter may be, submitted to him in support of the war claims of the States of California, Oregon, and Nevada, and Nevada when a Territory, growing out of the war of the rebellion, and in suppressing Indian hostilities and disturbances during the war of the rebellion, and in guarding the overland mail and emigrant routes during and subsequent to the war of the rebellion, and to ascertain and state what amount of money each of said States, and Nevada when a Territory, actually expended, and what obligations they incurred for the purposes aforesaid, whether such expenditures were made or obligations incurred in actual warfare, or in recruiting, enlisting, enrolling, organizing, arming, equipping, supplying, clothing, subsisting, drilling, furnishing, transporting, and paying their volunteers, militia, and home guards, and for bounty, extra pay, and relief paid to their volunteers, militia, and home guards, and in preparing their volunteers, militia, and home guards in camp and field to perform military service for the United States.

The Secretary of War is also directed to ascertain what amount of interest has been paid by each of said States, and Nevada when a Territory, on obligations incurred for purposes above enumerated. The Secretary of War shall report to Congress the



amount of money which may be thus ascertained to have been actually paid by each of said States, and Nevada when a Territory, on account of the matters above enumerated, and also the amount of interest actually paid or assumed by each of said States, and Nevada, when a Territory, on moneys borrowed for the purposes above enumerated. And the Secretary of War shall also report the circumstances and exigencies under which, and the authority by which, such expenditures were made, and what payments have been made on account thereof by the United States.

WAR DEPARTMENT,  
EXAMINERS STATE WAR CLAIMS,  
*Washington, November 25, 1889.*

SIR: A resolution adopted by the United States Senate on February 27, 1889, directs the State War Claims Examiners, appointed under the act of Congress approved August 4, 1886, to examine all accounts, papers, and evidence which have been or shall be submitted to the Secretary of War in support of the war claims of the States of California, Oregon, and Nevada, and of Nevada when a Territory, growing out of (1) the war of the rebellion, (2) the suppression of Indian hostilities and disturbances during the war of the rebellion, and (3) the guarding of the overland mail and emigrant routes during and subsequent to the war of the rebellion, and from such examination to ascertain and state the following facts:

(1) The amount each of the claimants actually expended for the purposes enumerated, including and specifying the amount of interest actually paid or assumed on obligations incurred or moneys borrowed for said purposes.

(2) Whether such expenditures were made or obligations incurred (*a*) in actual warfare, or whether (*b*) in recruiting, enlisting, enrolling, organizing, arming, equipping, supplying, clothing, subsisting, drilling, furnishing, transporting, paying, granting bounty, extra pay, and relief to their (the claimants') volunteers, militia, and home guards, and in preparing them in camp and field to perform military service for the United States.

(3) The circumstances and exigencies under which, and the authority by which, such expenditures were made.

(4) The payments that have been made by the United States on account of such expenditures (of the claimants').

Before entering upon the examination of the claims referred to in the resolution, your examiners each took and subscribed to the oath required to be taken and subscribed by them in section 2 of the act of Congress approved August 4, 1886.

We desire at the outset to point out that the troops which it is alleged were engaged in or prepared and held in readiness for the war, the hostilities, and the service above mentioned, and for the expenditures incurred on whose behalf re-imbursement is now demanded, were either militia—that is, State troops—or volunteers, that is troops which, though raised within the borders and with the aid of the several States and of the Territory named, formed after their muster into the United States service a part of the Federal Army. This distinction it is important to bear in mind in view of the well-established principle that while the General Government is clearly bound to provide for the raising and the support of its own troops—and such the California, Oregon, and Nevada volunteers in strictness were—it is *prima facie* not liable for expenses incurred in organizing, training, and maintaining the home guards or militia of any State unless it be shown that such State force was properly

called into, or at all events was actually employed in, the Federal service. Hence we deem it proper to report under the separate heads of "militia" and "volunteers" the expenditures for the purposes enumerated which the several claimants incurred on behalf of each class or contingent of troops, as well as the circumstances and exigencies under which, and the authority by which, the expenditures were made.

The meaning of that part of the resolution, the gist of which is set out on page 1 of this report under "2," is not very clear. Mobilized troops, whether actually engaged in or being prepared and held in readiness for war, have to be paid, subsisted, and clothed, and are in other respects a constant source of expense. The period of the war of the rebellion is embraced between April 15, 1861, and August 20, 1866, the latter date having been officially announced by Presidential proclamation as marking its close. During this period no actual warfare occurred within the territory of the States of the Pacific coast and that of Nevada, save such as was carried on with hostile Indian tribes, and in these volunteers (*i. e.*, Federal) troops only were engaged, except in the one instance hereinafter referred to. All sums ascertained to have been expended by the claimant States, either upon their militia or upon the volunteer troops raised within their respective borders, will, however, be grouped, according to the nature of the expenditure, under one of the several subheadings, of which "recruiting" is enumerated as the first, wherever it is practicable to do so.

With these preliminary remarks, which are applicable to the cases of all the States concerned—and for the purposes of this report the Territory of Nevada will hereafter be referred to as a State—we now proceed with the examination of the claims of each of them, beginning with those of—

## CALIFORNIA.

The amount of each payment, both on account of militia and volunteers, has been entered by the State's agent upon an abstract, embracing one of the various classes of expenditure enumerated in the resolution, such abstract showing also the footing of all said payments.

The accompanying tabular statement (herewith, marked Exhibit No. 1) shows the latter designation of each abstract, the period during which the expenditure it summarizes was made, the act of the legislature authorizing and appropriating for the expenditures, the nature of the claim, the amount claimed, the several amounts of the payment of which the examiners find or do not find satisfactory evidence, and the amounts of such expenses as were incurred before and after the war, which amounts, in the case of the militia, are not covered by the resolution. Whenever an item of one class of expenditure was found, to have been included in an abstract embodying expenditures of a different class, it has been transferred to the proper abstract, and a notation to that effect made in the column of remarks. Thus \$24,020 for "drilling," erroneously reported under abstract A, which can properly contain items of "equipping" only, being paid for under a legislative appropriation made for that exclusive purpose, has been transferred to the appropriate abstract, K.

Following the plan outlined, we will consider first the expenditures the State of California incurred on account of its militia during the war of the rebellion, together with the circumstances and exigencies under which, and the authority by which such expenditures were in-

curred, after which the claims made by the State on account of the volunteer troops supplied by it to the General Government for service in said war, will receive consideration.

### I.—CLAIMS-FOR MILITIA.

The expenditures of California upon her militia system during the period referred to in the resolution and for which re-imbursement is asked will, for convenience' sake, be divided into two classes—those incurred under the following designated acts of the State Legislature, to wit, the act approved April 24, 1862, entitled "An act relative to the militia of the State," the act supplementary of the aforesaid act, approved April 25, 1863, and the act of April 26, 1862, forming the first of these classes, and the expenditures incurred under the act of April 25, 1863, entitled "An act for the defense of the State," and the act of April 4, 1864, which extended the provisions of said last-named act, forming the second class. The classes of expenditure so distinguished will be considered in their proper order. The expenditures constituting the first class are found to be as follows, as shown by Exhibit No. 1 :

Abstract B, subsistence of militia .....	\$37, 075. 47
C and E, transportation of militia.....	63, 589. 97
D and L, supplies for militia .....	64, 805. 78
G, furnishing militia.....	8, 779. 16
K, drilling militia .....	70, 251. 15
M, organizing militia .....	6, 778. 61
O, pay of militia staff officers and bands.....	38, 696. 40
<b>Total expenditures of first class .....</b>	<b>289, 976. 54</b>

In support of the amounts of these several payments there are filed the warrant of the comptroller of the State; the certificate of the adjutant-general of the State that the services were rendered, the supplies furnished, or that the money was due to certain officers under the law; the approval of the account by the board of State examiners, consisting of the governor, attorney-general, and secretary of state, or a majority of them; and the receipt of the payee indorsed upon the warrant. In most cases the certificate of the board of military auditors, which for the most part seems to have been composed of the same officers as the board of state examiners, is likewise appended. The proof of the fact that the money was actually expended by the State is therefore satisfactory. The quantity of the supplies purchased, other than subsistence stores, is not always shown, while the necessity for such supplies and the disposition made of them, are seldom indicated, being generally left to mere inference; that is to say, the fact that subsistence, fuel, tentage, equipage, and miscellaneous articles were bought with the money paid out is established, but, save in exceptional cases, no return or explanation of the particular use the stores purchased were put to, or of the number of men and horses that were fed or sheltered, is presented. In one or two cases the articles bought were apparently unnecessary (see voucher 22, abstract O, covering an expenditure of \$23 for a hundred cigars "for headquarters Fourth Brigade," and for a dozen champagne, the latter being reported as ordered by surgeon, though the surgeon's certificate as to necessity is not filed.

A fire-proof safe was purchased (voucher 84, abstract D) for the office of the adjutant-general, which, for aught that appears to the contrary, may still be serviceable.

The vouchers for services rendered are not always sufficiently explicit. For example, under the head of abstract D, voucher 34, exhibits merely an expenditure of \$125, on account of "vessel delayed by injunction for five days;" vouchers 85, 87, and 89, of \$300, \$200, and \$200, respectively, are "for contingent expenses of adjutant-general's office," the adjutant-general receipting for the several amounts on the warrants, but failing to explain the nature of the expenses, or to attach the receipts of the persons who furnished the supplies or rendered the services. Under abstract O the amounts due the several members of each company or other organization are set out on the muster roll, and the total amount due on the roll was paid to the captain by warrant, as shown by his indorsement thereof; but the receipts of the individuals to whom the pay was due are not appended.

Your examiners do not wish to be understood as criticising the manner in which these accounts were prepared, especially as they are satisfied that the moneys were honestly disbursed; but they deem it their duty to call attention to the facts above mentioned. The proof that the money was actually paid out of the State treasury is (as has been already stated) conclusive.

In order to show, in a general way, the purposes and objects the legislature intended to accomplish by authorizing the above expenditures, and to what extent the latter were calculated to increase the value of the militia to the National Government in the possible event of their being called into service, it is deemed proper to give here a summary of such part of the laws under which the expenditures were made as serve to throw light upon these questions, especially as the laws are referred to specifically (as will be seen later on) in support of the claim.

In pursuance of the recommendation of the military committees of the two houses, acting jointly, which had been instructed by a concurrent resolution adopted February 25, 1862, "to inquire into the present condition of the militia of this State, and, if deemed necessary, to report such amendments to the present law as will adapt the system to the exigencies of the present crisis in the affairs of our country," the legislature passed an act entitled "An act in relation to the militia of the State," which was approved April 24, 1862 (Statutes of California for 1862, pages 362-383). This act provided that the organized militia of the State outside of the city and county of San Francisco should be paraded by brigade\* for review and inspection on at least two days of each year, and the militia within said city and county on at least six days in each year, as follows: Two days by brigade, two days by regiment, and two days by company; said San Francisco militia to be compellable also to parade upon occasions of reception, etc. The act also provided that the militia should be assembled for instruction, the militia of the city and county of San Francisco once a week and the militia of the remainder of the State once a month. All reasonable expenses incurred by volunteer (organized) companies, and all other claims under the provisions of this act, were to be audited by the State board of military auditors, the comptroller to draw his warrant for the amount, thus audited and the treasurer to pay the same out of the general fund. Sections 36 to 39 of the act (copy herewith, marked Exhibit No. 2) prescribed the mode in which the militia should be called into active service. Upon the occurrence of an exigency requiring the actual services of the militia, a draft, not only from the organized and trained militia, but also

\* There were six brigade districts in the State, each comprising one or more counties.

from all the militia enrolled, though not organized or trained, was to be resorted to in the event of failure to obtain a sufficient number of volunteers from the former. Compliance with a requisition or call for the militia of the State from the President of the United States, as well as from other military and civil officers (State and United States), was made conditional, to an extent not clearly specified, upon the governor's approval of such requisition.

Two days after the passage of the above act, to wit on April 26, 1862, the legislature appropriated \$250 per month for the support of a mounted battery of artillery in the city and county of San Francisco.

By an act of the legislature, approved April 25, 1863 (Statutes of California, 1863, pages 441-447), the act of April 24, 1862, was amended in several important respects, the amendments deserving notice here being as follows: All commissioned and non-commissioned officers of the militia were required to attend a camp of military instruction, to continue for ten days, at some central point in the State, in the month of April or May of each year. An encampment of the organized militia, to continue not less than ten days, was ordered to be held annually within the limits of the brigade to which the troops respectively belonged. The troops attending each camp of instruction and State encampment were to be regarded as in active service. The militia called into active service for two or more days were to be entitled to the same pay and allowances as United States troops serving in California. The sum of \$300 annually was allowed to each uniformed company of sixty active members, and allowance in the same proportion was made to all uniformed companies; said sum was to be placed in and known as the company fund of the several companies, and was to be used for such purposes as the company officers might direct. The adjutant-general of the State was charged with the purchase of the necessary camp equipage for the use of the camps of instruction and military encampments provided for by the act, the same to become *the property of the State* and to be paid for out of the military fund upon orders drawn by the board of military auditors. For the purpose of creating a State military fund an annual poll-tax of \$2 was levied upon each male inhabitant of the State of the age of twenty-one years and upwards (California Indians excepted), to be known as the military poll-tax.

Section 1, act of the legislature approved April 4, 1864, provided that—

It shall not be necessary for the commander-in-chief to order the encampments of the organized militia of this State \* \* \* unless in his discretion the same is necessary.

The acts, of which abstracts are above set forth, provided for what we have designated as expenditures of the first class. Those of the second class were incurred under a different set of laws, a synopsis of the principal provisions of which is subjoined.

As already stated these laws were the act of April 25, 1863, entitled "an act to appropriate funds for the defense of the State," and the act approved April 4, 1864, which was supplementary thereof. "For the purpose of placing the State in a more efficient state of defense against foreign and domestic foes," the former act appropriated \$100,000 and the latter \$80,000, "to be disposed of" to the existing regiments of infantry, companies of cavalry, the light battery of artillery, and to any other companies that might be organized thereafter (within certain limitations as to time and the strength and number of companies) at the rate of \$1,000 to each company of infantry, \$2,000 to each company of cavalry, and \$3,000 to each battery of light artillery. The moneys appropriated



were to be expended in "equipping for service" the organized militia of the State under the direction and superintendence of the following officers: For the organizations of the second brigade, located in the city and county of San Francisco, the governor, the major-general of the State, and the brigadier-general of said brigade, and for the companies of the other five brigades, the governor, the adjutant-general of the State, and the brigadier-general of each brigade. All articles for military purposes, purchased under the provisions of these acts; were to be received for and held as the *property of the State of California*. The comptroller of the State was required to draw his warrants for the sum of money appropriated to each brigade, in favor of the officers named in this act, to disburse the same under the provisions of this act, upon the written certificate of the adjutant-general that the same was due and payable out of the moneys herein appropriated, and the treasurer of the State was required to pay the same from any funds in the State Treasury not otherwise appropriated.

Under the acts last cited, the sum of \$179,000 was expended, as shown by the canceled warrants and the prescribed certificates of the designated State officers, all of which are presented in evidence of payment. No account of the purposes to which these expenditures of the second class (entered upon abstract A, see Exhibit No. 1) were applied, accompanies said warrants, except that from the receipts of the captains of certain militia companies it appears that 3,174 suits of uniform and 87 sets of cavalry equipments were furnished said companies at a cost of \$70,140, and a report of the disbursing officers shows the further expenditure of \$32,511.25 for clothing and horse equipments.

We now proceed to the consideration of the circumstances and exigencies under which and the authority by which the expenditures on account of the California militia were made. In Senate report No. 2014, Fiftieth Congress, first session, the Senate Committee on Military Affairs referred to "an elaborate statement of the claims of California and Oregon that had been prepared by one of their number," remarking that this statement "will assist the War Department in collecting the laws and orders under which these States expended the money in question," and expressing the desire that the attention of the Secretary of War be called to the document should the bill that formed the subject of their report (S. 3420) become a law. Although the bill was not enacted into law, the substance of it was embodied in the resolution under which your examiners are now acting. The document referred to appears to contain an exposition of the supposed facts upon which California founds the claims covered by the resolution, and at all events the case of the State has not been presented to us in any other shape. The following is believed to be a summary of the principal points relied upon to establish the justness of the California militia claims as set forth in said document, which will hereafter be referred to as "statement for the Senate Committee on Military Affairs."

As early as January 30, 1860, in view of her defenseless and isolated position in the Union, the State made an (apparently unsuccessful) effort to obtain 20,000 stand of arms from the General Government.

The county of Humboldt, in northern California, having been invaded by hostile Indians in August, 1861, the governor of the State was obliged to send a company of mounted militia (which remained in the service some ninety days) to the disturbed district, the commanding general, Department of the Pacific, having previously declared his inability to afford adequate protection to said county.

The notoriety of the number, influence, and strength of the secession sympathizers in California in the latter part of 1861, was evidenced by a letter dated November 25, 1861, addressed by a Confederate commander in Arizona to his superior officer, in which the former declared his conviction that California was "on the eve of revolution," by which declaration he was understood to mean that the State was ready to "espouse the cause of the Confederate States."

On February 6, 1864, the California legislature adopted a concurrent resolution representing that a "devastating and relentless Indian war has been and still is being waged in certain counties in the northern portion of this State, the extent of which has never been fully known to the people in other portions of the State nor properly considered by those whose duty it was to afford us protection at a time when a small force, judiciously managed, could have so disposed of the Indians as to have effectually prevented the lamentable conditions of the counties of Humboldt, Klamath, and Trinity," and requesting the governor to use his best endeavors by appeal to the commanding general, Military Division of the Pacific, and if necessary to the Secretary of War, to have a sufficient number of troops sent immediately to the scene of hostilities.

In the midst of the difficulties arising from Indian hostilities in California, Oregon, and Nevada, and along the main overland mail and emigrant routes leading thereto, rendering imperative (in view of the withdrawal of most of the regular soldiers from the Pacific coast) the organization of volunteer troops in the States named, other more serious causes of great concern to the General Government justified and induced "the issuance of an important State paper, to wit, a circular letter, in fact a quasi proclamation by President Lincoln, on October 14, 1861, to the governors of the loyal States, through his Secretary of State, Mr. Seward." This letter called on the loyal States "for assistance for the General Government, and to improve and perfect the defenses of their several States." The receipt of this letter the governor of California acknowledged on November 12, 1861. As indicative of the War Department's anxiety to know the military situation on the Pacific coast at that time, the fact is pointed at, that on November 18, 1861, the Secretary of War requested the governor of California to make tri-monthly reports to the War Department on said situation, and to regard any request from the Adjutant-General of the Army as a request coming directly from the Secretary of War. The fear that foreign complications would occur, and that if they did occur a foreign enemy might select the Pacific Coast States as the point of attack, amounted almost to a conviction in the minds of the authorities of the General Government and the authorities and loyal citizens of the Pacific coast. The want of protection on that coast; the great need thereof; the absolute necessity for the Pacific Coast States to put themselves in a state of defense as perfect as possible, and that at their own expense, temporarily, were matters keenly felt by the General Government. This conviction was evidenced by a letter of General Wright, of January 11, 1862, and a telegram of Secretary Seward, of April 2, 1862, to the governor of California.

On January 8, 1862, soon after the meeting of the legislature, Governor Downey sent to it a special message relating to Secretary Seward's circular letter of October 14, 1861, and on January 10, 1862, his successor, Governor Stanford, referred in his inaugural address to "the exceptional military status of California in the manner as contained in an abstract therefrom," copy of which appears on page 39, statement

for Senate Committee on Military Affairs. With a view of carrying out the intentions of the aforesaid circular letter of Secretary Seward as by it interpreted, and to comply with the communications of the officers of the Government of the United States in relation to the subject of the common defense, the legislature adopted a concurrent resolution on February 6, 1862, instructing the committee on military affairs to report "what additional sea-coast and harbor fortifications, if any, are necessary for the proper and complete defense of the State, and to make recommendations in connection therewith that will insure the speedy and efficient construction of any batteries that it may be deemed necessary for the State to erect." And by a concurrent resolution adopted February 25, 1862, the legislature instructed the military committees of the two houses, acting jointly, to "inquire into the present condition of the militia of this State, and, if deemed necessary, report such amendments to the present law as will adapt the system to the exigencies of the present crisis in the affairs of our country." As a sequence of this resolution and of the report made in connection therewith, the legislature enacted the law of April 24, 1862, "in relation to the militia of the State," amended by the act of April 25, 1863, which acts (as more fully set out on pages 8 to 10 of this report) provided for special military instruction for her volunteer troops (organized militia) by establishing regular military camps for such instruction.

As shown in an official letter of Lieutenant Brown of the Auburn Grays, dated September 22, 1861, and in the reply thereto of the adjutant-general of the State, dated October 9, 1861, also in an official report of the latter officer (of which an extract without date or address is given), the State went to the expense of establishing military encampments for military instruction for the purpose of putting her volunteers, militia, and home guards\* in a state of immediate readiness and fitness to respond to the calls of the United States, which had been and might thereafter be made upon her for troops, "and in the end as a measure of efficiency and true economy for the United States." This military instruction of California troops for contemplated actual service in the Army of the United States was really an expenditure on the part of California for the United States, the propriety of which can not be seriously questioned when it is remembered that in the early days of the late civil war months were consumed—and this was true economy of life and expense on the part of the Government—"in imparting military instruction in drilling and organizing," the contingents of the several States concentrated on the south bank of the Potomac.

A special act of the legislature, approved April 26, 1862 (see *ante*, page 9), appropriated money to sustain a mounted battery of artillery in the city and county of San Francisco.

On April 25, 1863, the legislature appropriated \$100,000, and on April 4, 1864, \$80,000, "for the defense of the State." (These acts are referred to more at length on pages 5 and 6 of this report.)

Again on April 4, 1864, \$3,000 was appropriated to remount a battery of guns.

As showing some of the results that flowed from the foregoing legislation, "enacted in consequence of the aforesaid letter of Secretary Seward, and of the several requisitions and calls made upon the State

\*That is the portion of the militia that had entered organized companies; the enrolled militia that had not been so organized, constituting, of course, the great bulk of the militia did not attend the encampments.



authorities,"\* the annual reports of the adjutant-general of California for the years 1862 and 1863, are referred to. (See extracts in the statement for the Senate Military Committee.)

From the circumstances thus recited, as presented in the statement for the Senate Committee on Military Affairs, it appears that the State asks re-imbursement of the expenses incurred by her during the late war on account of her militia system on the ground (1), of the Government's failure to provide adequate protection for her people and their property against Indian hostilities; (2) of the necessity that was felt to exist, especially during the early part of the war, of holding in check and overawing, through the maintenance of a well-appointed militia, that part of her population which favored, or was supposed to favor, the rebel cause, and thus preserving the State to the Union; and (3) that a rupture of the country's relations with one of the great European nations, which seemed imminent, would expose California to the attacks of the hostile power, and that she prepared her militia to repel such an apprehended attack, in accordance with the official request of the General Government, communicated to the governor through Mr. Seward, Secretary of State. Each of these grounds will be examined separately.

The truth of the assertion that three of the counties in northern California were throughout almost the entire war period overrun with hordes of marauding Indians is abundantly attested by the reports of the commanding general of the Department of the Pacific to the Adjutant-General U. S. Army. These reports, however, show likewise that after the year 1861, at least, the efforts on the part of the United States military authorities to suppress these Indian raids were energetic and unremitting, a large command of California volunteers, under officers of more than ordinary skill and ability, having been continually kept in the field against the depredators; and that these efforts failed, or were never altogether successful, owing to the almost insurmountable obstacles to rapid and concerted movements of troops presented by the face of the country, and by the fact that the Indians prowled about in small bands, committing depredations at every exposed point. For a full statement of the efforts put forth and the difficulties encountered by the United States troops in carrying on this warfare, attention is invited to the official reports of General Wright, commanding department, to the Adjutant-General of the U. S. Army, published on pages 44, 58, 60, 135, 137, Senate Ex. Doc. No. 70, Fiftieth Congress, second session. Nevertheless, it seems quite clear that if the California militia, *i. e.*, State forces, or home guards, were actually employed in this warfare, even though not formally "called forth" by the United States authorities, the expenses incurred on their behalf should be re-imbursed to the State. It does not appear, however, from the evidence before us that any portion of the California militia was so employed during the period embraced by our investigation, save in the single instance referred to on page 13 of this report; and it appears from a letter of the Third Auditor, dated May 15, 1889, copy of which accompanies this report, as Exhibit No. 3, that the expenditures incurred on this account were re-imbursed the State by the United States in the latter part of 1888. In the only other instance where the use of the California militia against hostile Indians was contemplated (see letter of General Wright to the Adjutant-General of the U. S. Army, dated January 26, 1863, page 135, Ex. Doc. 70), the purpose seems to have been subsequently abandoned.

\* The requisitions and calls referred to were for volunteers, not for the militia.

With respect to the intimation that at one time the secession sympathizers in the State were likely to gain the upper hand, and that the organized militia aided—if only by its presence—to overawe them, it is thought that the letter from the Confederate military officer in Arizona—to which our special attention is invited in this connection—being obviously based on rumor, carries with it little or no weight. Much information on this subject can be gleaned from the official reports made to the Washington military authorities by the commander of the United States troops stationed on the Pacific coast during the war, whose headquarters were at San Francisco. It is thought that a careful reading of these reports and a study of the political situation of California during this period will show that, while the active rebel element was believed, at the outbreak of the war and at various times during its continuance, to be very strong (General Sumner reported, August 30, 1861, that it was estimated as including from 25,000 to 40,000 voters), and while this belief excited at certain intervals grave apprehensions among the Union-loving people of the State, the political party to which it had attached itself after 1862,\* but of which thenceforth it probably constituted only a minority, met with overwhelming defeat at each recurring election, beginning with that held on September 4, 1863, and that it never made any open and concerted demonstration against either the authority of the State or of the General Government.

*Election returns State of California.*

	Vote cast.	Percent- age.	Legislature.	
			Senate.	House.
<b>President (1860):</b>				
Republican (Lincoln).....	39,173	32.963	5	19
Democrat (Douglas).....	38,516	32.410	19	38
Union (Bell).....	6,817	5.754		1
Democrat (Breckinridge).....	34,334	28.873	11	22
<b>Governor (1861):</b>				
Republican.....	56,036	46.88	16	41
Union Democrat.....	30,944	25.84	16	29
Secession.....	32,750	27.35	8	10
<b>Superintendent public instruction (1862):</b>				
Republican, Union.....	51,238	57.85	32	63
Union Democrat.....	21,514	24.30	4	10
Secession.....	15,817	17.85	4	7
<b>Governor (1863):</b>				
Union.....	64,447	59.04	35	72
Democrat.....	44,715	40.96	5	8
<b>President (1864):</b>				
Republican.....	62,134	58.763	Large Union majority.	
Democrat.....	43,841	41.237		
<b>Justice supreme court (1865):</b>				
Union.....	33,221	55.87	33	40
Democrat.....	26,245	44.13	7	25

On April 5, 1862, only a few weeks before the passage of the act "In relation to the militia of the State," General Wright (a shrewd observer of current events, as his numerous official communications attest) reported "the political status of the country unchanged. Quiet throughout." (Page 56, Ex. Doc. 70.) And again, on May 22, 1862, in a letter

\*During the years 1861 and 1862 the adherents of the secession movement were represented in the State election by an independent ticket, as will be seen by the following table, which presents a comprehensive statement of the strength of the different political parties in California during the war period. The table has been compiled from information obtained from the Tribune Almanacs for the years in question.

to the Adjutant-General of the Army (page 65, Ex. Doc. 70), he expressed himself thus:

I am happy in being able to assure the department of the firm and unwavering fidelity to the Union and the Constitution of the people on the Pacific coast. Although we have in our midst rebels and ardent sympathizers with the rebellion, yet their voices are drowned by the overwhelming majority of Union-loving citizens on this far-distant shore.

The greatest strength of secession sympathizers was in southern California, and there, partly with the object of holding it in check, a considerable force of United States troops was maintained.

For further interesting information respecting this branch of the inquiry, your attention is invited to official communications of the commanding general, Department of the Pacific, printed on pages 5, 9, 29, 95, 113, 114, 116, 164, 169, 175, Ex. Doc. 70; also to a letter from citizens of San Francisco, page 11, *ib.*

Conceding, however, as we readily do, that the knowledge of the avowed loyalty of the organized militia and of its effectiveness as a coercive instrumentality had its effect in preventing any uprising against the constituted authorities of the State as a member of the Union, the question still arises whether it was not primarily the province of the State, with the great bulk of its population devoted to the cause of the Union, to put down such uprising had it occurred. The Federal Constitution imposes upon the General Government the duty of protecting each State against domestic violence only upon application of the State legislature, or upon application of the State Executive when the legislature can not be convened; the inference being that unless the revolt is from the beginning of such magnitude that it is manifest to the State authorities that they can not cope with it they must exhaust their own power in an effort to suppress it before calling for Federal aid. It also appears from the reports of the commanding general Department of the Pacific, that he kept himself fully informed of the political situation as it existed from time to time within the territory embraced by his command and that he made his dispositions accordingly.\* (See pages 5, 15, 18, 21, 29, 40, 41, 44, 51, 61, 62, 95, 164, 170, 175, 226, Ex. Doc. 70.)

It remains to consider the letter of Mr. Seward and to determine whether the claim that in effect if not in express terms it amounted to a call by the Government upon California to prepare her militia to defend the State against an anticipated foreign attack can be main-

\* It must not, however, be inferred that General Wright, the department commander, was indifferent to the preparations the State authorities made for putting down a possible attempt of the secession party to obtain forcible control of the State government. On the contrary his official letters show that he encouraged such preparations on the part of said authorities, and that he had implicit confidence in their loyalty and good judgment. Indeed, in a letter from him dated December 15, 1862, which has been but recently discovered (it was not submitted to the examiners until November 20, 1889, when they supposed they had been put in possession of all the evidence bearing on the case of the State except such as related to the payment of interest), he requested the War Department to approve his actions, past and contemplated, in furnishing (regardless of the State's quota or allowance) Government arms to the volunteer militia companies then being organized by the governor of California, saying: "In view of the state of feeling existing in certain localities and the impossibility of posting my troops at every point, the best interests of the Government require that we should encourage by every means in our power the formation of volunteer companies of patriotic men." This request was not at this time complied with by the War Department. (See pages 135, 136, Ex. Doc. 70.) A copy of the letter is hereto attached, marked Exhibit 34.

tained. So much stress is laid upon this letter that before analyzing it we insert it here in full :

DEPARTMENT OF STATE,  
*Washington, October 14, 1861.*

SIR: The present insurrection had not even revealed itself in arms when disloyal citizens hastened to foreign countries to invoke their intervention for the overthrow of the Government and the destruction of the Federal Union. These agents are known to have made their appeals to some of the more important states without success. It is not likely, however, that they will remain content with such refusals. Indeed it is understood that they are industriously endeavoring to accomplish their disloyal purposes by degrees and by indirection. Taking advantage of the embarrassments of agriculture, manufacture, and commerce in foreign countries, resulting from the insurrection they have inaugurated at home, they seek to involve our common country in controversies with states with which every public interest and every interest of mankind require that it shall remain in relations of peace, amity, and friendship. I am able to state, for your satisfaction, that the prospect of any such disturbance is now less serious than it has been at any previous period during the course of the insurrection. It is nevertheless necessary now, as it has hitherto been, to take every precaution that is possible to avert the evils of foreign war to be superinduced upon those of civil commotion which we are endeavoring to cure. One of the most obvious of such precautions is that our ports and harbors on the seas and lakes should be put in a condition of complete defense, for any nation may be said to voluntarily incur danger in tempestuous seasons when it fails to show that it has sheltered itself on every side from which the storm might possibly come.

The measures which the Executive can adopt in this emergency are such only as Congress has sanctioned and for which it has provided. The President is putting forth the most diligent efforts to execute these measures, and we have the great satisfaction of seeing that these efforts, seconded by the favor, aid, and support of a loyal, patriotic, and self-sacrificing people, are rapidly bringing the military and naval forces of the United States into the highest state of efficiency. But Congress was chiefly absorbed during its recent extra session with those measures and did not provide as amply as could be wished for the fortification of our sea and lake coasts. In previous wars loyal States have applied themselves by independent and separate activity to support and aid the Federal Government in its arduous responsibilities. The same disposition has been manifested in a degree eminently honorable by all the loyal States during the present insurrection. In view of this fact, and relying upon the increase and continuance of the same disposition on the part of the loyal States, the President has directed me to invite your consideration to the subject of the improvement and perfection of the defenses of the State over which you preside, and to ask you to submit the subject to the consideration of the legislature when it shall have assembled. Such proceedings by the State would require only a temporary use of its means.

The expenditures ought to be made the subject of conference with the Federal authorities. Being thus made with the concurrence of the Government for general defense, there is every reason to believe that Congress would sanction what the State should do and would provide for its re-imbursement. Should these suggestions be accepted the President will direct proper agents of the Federal Government to confer with you and to superintend, direct, and conduct the prosecution of the system of defense of your State.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

His excellency THOMAS H. HICKS,  
*Governor of the State of Maryland.*

(The same to the governors of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Ohio, Illinois, Michigan, Wisconsin, Minnesota, California, and Oregon.)

The letter is made up of three principal parts or propositions, contained in three separate paragraphs. In the first Secretary Seward declares, after adverting to the fact that despite the efforts of rebel emissaries to embroil our Government with foreign powers, the prospect of any such disturbance is now less serious than it has been at any previous period during the course of the insurrection; that it is nevertheless necessary, now as heretofore, to take every precaution that is possible to avert the evils of foreign war, and that one of the most obvious of such precautions is that "our ports and harbors on the seas and lakes" should be put in a condition of complete defense.

Secondly. Having explained that Congress, because chiefly absorbed during its recent extra session in devising and authorizing measures calculated to promote the efficiency of the "land and naval forces of the United States," has failed to provide as adequately as could be wished for "the fortification of our lake and sea coasts," he requests (by the President's direction) each of the governors addressed to consider the subject of the improvement and perfection of "the defenses of the State over which he presides," and to submit the subject to the legislature when it shall have assembled, adding that such proceeding by the State would only require a temporary use of its means.

In the third place, Mr. Seward makes it clear that the expenditures certainly, if made with the expectation of re-imbusement, must be made the subject of conference with the Federal authorities, and he remarks that if these suggestions should be accepted the President will direct proper agents of the Federal Government to confer with the State authorities, and to superintend, direct, and conduct the prosecution of the system of defense of the State.

It is a question for the Senate to decide whether the phrase "the improvement and perfection of the defenses of the State," as employed in the second paragraph of the letter, and as limited by the paragraph that precedes and follows it, can properly be understood to include the improvement and perfection of the militia system. Congress had devoted itself mainly to the devising of measures designed to strengthen the land and naval forces of the Republic, and the execution of these measures by the President was meeting with the most gratifying success. But the exposed and unsafe condition of some of the sea and lake ports of the country, for which but scant provision had been made, gave him great concern, and it was for the more adequate protection of these that he desired to strengthen and perhaps increase our lake and sea-coast fortifications, and invoked the temporary aid of those loyal States only that border on the sea or lakes.

It does not appear that any doubt as to the meaning of the letter existed in California at the time of its arrival there. In a communication dated November 12, 1861, in which he acknowledged its receipt, the governor stated that the subject would undoubtedly command the attention of the legislature, to whom he should submit it at their next meeting; that the defenses were wholly inadequate "to the protection of the coast and interior of California," and that "the topography of the country is such that it can be secured beyond all contingencies against the attack of any military power that can be brought against it by a complete system of coast defenses. The interior will require but little outlay to assure its protection." A copy of the governor's special message, dated January 8, following, to which the statement for the Senate Committee on Military Affairs refers as relating to Mr. Seward's letter of October 14, 1861, has not been furnished; that it recommended action looking to the better fortification of the coast of California is however probable, as on February 6, 1862, the concurrent resolution of which the purport has been already stated on page 15 was adopted. General Wright, commanding Department of the Pacific, *did* confer with the governor and the military committee of the legislature on the subject of coast defenses, and a bill was introduced making an appropriation for temporary fortifications for the defense of the city of San Francisco (letter of General Wright dated March 10, 1862, to Adjutant-General of the Army, page 52, Ex. Doc. 70), but no money was appropriated by the State for this purpose (or for the defense of any other part of the coast), and on July 24, 1863, General Wright reported (Ex. Doc. 70, page 184)



that "if the work is to be done it must be done by the United States." It is learned from the office of the Chief of Engineers, U. S. Army, that about \$1,066,000 was expended during the war by the General Government upon the defenses of San Francisco, but so far as is known no aid in any shape was received from the State.

The extract from the inaugural address of Governor Stanford, to which the "statement for Senate Military Committee" invites attention as referring "to the exceptional military status of California," is noteworthy for the spirit of loyalty and devotion to the Union it breathes, but contains little or no information respecting the "exceptional military status of California." Neither can any special anxiety on the part of the War Department in regard "to the military situation of the Pacific coast" be justly inferred from the Secretary of War's telegram of November 18, 1861, asking the governor of California to make tri-monthly reports to the War Department. The telegram called for the rendition of information at the usual stated intervals regarding the volunteer recruiting service, and was sent to the governor of every State not in rebellion, as will be seen by the inclosed copy herewith, marked Exhibit No. 4.

The State Department being without information on the subject, we have been unable to ascertain the occasion or circumstances that caused Secretary Seward to send Governor Stanford the letter (telegram) of April 2, 1862, mentioned in the "statement;" but it is inferred that it was written in response to some inquiry or request from Governor Stanford. At all events, standing by itself, no conclusion of any kind can be drawn from it.

If, after what had been said on the subject, there were any doubt as to whether the phrase in question, namely, "the improvement and perfection of the defenses of the State," was construed in California as warranting the militia expenditures with the expectation that they would be re-imbursed to the State by the Government, such doubt must be dispelled by the facts (which we are justified in inferring from the non-production of evidence to the contrary) that no formal acceptance of the suggestions of Mr. Seward by the legislature was ever sent; that no agent of the Federal Government was asked for or designated to confer with the State authorities on the subject of the training or the equipping of the militia; and that no Federal agent "superintended, directed, and conducted" such training and equipment.

It is also to be noted that while the governor of California, when informing the legislature (January, 1862) of his action in having called out a company of militia for service against hostile Indians, confidently stated (as well he might) that the amount expended "will, as it were, be only advanced to the General Government, as it will be promptly recognized" (pages 33 and 34, Statement for Senate Military Committee) your examiners have been unable to find in the copies furnished us of the communications of State officers recommending the enactment, or reporting the effect, of laws appropriating money for the benefit of the militia, any expression of a purpose to apply for, or of an expectation to obtain unasked, re-imbusement of such moneys from the national Government until on January 17, 1866, Mr. J. Oulton, comptroller, replying in a letter addressed to the governor, to what appears to have been an inquiry from the Hon. James G. Blaine, stated as follows, after reporting the several amounts expended by and still due from the State "in support of the late war for the preservation of the Union," viz:

Under the acts for the defense of the State the sum of \$180,000 has been expended and our militia system has cost the State in the neighborhood of \$400,000, both of

OKLAHOMA LIBRARY

13434

which items of expenditure may be directly traced to the rebellion, although not included in the class of expenditures named in the letter of Hon. James G. Blaine, inclosed. (See p. 82, Statement for Senate Committee on Military Affairs.)

Had the Government deemed it necessary at any time, as a precaution against threatened foreign invasion, to increase its military force on the Pacific coast, it is likely that it would have done so by calling for additional *volunteers*, since for reasons of economy and convenience it became its settled policy soon after the outbreak of the war to obtain the troops it needed (except for very sudden emergencies such as occurred shortly before the battle of Gettysburg) under the constitutional power "to raise and support armies," rather than under the power to "call forth the militia." But what it probably apprehended on the Pacific coast and elsewhere was not so much the landing by a hostile fleet of an expeditionary force of troops sufficiently large to invade and occupy any portion of our territory (the preparation of such a force could hardly be kept secret and the transportation of it would consume much time), but the sudden appearance before one of our sea or lake-port cities of an enemy's vessels of war with guns of sufficient power and range to destroy it or to exact a contribution from it under the threat of destruction.

It is true the acts of the legislature of April 25, 1863, and April 4, 1864, appropriated \$180,000, to be used in equipping the militia, for the express purpose of placing the State "in a more efficient state of defense against foreign internal foes;" but it is not established that at this time the State was in such imminent danger of being invaded as to warrant it to prepare to engage in war, or that the General Government, upon which the duty of "providing for the common defense" and of protecting "each State against invasion," is imposed by the Federal Constitution, was unprepared to resist the invasion of California in case it should be attempted.

The fact, as it appears to us, is that the expenditures referred to, including those for "equipping the militia," were incurred for purposes incidental to the *training* of the militia, and *not* in actually repelling invasion, or preparing to repel any particular force whose object was known or believed to be the invasion of California; nor in suppressing Indian hostilities, or protecting either of the overland mail or emigrant routes. There is no evidence presented that any portion of the California militia, except the single company of ninety-days' men—the expenditures on whose account the Government has since refunded—took the field against a foreign enemy, marauding Indians, or highwaymen. Prior to April 25, 1863, the militia seems to have been assembled for parade and instruction by brigade, regiment, or company from two to six days annually, besides being instructed by company once a month. The companies of the San Francisco County militia drilled as often as once a week.

Subsequently, and during the year 1863 at least, the parades, inspections, and drills afore-said were continued, and in addition thereto the officers and non-commissioned officers of the militia were ordered into a central camp of instruction for ten days, and, besides, a general encampment of each brigade (comprising both officers and men) was held for the same period. There is no doubt whatever, and the reports of the adjutant-general of the State for the years 1862 and 1863 show it (see pages 51-64, statement for Senate Military Committee); that the State authorities in providing the means for the military instruction, and the men in availing themselves of it, realized that the existence of the rebellion and the danger of foreign complications resulting there-

from, coupled with the fact of the isolated and exposed position of California, might at some time render the organization within the State of a volunteer army of considerable magnitude a necessity to the General Government, and that such an army would be all the more efficient for being composed in part of men trained to arms in the militia. And it is admitted, as claimed, that but for the existence of the state of affairs above described the legislature would probably have been less liberal in making provision for the militia. But it is not shown that the General Government called upon the State to subject its militia to any *special* course of instruction; and it is to be borne in mind that while the Constitution has confided to Congress the power to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, it has reserved "to the States respectively the appointment of the officers and the authority of *training* the militia according to the discipline prescribed by Congress."

No payments whatever on account of the expenditures for the militia herein considered, amounting in all to \$468,976.54, have been made by the United States.

In concluding our remarks upon the claims of California for reimbursement of moneys expended in the maintenance of her militia, we deem it proper to repeat what in effect has been pointed out before; namely, that the expenditures were incurred during what may be termed the official war period (April 15, 1861, to August 20, 1866), and therefore include such as were made between the latter date and May 1, 1865—the date usually accepted as marking the cessation of actual hostilities.

## II.—CLAIMS FOR THE EXPENSES OF VOLUNTEERS.

These claims embrace expenditures on account of: (1) recruiting volunteers called into the service of the United States (Volunteers, Abstract F, Exhibit No 1); (2) paying certain officers commissioned in certain volunteer organizations for services rendered prior to muster into the United States service (Abstract N); (3) paying the adjutant-general and employes of the adjutant-general's office of the State (Abstract H); (4) organizing volunteers (Abstract M); (5) extra pay to enlisted men (Abstract P); (6) bounty to enlisted men (Abstract Q). These classes of expenditure will each be considered in the order mentioned.

### (1) RECRUITING OF VOLUNTEERS.

By an act of the legislature of April 10, 1863, the sum of \$24,260, arising from the exchange of gold for legal tender notes in the payment of the State war tax, was appropriated to assist in the recruitment of four designated regiments and battalions,\* comprising in all twenty-seven companies, that were then in process of formation under a call of the governor, dated February 5, 1863. The sum appropriated was under the provisions of the act to be apportioned so as to give to the commanding officer of each regiment and battalion \$898.51 for each of the companies of his command. Such commanding officer was required, as disbursing officer of the funds placed in his hands, to dis-

\* The following were the organizations for whose benefit this money was appropriated: The First California Cavalry, 7 companies; the Sixth California Infantry, 10 companies; the First Battalion Mountaineers, California Volunteers, 6 companies; the Native California Cavalry, 4 companies.



tribute the same in proportion of \$498.51 to the captain and \$200 to the lieutenants of each company upon the production by them of proper duplicate vouchers "of the necessary traveling expenses and subsistence of their recruits previous to being forwarded to the general rendezvous" and of all other necessary incidental expenses. The disbursing officer was further required, after determining the correctness and justness of the vouchers, to forward one copy thereof to the adjutant-general of the State, and to retain the other as his receipt for the amount allowed. (Page 471, Statement for Senate Committee on Military Affairs.)

That the entire amount thus appropriated was actually paid out of the State treasury to the commanding officers of the four regiments and battalions designated is satisfactorily established. Only one of them, however, Col. H. M. Black, of the Sixth California Volunteer Infantry, appears to have submitted a complete set of vouchers as contemplated by law. It will be seen by the accompanying memorandum (Exhibit No. 5) that a comparison of these vouchers with those supporting the accounts of the officers of the U. S. Army stationed in California who were charged with the disbursement of moneys placed to their credit by the United States Treasury Department for "collecting, drilling, and organizing volunteers," establishes the fact that in a number of cases the same items were paid for both by the State of California and the United States. It is probable that other instances of duplicate payment might have been discovered in these accounts if the several items had been uniformly stated with a reasonable degree of particularity. Thus in a certain voucher the fact that R. Andrews & Co. were, on April 29, 1863, paid \$29 for board of recruits, is stated, but the rate per day or week and the number of recruits boarded are not specified; and the receipt of the firm named, which ought to have been attached as a subvoucher, is not submitted. It further appears from a memorandum herewith, marked Exhibit No. 6, that in one hundred and twenty-six instances the United States and the State each paid a premium of from \$5 to \$10 for the presentation at a recruiting rendezvous of an accepted recruit for this regiment. Thus Elliott Harper received \$5 from the State for presenting (procuring and enlistment of) recruit Patrick Gaffey, and the United States also paid said Harper \$10 for presenting the same man.\*

And yet, barring the cases of a few company officers of the First Battalion of Mountaineers, whose vouchers are unexceptionable, the accounts of Colonel Black are full and explicit when compared with those of the other battalion and regimental commanders. As illustrating the difficulty of determining not only to what extent (if at all) the United States has already paid the identical expenses for which the State now asks re-imbursement under this head, but also whether the expenses were reasonable, just, and legitimate, it may be mentioned that the commanding officer of the First California Cavalry (Lieut. Col. Oscar M. Brown), in a "statement" of the disposition made of the sum of \$6,289.60, received by him under the law of April 10, 1863, declares that "at the suggestion of most of the officers, \$200 was paid to Capt. Frederick Staples to remunerate him for time and money claimed

\* It must be remembered, however, that while the transactions referred to in Exhibit No. 5 are of a more or less questionable character (for which of course no responsibility whatever attaches to Colonel Black, who simply paid out the money upon the certificates of his recruiting officers), the payment of premiums by both the State and the United States, as above shown, may merely indicate that the State in order to procure the requisite number of recruits was willing to add to the premium allowed by the United States.

to have been expended by him in superintending the passing of the act." Each of the two sets of vouchers taken by Colonel Brown from his company officers was lost in some unaccountable way; and it is therefore impossible to discover for what purpose the remainder of the money was expended. That the bulk of it was duly distributed among the proper company commanders appears to be inferable from the papers filed with a different abstract (Abstract N). No accounts whatever, so far as known to us, were rendered by the two officers who disbursed the money allotted to the other battalion, known as the native California Calvary, except that one of them (Major Vallejo), after acknowledging the receipt of \$1,797.14, on December 23, 1863, certifies on April 30, 1866, that he received \$1,600, and that he distributed \$1,300 thereof to three company officers whom he names, without indicating what disposition he made of the remainder of the money.

Including premiums and bounty paid to recruits, \$70,156.46 (as shown by Exhibit No. 7) was expended by the United States in connection with the recruitment of the organizations herein referred to.

(2) PAY OF CERTAIN OFFICERS OF CERTAIN VOLUNTEER ORGANIZATIONS RAISED FOR THE SERVICE OF THE UNITED STATES.

In order to compensate the officers of the volunteer companies that had been, or were then being, raised in California for the United States service under the governor's call of February 5, 1863, "for services rendered in raising recruits for their companies during the time intervening between the date of each receiving his commission and the date of his being mustered into service of and receiving pay from the United States," which said interval had been greatly protracted "owing to the tardy manner" in which volunteering had progressed under said call, subjecting the officers concerned to great expense, and in some instances, where they were compelled to abandon the enterprise, to absolute loss, the legislature appropriated, by an act that was approved April 4, 1864, a sum not exceeding \$65,000, to be known as "The line officers' relief fund," from which every such officer was to be paid from the time of receiving his commission to the time of his muster into the United States service the same pay and allowances received by U. S. Army officers of the same grade serving in California, provided that there was to be deducted from the amount thus computed any amounts received by such officer during such interval, either from the General Government for services, or from the State under the provisions of the act of April 10, 1863; of which, as has been shown under the preceding caption, the same officers were the beneficiaries.

Payment was to be made as follows: Each officer was to send in monthly or at greater intervals his pay account, properly certified according to Form 3 of the U. S. Army Regulations then in force, to the adjutant-general of the State, and upon the latter's certificate of the correctness and justness of the account the comptroller was to draw his warrant upon the treasurer for the amount certified as due, and such warrant was not to be assignable.

For the purpose of carrying the provisions of the act into effect and providing for the said relief fund, bonds in sums of \$500 each, to the amount of \$65,000, with coupons for the interest attached to each bond, were to be issued, the same to bear interest at the rate of 7 per cent. per year and to be redeemable at the office of the treasurer of the State on July 1, 1874. (See page 67, Statement for Senate Committee on Military Affairs.)

Warrants drawn by the State comptroller for the sums claimed to be due the several officers under the provisions of the act as above outlined were paid by the State treasurer to the amount of \$23,277.34, as shown under Abstract N, Exhibit No. 1. These paid warrants are accompanied each by a statement showing date of commission, date of muster in, or revocation of commission,\* amount due by State under act of April 4, 1864, and the amount deducted therefrom as having been paid under the act of April 10, 1863; but only a few (14) are supported by the proper certificates set out in Form 3 above referred to, though the prescribed certificate of the adjutant-general is attached in all but one case, where the officer seems to have been paid under the provisions of a special act. In one other case (Voucher 45) the warrant seems to have been indorsed over by the officer in whose favor it was drawn to another person contrary to the provisions of the law.

By reference to the accompanying table, which has been compiled from information obtained from the records of the State of California and of the United States Treasury Department (herewith marked Exhibit No. 8), it appears that \$2,946.24 has been paid by the United States to officers for services rendered in certain months that are found to be embraced within the periods for which the State paid them under the provisions of the law of April 4, 1864.

The circumstances and exigencies under which the State of California made these payments are sufficiently indicated in the act of the legislature above outlined, but the opinion expressed in the "Statement for Senate Military Committee," that "Congress, recognizing the justice of this class of claims at a much later date, passed a law on June 3, 1864, covering the same subject" (see page 9), is not sufficiently explicit. As a matter of fact the Congressional legislation referred to does not in every case authorize the payment by the United States of company officers of volunteers from date of commission to date of muster in (as might be inferred from what has been quoted); on the contrary it confirms the rule upon which the War Department acted during the late war and has acted up to the present time, to wit, that such officers are entitled to recognition, muster, and payment by the United States as follows: The first lieutenant from the date when one-half of the prescribed minimum of the enlisted strength was mustered, and the captain and second lieutenant when such full minimum strength was actually enrolled. What the legislation mentioned does provide for is, in substance, this: That where for any reason officers were not at the time mustered in accordance with the rule above mentioned, as where they had not received their commission, or having received it were beyond the reach of the mustering officer, they shall now be so mustered and paid, provided they were actually performing the duties of the grade to which mustered, or that they were absent on account of wounds or disease contracted in the line of duty, or were prisoners of war.

It is presumed that in the great majority of cases the officers of the organizations who were paid by the State under the act of April 4, 1864, were mustered into the service of and received pay from the United States in accordance with the above-mentioned rule. A few of said officers have, upon their application, been mustered as of a date anterior to their original muster, upon the presentation of evidence that they were entitled to such remuster under the act of June 3, 1864. It is clear that

\* In three cases the commissions of persons who recruited for these organizations were revoked by the governor, consequently they were not mustered into the United States service at all.

in the latter cases the State was in strict justice, though not in law, entitled to the pay that accrued to these officers by reason of such muster. Congress might of course direct that all moneys still due (under the act of June 3, 1864, and the act amendatory thereof) to officers of California volunteer organizations raised under the call of the governor of the State, dated February 5, 1863, shall be paid to the State of California; but the amount that the State would be enabled to recover under such authorization would probably constitute but an insignificant proportion of the original outlay.

It is proper to state here that the rule in reference to the muster and payment of company officers of volunteers commissioned by governors of States, was adopted after mature consideration, from a conviction that any other would work great injustice to the United States. Persons frequently received commissions from the governors of their respective States during the late war who did not succeed in raising the requisite number of men, and consequently were never mustered into the United States service. It is not known that Congress has seen fit, so far, to depart from this rule in a single instance; if such departure has been hitherto authorized it has not been brought to the notice of the examiners.

### (3) EXPENSES OF ADJUTANT-GENERAL'S OFFICE.

[Abstract H, Exhibit No. 1.]

As shown by the paid warrants the sum of \$38,083.17 was expended by the State under this head during the War of the Rebellion, of which \$14,858.05 was for salary of the adjutant-general, being at the established rate of \$3,000 per year, and \$23,233.12 for hire of clerks and porters. For the reason that in every loyal State, during the war period, much of the time of the adjutant-general and his assistants was occupied in the transaction of business relating to the volunteers raised in the State, similar claims from other States have heretofore been allowed and paid by the United States.

### (4) ORGANIZING VOLUNTEERS.

[Abstract M, Exhibit No. 1.]

Under this head the expenditures of the State, as evidenced by the paid warrants, amount to \$5,639.34, itemized as follows:

Three thousand dollars for printing relief bonds, and \$2,639.34 for rent of adjutant-general's office from July 24, 1861, to August 20, 1866.

### (5) BOUNTY TO ENLISTED MEN.

[Abstract Q, Exhibit No. 1.]

By the act of April 4, 1864, the legislature granted to every soldier who should thereafter enlist during the existing rebellion for three years or the war, as part of the quota of volunteers of the State under the laws of Congress and the orders of the President, a bounty of \$160 in addition to other bounties and pay then provided for and authorized by any law of the State. To every person so enlisting who had previously served six months or more in the U. S. Army or the Marine Corps and had been honorably discharged therefrom it granted an additional bounty in the further sum of \$140. This bounty was to be

paid in certain specified installments to the soldier in person or "upon (properly attested) certificates executed by such soldier after each successive payment shall have fallen due"; such payments were also authorized to be made to the wife or family of the soldier, he "having first filed in the office of the adjutant-general of the State a power of attorney to that effect, executed before and certified by" his commanding officer. The full amount of bounty was granted to soldiers honorably discharged from the service in consequence of wounds received or disease contracted therein, also to the heirs of soldiers dying from disease or wounds so incurred, and to soldiers who should be discharged by reason of the close of the war; but the act provided that the allowance of bounty should cease upon the dishonorable discharge of any soldier or upon his discharge for disability existing at or prior to his enlistment.

For the payment of liabilities created under the provisions of the act bonds, in sums of not less than \$100 each, bearing interest at the rate of 7 per cent. per annum, with coupons for interest attached to each bond, were to be issued to the amount of \$2,000,000, such bonds to be redeemable at the office of the State treasurer July 1, 1864. (Pages 69-72, Statement for Senate Committee on Military Affairs.)

The act was amended January 11, 1866, in respect to unimportant particulars, relating mainly to the disposition to be made of bounty that had accrued to deceased soldiers and prohibiting disloyal persons from receiving any benefit therefrom.

Warrants to the amount of \$900,839.50 were drawn in favor of soldiers entitled to bounty under the provisions of the act or of their attorneys, and paid by the State treasurer. Such payments were made upon the prescribed certificate of the proper commanding officer of each soldier, approved by the "board of examiners of bounty claims," consisting of the governor, the adjutant-general, and the treasurer of the State. In the great majority of cases the amounts due soldiers were paid to agents or attorneys, presumably upon properly-executed powers of attorney.

With respect to the circumstances and exigencies under which this expenditure was incurred by the State, it appears to be plain that it was the earnest desire of the legislature that such troops as the State had been or might thereafter be called upon to furnish the General Government should be promptly supplied. The time was approaching when the terms of most of the volunteer regiments raised in California in the early part of the war would expire. These regiments were occupying important stations in the State, and in the Territories of Utah, Arizona, and New Mexico, and it was obvious that it would become necessary either to continue them in service by filling them up with new recruits or re-enlisted veterans, or, in the event of their disbandment, to replace them by new organizations. Volunteering under the calls of the previous year had progressed tardily, while lucrative employment in the State was abundant and the material inducements for men to enter the Army were small. It was probable that unless these latter were considerably increased recruiting would come to a standstill, and a draft, as in the eastern States, have to be resorted to. That a draft in California was considered possible, and even probable, is shown by an official letter, written January 8, 1864, to the Adjutant-General of the Army by General Wright, commanding Department of the Pacific, in which he expressed the hope "of procuring quite a number of men who would prefer volunteering to running the chance of being drafted." (Page 205, Ex. Doc. 70.) The expectation that the



mere fear of a draft would sufficiently stimulate volunteering had not, some months later, been realized; and under all the circumstances, and prompted by the desire above mentioned, the legislature doubtless deemed it wise to enact the bounty law of April 4, 1864.

Attention is called in "Statement for Senate Committee on Military Affairs" (page 27) to the third section of an act of Congress (9 U. S. Stats., 439) granting to persons enlisting on the Western frontier, and at remote and distant stations, a bounty equal in amount to the cost of transporting and subsisting soldiers from the principal recruiting depot in the harbor of New York to the place of enlistment, and it is argued that if it was just, proper, and expedient to grant such a bounty to men enlisting in the Regular Army in such localities in time of peace, the allowance by California of a bounty to its volunteers when they were in the actual and active service of the United States in time of war, and "while the exigencies exceeded in degree those under which the United States have heretofore paid a much larger sum to its own Regular Army serving in said States (the States of California, Oregon, and Nevada) in a time of peace," must be deemed to have been in harmony with the policy so long and so frequently executed by the United States.

With regard to this argument, it is proper to remark that the nature of the service performed by troops on the Western frontier and in the States named before the war and during the war was essentially the same, having been equally arduous during some portion of each of said periods, and that, in the second place, it is reasonable to suppose that Congress, in discontinuing (as it did by the act of August 3, 1861) the particular bounty granted by the law of 1850, and in providing for the payment of bounties fixed in amount irrespective of the place of enlistment, might have been and probably was actuated by the considerations that the suppression of the existing rebellion required the raising of large armies to which each State and section was bound to contribute its proper quota, and that the troops required for service in the States of the Pacific coast and in the adjoining Territories could be raised as part of the quota of said States and Territories, and ought properly to be so raised.

A statement of the average amount of State and local bounties paid during the war after April, 1864, in loyal States east of the Rocky Mountains, accompanies this report, marked Exhibit No. 9.

#### (6) EXTRA PAY TO ENLISTED MEN.

[Abstract P, Exhibit No. 1.]

By an act approved April 27, 1863, the legislature appropriated and set apart "as a soldiers' relief fund" the sum of \$600,000, from which every enlisted soldier of the companies of California volunteers raised or thereafter to be raised for the service of the United States was to be paid, in addition to the pay and allowances granted him by the United States, a "compensation" of \$5 per month from the time of his enlistment to the time of his discharge. Drafted men, substitutes for drafted men, soldiers dishonorably discharged or discharged for disability existing at time of enlistment, were not to share in the benefits of the act, and, except in the cases of married men having families dependent upon them for support, payment was not to be made until after discharge. Seven per cent. interest bearing bonds to the amount of \$600,000, in sums of \$500, with coupons for interest attached to each bond, were authorized to be issued on July 1, 1863. (Pages 349-351, Statement for Senate Military Committee.)

A few unimportant changes respecting the mode of payment in certain cases was made by act of March 15, 1864, and on March 31, 1866, the additional sum of \$550,000 was appropriated for the payment of claims arising under its provisions, such sum to be transferred from the general fund of the State to the "Soldiers' Relief Fund."

Fearing that the total amount of \$1,150,000 specifically appropriated might still prove insufficient to pay all the claims accruing under the act of April 27, 1863, above mentioned, the legislature directed, by an act which also took effect March 31, 1866 (page 604, Stats. of California 1865-'66) that the remainder of such claims should be audited and allowed out of the appropriation and fund made and created by the act granting bounties to the volunteers of California approved April 4, 1864, and more fully referred to on page 19 of this report.

Upon the certificate of the adjutant-general of the State that the amounts were due under the provisions of the act and of the board of State examiners, warrants amounting to \$1,459,270.21 were paid by the State treasurer, as shown by the receipts of the payees indorsed on said warrants.

It is worthy of note here that on July 16, 1863, the governor of California, replying to a communication from the headquarters Department of the Pacific, dated July 5, 1863, advising him that under a resolution of Congress adopted March 9, 1862, the payments provided for by the State law of April 27, 1863, might be made through the officers of the Pay Department of the U. S. Army, stated that the provisions of said law were such as to preclude him from availing himself of the offer.

Some information as to the circumstances and exigencies under which this money was expended may be derived from the following extract from the annual report of the adjutant-general of the State for the year 1862, dated December 15, 1862 :

The rank and file of the California contingent is made up of material of which any State might be proud, and the sacrifices they have made should be duly appreciated and their services rewarded by the State. I do most earnestly recommend therefore that the precedent established by many of the Atlantic Coast States of paying their troops in the service of the United States an additional amount monthly should be adopted by California, and that a bill appropriating, say, \$10 per month to each enlisted man of the troops raised or to be raised in this State be passed. \* \* \* This would be a most tangible method of recognizing the patriotic efforts of our soldiers, relieve many of their families from actual destitution and want, and hold out a fitting encouragement for honorable service. (Page 58, Statement for Senate Committee on Military Affairs.)

Your examiners are of the opinion that the favorable action which was taken on the above recommendation of the Adjutant-General can not be justly ascribed to any desire on the part of the legislature to avoid resort to a conscription, although the exclusion of drafted men from the benefits of the act indicates that they realized and deemed it proper to call attention to the possibility of a draft. Unlike the law of April 4, 1864, the benefits of which were confined to men who should enlist after the date of its passage and be credited to the quota of the State, the provisions of the act now under consideration extended alike to the volunteers who had already entered upon or *had actually* completed their enlistment contract and to those who were to enlist in the future. There is every reason for the belief that the predominating if not the only reason of the State authorities in enacting this measure was to allow to their volunteers in the United States service such a stipend as would together with the pay received by them from the General Government amount to a fair and just compensation. In fact, as has been already stated, this was expressly declared to be the purpose of the act.

It appears that up to December 31, 1862, those of the United States troops serving in the Department of the Pacific who were paid at all—in some cases detachments had not been paid for a year or more—were generally paid in coin, but on February 9, 1863, instructions were issued from the Treasury Department to the assistant treasurer of the United States at San Francisco that “checks of disbursing officers must be paid in United States notes.” (Letter of Deputy Paymaster-General George H. Ringgold, dated February 13, 1863, to Paymaster-General; copy herewith marked Exhibit No. 10.)

Before this, greenbacks had become the current medium of exchange in all ordinary business transactions in the Eastern States, but in the Pacific Coast States and the adjoining Territories gold continued to be the basis of circulation throughout the war. At this time the paper currency had become greatly depreciated, and on February 28, 1863, the price of gold in Treasury notes touched 170. This action of the Government in compelling troops to accept such notes as an equivalent of gold in payment for services rendered by them in a section where coin alone was current, gave rise to much dissatisfaction. For although gold could be bought in San Francisco at nearly the same price in Treasury notes as in New York, it must be remembered that the troops in the Department of the Pacific were largely stationed at remote and isolated points. When paying in greenbacks for articles purchased by, or for services rendered to, them in these out-of-the-way places, they were obliged to submit not only to the current discount in San Francisco but also to a further loss occasioned by the desire of the persons who sold the articles, or rendered the service, to protect themselves against possible further depreciation. It admits of little doubt that by reason of his inability to realize the full value of paper money, as quoted in the money centers, and of the fact that wages and the cost of living and of commodities of every kind were abnormally high (owing in great part to the development of newly discovered mines in that region) the purchasing power of the greenback dollar in the hands of the average soldier serving in the Department of the Pacific was from the latter part of 1862 onward from 25 to 50 per cent. less than that of the same dollar paid to his fellow soldier in the East.

Representation of the great hardship the Treasury Department's instructions entailed upon the troops were promptly made. On March 10, 1863, the legislature telegraphed to Washington a resolution adopted on that date instructing the State's delegation in Congress to impress upon the Executive—

the necessity which exists of having officers and soldiers of the U. S. Army, officers, seamen, and marines of the U. S. Navy, and all citizen employes in the service of the Government of the United States serving west of the Rocky Mountains and on the Pacific coast paid their salaries and pay in gold and silver currency of the United States, provided the same be paid in as revenue on this coast. (Page 46, Statement for Senate Committee on Military Affairs.)

And on March 16, 1863, Brig. Gen. G. Wright, the commander of the Department of the Pacific (comprising besides California the State of Oregon and the Territories of Nevada, Utah, and Arizona), transmitted to the Adjutant-General of the U. S. Army a letter of Maj. C. S. Drew, First Oregon Cavalry, commandant at Camp Baker, Oregon, containing an explicit statement of the effects of and a formal protest against paying his men in greenbacks. In his letter of transmittal (page 154, Ex. Doc. 70), General Wright remarked as follows:

The difficulties and embarrassments enumerated in the major's communication are common to all the troops in this department, and I most respectfully ask the serious



consideration of the General-in-Chief and the War Department to this subject. Most of the troops would prefer waiting for their pay to receiving notes worth but little more than half their face; but even at this ruinous discount, officers, unless they have private means, are compelled to receive the notes. Knowing the difficulties experienced by the Government in procuring coin to pay the Army, I feel great reluctance in submitting any grievances from this remote department, but justice to the officers and soldiers demands that a fair statement should be made to the War Department.\*

It was under circumstances and exigencies such as these that the legislature themselves—all appeals to the General Government having proved futile—provided the necessary relief by the law of April 27, 1863. They did not even after that relax their efforts on behalf of United States troops, other than their own volunteers, serving among them, but on April 1, 1864, adopted a resolution requesting their representatives in Congress to “use their influence in procuring the passage of a law giving to the officers and soldiers of the regular Army stationed on the Pacific coast an increase of their pay, amounting to 30 per cent. on the amount now allowed by law.”†

#### INTEREST.

The claim of the State of California, as shown by an affidavit of the State treasurer (herewith, marked Exhibit 11), for interest paid on bonds issued under the acts of April 27, 1863 (“relief bonds”), and April 4, 1864 (“bounty bonds”), which bonds were redeemed prior to July 1, 1889, and on bonds issued under an act of the legislature approved April 2, 1870, entitled “An act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose” (copy herewith, marked Exhibit 12), aggregates \$1,513,266.96, itemized as follows:

For interest paid on “relief bonds” between April 26, 1863, and July 1, 1889, which bonds were issued and redeemed prior to July 1, 1889....	\$310, 285. 73
For interest paid on “bounty bonds” between April 4, 1864, and July 1, 1889, which bonds were issued and redeemed prior to July 1, 1889....	371, 006. 23
For interest on “relief bonds,” amounting to \$239,500, converted January 2, 1873, into bonds issued under the act of April 2, 1870, and which, with the exception of bonds amounting to \$4,000, redeemed September 5, 1881, are still outstanding and unredeemed.....	233, 025. 00
For interest on “bounty bonds,” amounting to \$605,000, converted January 2, 1873, into bonds issued under the act of April 2, 1870, and which are still outstanding and unredeemed.....	598, 950. 00

Total amount claimed..... 1, 513, 266. 96

It appears, from the canceled coupons, the requisitions of the State treasurer for amounts required for the payment of semi-annual interest, the canceled warrants of the State controller drawn in compliance therewith, and a bond register showing amounts of fractional interest paid at the time of the redemption of bonds, that the interest paid between April 27, 1863, and July 1, 1889, on the “relief bonds” issued between said dates and redeemed prior to July 1, 1889, amounted to .....

302, 364. 60

\*See also General Wright's letter of April 30, 1863 (p. 167), in which he pointed out that the depreciation of the greenback “operates with peculiar hardship upon all persons in the service of the Government whose compensation is fixed by law.”

† Congress did not authorize the increase asked for, although a precedent for granting additional pay to officers and men of the Army stationed on the Pacific coast existed, and is referred to in the “Statement for Senate Military Committee.” During the period from September 28, 1850, to March 1, 1853, officers and enlisted men serving in California and Oregon were under the then existing law entitled to pay in addition to their regular pay and allowances, as follows: Enlisted men to a per diem equal to their their pay proper, officers to a per diem of \$2 from September 20, 1850, to March 1, 1852, and of \$1 during the remainder of the period. Officers and enlisted men serving in New Mexico were granted the same additional pay for one year from March 1, 1852.

Also that the interest paid between April 4, 1864, and July 1, 1889, on the "bounty bonds" issued between said dates and redeemed prior to July 1, 1889, amounted to .....	\$366, 206. 26
It further appears from the affidavit of the State treasurer, hereinbefore mentioned as Exhibit 12, that interest was paid on "relief bonds" converted January 2, 1873, into bonds issued under the act of April 2, 1870, and which bonds are still outstanding and unredeemed to the amount of .....	233, 025. 00
The same affidavit also sets forth that interest paid out on "bounty bonds" converted January 2, 1873, into bonds issued under the act of April 2, 1870, and which bonds are still outstanding and unredeemed, amounted to .....	598, 950. 00

Making the total amount paid out as interest on moneys borrowed to carry out the provisions of the acts of April 27, 1863, and April 4, 1864, granting extra compensation and bounty, respectively, to the California volunteers .....	1, 500, 545. 86
--	-----------------

No evidence save the aforesaid affidavit of the State treasurer has been submitted to your examiners in support of the claim that interest was paid, as above stated, on bonds issued under the act of April 2, 1870, in exchange for bonds issued under said acts of April 27, 1863, and April 4, 1864. Warrants drawn by the State controller to the order of the State treasurer were presented, showing the amount of interest paid on the entire funded debt of the State, but such debt comprised bonds issued not only for bounty and relief to volunteers, but also for other purposes.

*Recapitulation.*

Amount expended in recruiting California volunteers (Abstract F)....	\$24, 260. 00
Amount expended in payment of adjutant-general, etc. (Abstract H)...	38, 083. 17
Amount expended in organizing volunteers (Abstract M).....	5, 639. 34
Amount expended in pay of volunteer officers (Abstract N).....	23, 277. 34
Amount expended in extra pay to enlisted men of California volunteers (Abstract P).....	1, 459, 270. 21
Amount expended in bounty to enlisted men (Abstract Q).....	900, 839. 50

Total expenses of volunteers, and not repaid the State by the United States.....	2, 451, 369. 56
Amount expended in payment of interest on moneys borrowed to carry out the provisions of the acts of April 27, 1863, and April 4, 1864.....	1, 500, 545. 86

Aggregate expenses incurred on account of volunteers, principal and interest.....	3, 951, 915. 42
Amount expended on account of militia.....	468, 976. 54

Grand total of expenses on account of volunteers and militia....	4, 420, 891. 96
--	-----------------

In concluding our remarks on the "war claims" of California, we deem it proper to say that a careful examination of the evidence contained in the "Statement for the Senate Committee on Military Affairs" and in the published correspondence of the commanding general, Department of the Pacific, for the years 1861-'65, has impressed us with the fact that throughout the war period the State authorities were animated by an earnest desire to uphold the authority of the national Government and to that end left nothing undone that it was in their power to do; that in their efforts to raise troops for a frontier service which, however difficult and important, afforded little or no opportunity for distinction and but scant compensation, they were prompt, energetic, and on the whole eminently successful; and that both in the training of the militia and the raising and proper support of their volunteers they expended the money of the State without hesitation and without stint.

The California volunteers rendered most valuable and important serv-

ice to the Government. They took the places of the regular troops in California, all of which, except three batteries of artillery and one regiment of infantry, were withdrawn to the East at an early period after the outbreak of the war. Without them (and the Oregon and Nevada volunteers) the Overland Mail and Emigrant Routes, extending from the Missouri River via Great Salt Lake City to California and Oregon, and passing through an uninhabited and mountainous country infested with hostile Indians and highwaymen, could not have been adequately protected; and yet it was of the first importance to have these routes kept open and safe, especially as rebel cruisers had made the sea routes both hazardous and expensive. Two expeditions composed of California volunteers, under the command of Brig. Gens. James H. Carleton and Patrick E. Connor, respectively, performed perilous and exhausting marches across a desert and over an almost impassable country and established themselves, the latter in Utah—where, besides protecting the mail routes, a watchful eye was kept on the uncertain and sometimes threatening attitude of the Mormons—and the former in Arizona and New Mexico, which Territories were thereafter effectually guarded in the interests of the United States against Indians and rebels.

On the other hand, we feel it to be our duty to point out that the disadvantages and dangers to which her isolated position exposed her were not without their corresponding advantages; for in the struggle for the suppression of the rebellion her resources, in men at least, were not taxed in the same degree as were those of the loyal States in the East. No regular quotas under the various calls for troops were assigned to California, but she furnished upon the several requisitions of the Government for service in the Department of the Pacific 15,725 volunteers (see statement prepared in Adjutant-General's office herewith, marked Exhibit No. 13), besides maintaining an organized militia numbering about 5,000 men during 1862 and 1863, and 8,250 men during the year 1864 (judging from the annual reports of the adjutant-general of the State to the governor during those years\*), which militia was drilled once a month—in San Francisco County as often as once a week; was paraded and inspected from four to six times a year, and in 1863 was encamped by brigade for ten days, the officers and non-commissioned officers being further instructed in camp duties for an additional ten days during said year of 1863. If we count as volunteers these militia men, who did not leave their avocations except during the periods of encampment (to do which would, of course, be manifestly unfair), the number of her volunteers would amount to 23,975, or to considerably less than one-third of the number she would have been required to supply had it been deemed expedient or prudent to exact the full regular quotas from her as from the Eastern States, the computation of whose several quotas was based upon the white male population of military age contained in each. (See Exhibit No. 11 and the accompanying memorandum.)

It is not intended, of course, to intimate that California would not cheerfully have borne her full share of the burden which the suppression of the war of the rebellion imposed upon the loyal States. She did not even positively object to having volunteers raised among her people that were to be credited to other States, and in his report for the

\* The annual returns of the militia, which the act of March 2, 1803 (Revised Stats., 1636), requires the adjutant-general of each State to render to the President, appear not to have been rendered by the adjutant-general of California during the war period after the year 1861, as no such returns are now on file in the War Department.

year 1863 (page 59, Statement for Senate Committee on Military Affairs), the adjutant-general stated that "if troops should be required from this State for active service at the seat of war, they can be promptly raised to the number of 20,000 or more." But in making this report we have been actuated throughout by an earnest desire to set forth every circumstance that seems to us to have a clear bearing upon these claims, leaving where it properly belongs (that is with Congress) the decision of the question of their validity.

Respectfully submitted.

G. B. DANDY,

*Lieutenant-Colonel and Deputy Quartermaster-General,  
Senior Examiner.*

THEO. SCHWAN,

*Major, Assistant Adjutant-General,  
Examiner.*

FRANK WEST,

*Captain Sixth Cavalry,  
Examiner.*

The SECRETARY OF WAR.

EXHIBIT NO. 1.

Statement of the California Claims, War of the Rebellion.

Abstract.	Date.	Authority acts of the State legislature.	Nature of claim.	Amount claimed.	Amount paid.	Amount. No evidence of payment.	Amount expense incurred.		Remarks.
							After war (i. e., Aug. 20, 1866)	Before war (i. e., Apr. 15, 1861).	
			I.—EXPENSES OF MILITIA.						
A	1863-'65	Act Apr. 25, 1863, and Apr. 4, 1864.	Equipping militia	\$204,020.00	\$179,000.00	\$1,000.00			\$24,020 for drilling, transferred to Abstract K.
B	1863-'64	Act Apr. 24, 1862, and Apr. 25, 1863.	Subsistence militia	25,827.40	25,755.40				\$62 for transportation, transferred to Abstract C.
	do	do	do		814.60				Transferred from Abstract C.
	do	do	do		10,495.47				Transferred from Abstract D.
			Total		37,076.47				
C	1866-'67	Act Apr. 24, 1862, and Apr. 25, 1863.	Transportation militia	53,682.69	49,966.24	230.97	\$1,310.79	\$221.00	\$814.60 for subsistence, transferred to Abstract B; \$659.09 for supplies, transferred to Abstract D; \$480 for services, transferred to Abstract O.
	do	do	do		62.00				Transferred from Abstract B.
E	1863-'65	do	do	11,942.50	11,899.00	43.50			Transferred from Abstract D.
			Total		63,589.97				Hire of horses for mounted drill.
D	1863-'66	Act Apr. 24, 1862, and Apr. 25, 1863.	Supplies militia	74,550.90	61,592.70	550.00			\$10,495.47 for subsistence, transferred to Abstract B; \$1,662.73 for transportation, transferred to Abstract C; \$250 for services, transferred to Abstract O.
L	1863-'67	do	do	3,253.45	2,553.99	200.71	498.75		Postage, etc.
	do	do	do		659.09				Transferred from Abstract C.
			Total		64,805.78				
G	1861-'67	Act Apr. 24, 1862, and Apr. 25, 1863.	Furnishing militia	9,968.41	8,779.16	35.75	468.50	685.00	Cleaning arms, etc.
K	1863-'65	Act Apr. 26, 1862, to sustain a mounted battery.	Drilling militia	46,231.15	46,231.15				

	Act Apr. 24, 1862, and Apr. 25, 1863. Act Apr. 24, 1862, and Apr. 25, 1863.	Drilling militia .....		24,020.00				Transferred from Abstract A.
		Total .....		70,251.15				
M 1860-'67 .....	Act Apr. 24, 1862, and Apr. 25, 1863.	Organizing militia .....	14,244.36	6,778.61	50.00	1,876.66	399.75	\$5,639.34 transferred to expenses of volunteers, Abstract M. Same pay as U. S. Army.
O 1864 .....	Act Apr. 24, 1862, and Apr. 25, 1863 (Sec. 48).	Pay of militia .....	30,975.41	30,902.58	72.83			
	Act Apr. 24, 1862, and Apr. 25, 1863.	State staff officers .....	52,992.53	7,063.82	181.67	7,580.54	83.33	\$38,083.17 transferred to volunteers, Abstract H.
	do .....	Band .....		480.00				Transferred from Abstract C.
	do .....	do .....		250.00				Transferred from Abstract D.
		Total .....		38,696.40				
		Total expenses of militia ..	527,688.80	468,976.54	2,365.43	11,235.24	1,389.08	
		II.—EXPENSES OF VOLUNTEERS.						
F 1863 .....	Act of Apr. 10, 1863.	Recruiting Cal. volunteers .....	24,260.00	24,260.00				Transferred from pay of militia.
H 1861-'67 .....	Act Apr. 24, 1862, and Apr. 25, 1863.	Pay of adjutant-general, etc., from July 24, 1861, first call for troops, to Aug 20, 1866.		38,083.17				
M 1860-'67 .....	Act Apr. 4, 1864 —printing relief bonds.	Organizing volunteers .....		5,639.34				\$3,000 for printing relief bonds; \$2,639.34, rent adjutant-general's office, July 24, 1861, to Aug. 20, 1866.
	Act Apr. 24, 1862, and Apr. 25, 1863.							
N 1862-'64 .....	Act Apr. 4, 1864 .....	Pay of volunteer officers .....	23,313.01	33,277.34	36.57			Pay from date of appointment to date of muster in United States service.
P .....	Act Apr. 27, 1863, and Mar. 16, 1864, and Mar. 31, 1866.	Extra pay of enlisted men .....	1,463,859.71	1,459,270.21	4,589.50			Extra pay, \$5 per month to California volunteers in United States service.
Q .....	Act Apr. 4, 1864 .....	Bounty to enlisted men .....	902,579.50	900,839.50	1,740.00			Bounty to California volunteers.
		Total expenses of volunteers ..	2,414,013.12	2,451,369.56	6,366.07			
Apr. 23, 1863, to July 1, 1869	Act of Apr. 27, 1863	Interest on "relief" bonds .....	310,285.73	302,364.60	7,921.13			
Apr. '4, 1864, to July 1, 1869	Act of Apr. 4, 1864.	Interest on "bounty" bonds .....	371,006.23	366,206.26	4,799.97			
Jan. 2, 1873, to July 1, 1869	Act of Apr. 2, 1870.	Interest on "relief" bonds .....	233,025.00					
Jan. 2, 1873, to July 1, 1869	do .....	Interest on "bounty" bonds .....	598,950.00	831,975.00				
		Total interest .....	1,513,266.96	1,500,545.86	12,721.10			
		Grand total .....	4,454,968.88	4,420,891.96	21,452.60	11,235.24	1,389.08	



## EXHIBIT No. 2.

*Extract from an act of the California legislature approved April 24, 1862, entitled "An act in relation to the militia of the State."*

## HOW CALLED INTO ACTIVE SERVICE.

SEC. 36. In case of war, insurrection, or rebellion, or of resistance to the execution of the laws of this State, or upon the call or requisition of the President of the United States, or upon the call of any officer of the United States Army commanding a division, department, or district in California, or upon the call of any United States marshal in California, or of any mayor of a city, or president of the board of supervisors of the cities and counties of Sacramento and San Francisco, or of any sheriff, the commander-in-chief is authorized to call into active service any portion of the organized or enrolled militia of this State. In case of the absence of the commander-in-chief from the capital, or if it be impossible to immediately communicate with him, the civil or military officer making the requisition for troops may, if he deem the danger imminent and not admitting of delay, serve a copy of such requisition, together with a statement of the governor's absence, or the impossibility of immediately communicating with him, upon the major-general, or, in his absence, upon the general of the brigade, who is hereby authorized to exercise, with respect to calling out the troops of his division or brigade, the powers conferred in this section upon the governor; but if the call shall be disapproved by the governor, the troops so called into service will be immediately disbanded. Such call for any portion of the organized militia shall be made by an order issued and directed to the commanding officer of the company, battalion, regiment, brigade, or division which is so called into service, designating in such order the particular troops called, the time and place of rendezvous, and the officer to whom they shall report. If such order be directed to the major-general of division, it will be immediately communicated to the brigadier-generals, and by them to all the officers of their respective brigades; and any officer receiving such order will rendezvous and report for duty, as herein directed; and any officer commanding an organized volunteer company, or battalion, on receiving such order, will immediately proceed to notify the same to each individual of his command by personal notice, or by publication in some newspaper, or by the usual posting in public places in the county or counties from which the call is made, and such officer shall attend in person, or by deputing an officer of the organized militia in his place, at the place of rendezvous, and take the names of all volunteers for service under such call; and if the number of such volunteers shall be sufficient to form one or more companies or battalions, according to the provisions of this act, he shall immediately call and superintend the election of the officers of such companies, or battalions, which elections shall be conducted in the manner prescribed in this act for the election of officers of volunteer companies and battalions, except as to the publication of notice of such election; a proclamation of the call of such election, made by the officer calling it at the place of rendezvous, being deemed a sufficient notice. But the commander-in-chief shall have authority, if he shall deem it expedient, to direct that a portion of the volunteers so presenting themselves shall be assigned to organized volunteer companies, or battalions, already in active service, whose numbers are less than the full complement prescribed in this act, after which those volunteering shall organize and elect as herein prescribed: *Provided*, Nothing herein contained shall be construed to give any officer authority to call out troops for service against Indians in this State until the senior officer of the United States Government in service at the headquarters of the United States troops in this State shall be officially notified by the governor, major-general, or some brigadier-general of the necessity for the service of troops against Indians, and shall have refused or declined to order out the United States troops for said service.

SEC. 37. If the number of volunteers so presenting themselves at the place of rendezvous shall not be sufficient to satisfy the call of the commander-in-chief, the brigadier-general of the brigade in which such call is made shall promptly proceed to draft from the enrolled militia of his brigade a sufficient number of men to satisfy said call, and this draft shall be made by putting the names of all the enrolled militia of the county, or counties from which the order directs the forces to be raised into a box and drawing therefrom a sufficient number of names to satisfy the call. The persons whose names are so drawn will be summoned by some officer or officers appointed for that purpose by the brigadier-general, in the manner prescribed by law for the summoning of witnesses in civil cases, the time and place of rendezvous, as ordered by the brigadier-general, being stated in the summons. It shall be the duty of the major-general to be present and to superintend the drafting of the enrolled militia under any call by the commander-in-chief, but his presence shall not be necessary to give validity to the proceedings. In case of the absence or inability of the brigadier-general the officer next in

rank of the brigade, or in default of any officer of that brigade for duty, the major-general, or in his default the commander-in-chief, shall designate some officer to perform the duties prescribed to such brigadier-general with respect to making such drafts; and as soon as a sufficient number of such drafted men shall have appeared at the rendezvous to form a company or companies, they shall proceed to the election of their company officers in the manner prescribed in section thirty-nine of this act.

SEC. 38. Any company or companies of the enrolled militia so drafted and organized may, by direction of the commander-in-chief, be enrolled and mustered into any battalion of the organized militia having less than eight companies; and any drafted men of the enrolled militia not organized into companies may, at the discretion of the commander-in-chief, be enrolled and mustered into any existing company of organized or enrolled militia not having the full number authorized by law, and which has already been called into active service. If the enrolled militia, when drafted into service, shall fail to elect to any office designated in such call for an election, in the manner and at the time appointed, as provided in this act, such vacancy or vacancies shall be filled by appointments made by the commander-in-chief; and any company or companies of drafted militia not assigned to and mustered in any incomplete battalion of the organized volunteer militia shall be organized into battalions or regiments, the field officers of which shall be appointed by the commander-in-chief, such appointments being made in all cases where, in the opinion of the commander-in-chief, suitable persons can be obtained from the officers of the organized volunteer militia of this State.

SEC. 39. Where troops are called into active service from different brigades, and the number so called into active service shall not be more than sufficient to constitute one complete brigade, the commander-in-chief shall so organize them, and shall designate the particular brigadier-general for the command of the brigade so organized.

---

EXHIBIT No. 3.

TREASURY DEPARTMENT, THIRD AUDITOR'S OFFICE,  
Washington, D. C., May 15, 1889.

SIR: I have the honor to return, with report, the communication of Lieut. Col. James Biddle, Fifth Cavalry, U. S. Army, senior examiner State and Territorial war claims, dated May 8, 1889, wherein request is made for a statement of all amounts paid by the United States to the State of California on account of expenses incurred by that State growing out of the war of the rebellion, the suppression of Indian hostilities, and in guarding the overland mail and emigrant routes during and subsequent to the war of the rebellion.

By act of January 6, 1883 (22 Stat., 399), the United States re-imbursed the State of California the sum of \$495.72, the expenses in the suppression of Indian hostilities in said State in the years 1872 and 1873, being amount reported by Inspector-General Hardie under the requirements of the act approved June 18, 1874. (*Vide Ex. Doc. 45, H. R., Forty-third Congress, second session.*)

Also, by act of October 19, 1888 (general deficiency), the State was re-imbursed by the United States the sum of \$11,723.64, expenses incurred by said State in repelling invasions and suppressing Indian hostilities in the years 1861-'62, being amount which had been reported to Congress under the provisions of the act approved June 27, 1882 (22 Stat., 111).

The records of this office do not appear to show any further payments by the United States to the State on account of the expenses referred to in Senate resolution of February 27, 1889.

Respectfully, yours,

JNO. S. WILLIAMS,  
Auditor.

Hon. WM. WINDOM,  
Secretary of the Treasury.

---

EXHIBIT No. 3½.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., December 15, 1862.

GENERAL: His excellency Governor Stanford has organized at various points within this State volunteer companies of militia, composed entirely of good Union men. The great difficulty has been the want of arms. The quota for the State has long since been exhausted and in view of the good results to be expected from these organization I have



already placed at the disposal of the governor a limited number of small-arms and equipments, and he now asks for an additional supply for several companies he is organizing in the State.

In view of the state of feeling existing in certain localities and the impossibility of posting my troops at every point, the best interests of the Government require that we should encourage by every means in our power the formation of volunteer companies of patriotic men.

The greatest care will be taken by the governor that no man who is disaffected towards the Union or who has any sympathy with the rebellion be enrolled.

I have assured Governor Stanford of my cordial co-operation and assistance, and that I would give him such arms and equipments as could be spared from the Government arsenals without detriment to the service.

Hoping that my acts may be approved by the general-in-chief and War Department, I have the honor to be, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. LORENZO THOMAS,  
*Adjutant-General, U. S. Army, Washington, D. C.*

---

EXHIBIT No. 4.

*Telegram from Secretary of War to governors of loyal States, calling for rendering of personal reports of the condition of the volunteer recruiting service in their respective States.*

WAR DEPARTMENT,

*Washington, D. C., November 18, 1861.*

His Excellency THE GOVERNOR OF MAINE:

I have the honor to request that you will forward on the 10th, 20th, and last day of each month to the Adjutant-General of the Army, for the information of this Department, a full report of the condition of the volunteer recruiting service in your State, setting forth the number of complete regiments for duty, the number nearly completed, and the number in process of organization.

The names of the commanders, and the arm of the service will be specified for each regiment.

You are further desired to comply with any request from the Adjutant-General of the Army regarding the movement of troops from your State to any army in the field, and to regard the same as coming directly from the Secretary of War.

SIMON CAMERON,

*Secretary of War.*

(Same as above to the governor New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, Missouri, Ohio, Indiana, Illinois, Michigan, Iowa, Minnesota, Kansas, Oregon, California, Kentucky, Wisconsin.)

---

EXHIBIT No. 5.

*Memoranda of examination in case of vouchers paid by Col. H. M. Black, Sixth California Volunteers, from State funds for which reimbursement is now claimed from the United States.*

Voucher 3, second quarter 1863, paid to Capt. A. B. MacGowan, of Company A, Sixth California Infantry, paid May 1, 1863 ..... \$165.50

The seventh item of this account is for rent of office to April 30, 1863, \$30. The United States paid through Lieut. Col. George H. Ringgold, deputy paymaster-general at San Francisco, Cal., on May 7, 1863, to James Landers for rent of Captain MacGowan's office from April 1 to May 1, 1863, \$30. Evidently a duplicate payment.

Voucher 5, second quarter 1863, in favor of Capt. C. Cochran, of Company K, Sixth California Infantry, paid May 6, 1863 ..... 271.33

The sixth and fourteenth items of this account are for transportation furnished by the California Steam Navigation Company, April 26 and May 3, 1863, amounting to \$46. The United States, through Capt. H. B. Fleming, M. and D. officer at San Francisco, Cal., paid on June 18, 1864, to the California Steam Navigation Company on accounts certified by Capt. C. Cochran, of Company K, Sixth California Infantry, for transportation of his recruits on April 26 and May 3, 1863, the sum of \$72. There is little room for doubt that these charges represent duplicate payments.

Voucher No. 17, second quarter 1863, paid Lieut. John Oakes, of Company C, Sixth California Infantry Volunteers, June 20, 1863..... \$200. 00

Item for rent of office from March 15 to May 30, 1863, \$40. The United States paid through Lieut. Col. George H. Ringgold, at San Francisco, Cal., on June 2, 1863, to Emory Wing \$69 for rent of Lieut. John Oakes' rendezvous at Oroville, Cal., from March 19 to May 28, 1863; apparently a duplicate payment.

Voucher No. 20, second quarter 1863, paid to Capt. Thomas Buckley, of Company C, Sixth California Infantry Volunteers, June 30, 1863..... 498. 51

The last item of this account is for transportation and subsistence of Sergt. E. Musser, from May 30 to June 24, 1863, \$32.76. The United States, through Lieut. Col. George H. Ringgold, at San Francisco, paid N. D. Thayer, on August 5, 1863, on account certified to by Captain Buckley, the sum of \$37.60 for the subsistence of Sergt. Christian Musser from April 30 to August 1, 1863.

The subsistence of Sergts. John Smith and Harry M. Raymond from April 17 to August 1, 1863, and May 12 to June 11, 1863, respectively, \$54.80, was charged against and paid by the United States, while Captain Buckley charges the State of California \$76 for the subsistence of two recruiting sergeants from April 15 to May 25, 1863. Although this charge cannot be identified as a duplicate one as clearly as the charge for Sergeant Musser's subsistence, the transaction cannot be said to be above suspicion.

Voucher 14, third quarter 1863, paid Capt. Joseph S. Knower, Company H, Sixth California Infantry Volunteers, September 1, 1863..... 50. 22

Item for subsistence of recruits from February 23 to April 5, 1863, (beyond amount allowed by the United States), \$36.72. In the account of Owen Fallon, certified to by Captain Knower, and paid by the United States through Lieut. Col. George H. Ringgold, at San Francisco, Cal., on July 24, 1863, \$171.20 was charged; \$139.20 was paid, and \$32 disallowed, and not \$36.72, as charged in this item of account; clearly an additional and overcharge of \$4.72 on this account.

Voucher 19, third quarter 1863, paid Lieut. John M. Shrader, of Company D, Sixth California Infantry Volunteers, September 17, 1863..... 20: 00

is for the subsistence of Daniel F. Hill and John Riley, at Oroville, Cal., from August 24 to September 8, 1863, and August 29 to September 18, 1863, respectively.

The United States, through Lieut. S. Munson, M. and D. officer at San Francisco, Cal., paid \$10 to Lieut. John M. Shrader on October 21, 1863, for the subsistence of these men from August 24 to September 8 and August 29 to September 8, 1863, respectively, at the rate of forty cents per day. Eighty cents per day additional is now charged in State voucher for same service. This is either a duplicate payment or an overcharge, as the sum of \$1.20 per day per man was seldom charged even in California.

Voucher No. 13, fourth quarter 1863, paid Lieut. John Drum, Company G, Sixth California Infantry Volunteers, November 11, 1863..... 98. 25

The item for transportation of self from Sacramento to Placerville, Cal., on September 4, 1863, for which \$5 is charged, is clearly a double payment, as the United States, through Capt. H. B. Fleming, M. and D. officer, paid to H. Muntford, agent Pioneer Stage Company, on February 24, 1864, the sum of \$7.15 for the transportation of Lieut. John Drum from Sacramento to Placerville on September 4, 1863, 44 miles, at 16½ cents per mile, on accounts certified to by Lieutenant Drum.

## EXHIBIT No. 6.

*State claims—California—Abstract F. Supposed duplicate payments of premiums for recruit Sixth Infantry, California Volunteers.*

Name of recruit.	Amount paid.	Party to whom voucher shows payment.	Party to whom records in Bounty and Claims Division, War Department, shows payment by United States.
Owen Crane.....	\$10.00	John O'Connell.....	S. Gray.
John Cups.....	10.00	John P. Miller.....	Do.
Jos. Dougherty.....	10.00	James Ward.....	C. H. Buck.
John Corbett.....	10.00	Charles H. Buck.....	William Barrett.
Thomas P. Thomas.....	5.00	William W. Elliott.....	
	10.00		William W. Elliott.
Thomas O'Brien.....	10.00	George T. Wallace.....	G. T. Wallace.
John Conolin.....	10.00	H. A. Gray.....	H. A. Gray.
William G. Young.....	10.00	C. H. Buck.....	C. H. Buck.
T. L. Henderson.....	10.00	J. F. Wall.....	Do.
P. H. W. Harms.....	10.00	James Ward.....	Do.
Jas. H. Hawkins.....	10.00	G. T. Wallace.....	G. T. Wallace.
Michael Faust.....	10.00	J. F. Wall.....	James Higgins.
James Walsh.....	10.00	James Ward.....	Do.
William H. Dunlap.....	10.00	G. T. Wallace.....	C. H. Buck.
Patrick Farrell.....	10.00	W. A. Henry.....	Jas. L. Cannon.
Jas. L. Cannon.....	10.00	William A. Henry.....	Patrick Farrell.
Stuart Elliott.....	10.00	J. F. Wall.....	C. H. Buck.
John Hughes.....	10.00	James Lawlers.....	James Lawlers.
Francis Klausman.....	10.00	J. Ward.....	C. H. Buck.
William O. Wheelock.....	5.00	W. O. Wheelock.....	
	10.00		G. T. Wallace.
Patrick McGuire.....	5.00	Henry W. Maxim.....	
	10.00		Henry W. Maxim.
John Bellinger.....	5.00	R. Robinson.....	
	10.00		William W. Elliott.
George Thompson.....	5.00	Henry W. Maxim.....	
	10.00		Henry W. Maxim.
Michael Mallen.....	5.00	F. G. Salmon.....	
	10.00		F. Salmon.
C. H. Buck.....	5.00	Augustus Miller.....	
	10.00		G. W. Wallace.
August Kitzenberger.....	10.00	John Luze.....	C. H. Buck.
Jos. Hans.....	5.00	Joseph Horn.....	
	10.00		Joseph Horn.
John Denninger.....	5.00	Joseph Horn.....	
	10.00		Joseph Horn.
Louis C. F. Dunneman.....	5.00	Joseph Horn.....	
	10.00		Joseph Horn.
John Green.....	5.00	Joseph Horn.....	
	10.00		Joseph Horn.
Frank Victor.....	5.00	Joseph Horn.....	
	10.00		Victor Bassige.
Ernest Schoepf.....	5.00	Joseph Horn.....	
	10.00		Joseph Horn.
John Murphy.....	5.00	Joseph Horn.....	
	10.00		Joseph Horn.
Frank Frederick.....	5.00	Joseph Horn.....	
	10.00		Joseph Horn.
Thos. Hogan.....	5.00	John Murphy.....	
	10.00		John Murphy.
Chas. Thorpe.....	5.00	Wm. Bechter.....	
	10.00		W. Bechter.
John Gubler.....	5.00	Theo. Brown.....	
	10.00		Theo. Brown.
Wm. H. Hinkle.....	5.00	Theo. Brown.....	
	10.00		Theo. Brown.
Richard Beers.....	5.00	Wm. C. Ross.....	
	10.00		Wm. C. Ross.
Patrick Maloy.....	5.00	Charles Peterson.....	
	10.00		Wm. C. Ross.
Michael Manning.....	5.00	James Higgins.....	
	10.00		James Higgins.
Jacob Dense.....	5.00	Charles Peterson.....	
	10.00		James Higgins.
August Meyer.....	5.00	Charles Peterson.....	
	10.00		Charles Peterson.
John Cotter.....	5.00	Wm. Bechter.....	
	10.00		F. W. Bechter.
James Sullivan.....	5.00	Wm. Bechter.....	
	10.00		F. W. Bechter.
Jease Smith.....	5.00	Jos. Hans.....	
	10.00		Conrad Albert.

## EXHIBIT No. 6.—State Claims—California—Abstract F, etc.—Continued.

Name of recruit.	Amount paid.	Party to whom voucher shows payment.	Party to whom records in Bounty and Claims Division, War Department, shows payment by United States.
E. C. Stearns.....	\$5.00	Theo. Brown.....	Theo. Brown.
Tim Crowley.....	10.00	N. G. Smith.....	N. G. Smith.
August Lohmeyer.....	5.00	Jos. Hans.....	José Zang.
Wm. Lawton.....	10.00	Theo. Brown.....	Theo. Brown.
Michl. J. McDermott.....	5.00	Theodore Brown.....	Theo. Brown.
Alexander Bennett.....	10.00	Theodore Brown.....	Theodore Brown.
John White.....	5.00	James Brannon.....	Thomas Jones.
John Rock.....	10.00	Charles O'Mera.....	Charles O'Mera.
William Hunt.....	5.00	William Hunt.....	Frederick McDonald.
Thos. Harris.....	10.00	Thomas Harris.....	Samuel Fulton.
William Kendall.....	5.00	Samuel Fulton.....	J. C. Wilson.
Richard Robinson.....	10.00	F. G. Salmon.....	Samuel Fulton.
Samuel Fulton.....	5.00	F. G. Salmon.....	William W. Elliott.
Francis G. Salmon.....	10.00	.....	
William Harrington.....	5.00	.....	
John Austin.....	10.00	.....	
Charles A. Gray.....	5.00	.....	
Adolph Leckie.....	10.00	.....	
Thomas R. Hassard.....	5.00	.....	
Michael Cane.....	10.00	.....	
John Smith.....	5.00	.....	
David Cullen.....	10.00	.....	
George Swinghamer.....	5.00	.....	
Henry P. Edwards.....	10.00	.....	
Amos P. Brooks.....	5.00	.....	
Theodore Reuss.....	10.00	.....	
John Bostwick.....	5.00	.....	
Biram Perkins.....	10.00	.....	
John Quinlon.....	5.00	.....	
Samuel Bond.....	10.00	Charles Grimm.....	Charles H. Buck.
Adolph W. Meincke.....	10.00	A. V. Meincke.....	Ferdinand Smith.
Wm. S. Fithian.....	10.00	James Higgins.....	Do.
Stephen D. Burnett.....	5.00	James F. Saunders.....	Ferdinand Smith.
Joseph Russell.....	10.00	James F. Saundera.....	Ferdinand Smith.
F. O. Ingraham.....	10.00	Wm. W. Griffin.....	Do.
Truman Beñan.....	5.00	James F. Saunders.....	Ferdinand Smith.
Wm. Meir.....	10.00	W. R. McKinney.....	Ferdinand Smith.
John Forhot.....	5.00	M. Hayes.....	Ferdinand Smith.
H. Burton.....	10.00	A. J. Lawton.....	Ferdinand Smith.
H. F. Ellis.....	5.00	H. F. Ellis.....	Ferdinand Smith.
I. S. Jaques.....	10.00	I. S. Jaques.....	Ferdinand Smith.
	5.00		Ferdinand Smith.

EXHIBIT No. 6.—State Claims—California—Abstract F, etc.—Continued.

Name of recruit.	Amount paid.	Party to whom voucher shows payment.	Party to whom records in Bounty and Claims Division, War Department, shows payment by United States.
Chas. H. Wiley .....	\$5.00	S. Grey.....	Ferdinand Smith.
James Ryan .....	10.00	James Ryan.....	Andrew J. Lawton.
A. F. Brighton.....	5.00	A. F. Brighton.....	James F. Saunders.
H. McGregor .....	10.00	H. McGregor.....	Do.
J. J. Davis.....	10.00	J. J. Davis.....	James F. Saunders.
J. G. Noah.....	5.00	J. G. Noah.....	Stephen Grey.
W. W. Kendal.....	10.00	P. Goldan.....	Ferdinand Smith.
Thomas Harwood.....	10.00	H. O. Viles.....	Do.
E. Mason.....	10.00	James McConnell.....	Do.
John Laferus .....	5.00	J. Ferguson.....	Ferdinand Smith.
J. P. Van Horn .....	10.00	J. B. Van Horn .....	Ferdinand Smith.
J. Ivens .....	5.00	J. Ivens.....	James F. Saunders.
A. D. Kilborn.....	10.00	J. Steinman .....	A. J. Lawton.
I. Turner .....	5.00	Stephen Grey.....	Ferdinand Smith.
W. V. Lewis .....	10.00	W. V. Lewis .....	James F. Saunders.
G. Hunt.....	5.00	Stephen Grey .....	Stephen Grey.
J. Huber .....	10.00	J. Brooks .....	James F. Saunders.
F. Silver .....	5.00	J. Steinman .....	Stephen Grey.
B. O'Connor.....	10.00	J. Steinman .....	J. Steinman.
E. D. Rollins .....	10.00	Wm. Hart.....	Charles Fletcher.
C. Werner.....	10.00	C. Stall.....	Ferdinand Smith.
M. V. Waters.....	10.00	R. W. Twombly.....	R. W. Twombly.
Edward P. Stebbins .....	10.00	Edward P. Stebbins .....	G. T. Wallace.
Stephen H. Johnson .....	5.00	George T. Wallace.....	G. T. Wallace.
Patrick Gaffey.....	10.00	Elliott Harper.....	Elliott Harper.
G. H. Satchell.....	5.00	Albert A. Le Sau.....	Albert A. Le Sau.
Wm. M. B. Coles .....	10.00	W. W. Thielacker.....	E. W. S. Coles.
George Thompson.....	10.00	W. A. Henry.....	Henry W. Moral.
Samuel B. Cohn.....	5.00	W. W. Thielacker.....	G. T. Wallace.
George T. Wardwell.....	10.00	G. T. Wallace.....	G. T. Wallace.
John McClane .....	5.00	James Ward .....	James Ward.
David Scott .....	10.00	David Scott .....	G. T. Wallace.
Walter Lennart.....	5.00	James Higgins.....	James Higgins.
Luther J. Adamson.....	10.00	Charles H. Buck.....	Charles H. Buck.
Calvin P. McDonald.....	5.00	George T. Wallace.....	G. T. Wallace.
James O'Neil.....	10.00	James Higgins.....	James Higgins.
Charles Vogelsson.....	5.00	James Higgins.....	James Higgins.
James Kelly .....	10.00	Charles H. Buck .....	Charles H. Buck.
Frederick Coho.....	5.00	Elliott Harper.....	Elliott Harper.
	10.00		
Total .....	820.00		



EXHIBIT No. 7.

Consolidated statement of amounts paid by the United States in recruiting and filling up the First California Cavalry Volunteers, First Battalion Native Cavalry, First Battalion California Mountaineers, and the Sixth California Infantry Volunteers in 1863 and 1864.

Organization.	Premiums—		Subsistence.	Subsistence and lodgings.	Transportation.	Bounty.
	At \$2.	At \$10 and \$15.				
First California Cavalry.....	\$1,052.00	\$185.00	\$958.00		\$4,794.09	\$4,066.66
First Battalion California Native Cavalry.....	164.00	420.00	886.80		555.98	5,141.66
First Battalion California Mountaineers.....				\$4,196.40	2,916.20	
Sixth California Infantry Volunteers.....	358.00	1,305.00	1,482.55		3,993.81	24,058.30
<b>Total</b> .....	<b>1,574.00</b>	<b>1,910.00</b>	<b>3,327.35</b>	<b>4,196.40</b>	<b>12,260.08</b>	<b>33,266.62</b>

Organization.	Miscellaneous expenses.	Advertising and printing.	Rent of recruiting offices.	Commutation of quarters and fuel for officers.	Total amount.
First California Cavalry.....	\$738.25	\$555.15	\$2,201.10	\$703.49	\$15,253.74
First Battalion California Native Cavalry.....	438.20	20.00	493.66	124.99	8,245.29
First Battalion California Mountaineers.....	454.13½	90.00	360.00		8,016.73½
Sixth California Infantry Volunteers.....	1,022.66½	982.67	3,116.34	2,321.36	88,640.69½
<b>Total</b> .....	<b>2,653.25</b>	<b>1,647.82</b>	<b>6,171.10</b>	<b>3,149.84</b>	<b>70,156.46</b>

EXHIBIT No. 8.

Duplicate payment (i. e., payment by United States and California) for same period to certain officers of California volunteers.

Name and rank in organization under call of February 6, 1863.	Period for which compensation is claimed.		Amount received from State under act of—			Amount received from United States.	Periods for which payment was made by United States.	
	Date of commission.	Date of muster.	Apr. 10, 1863.	Apr. 4, 1864.	Total.		From	To
	Washington Bruce, first lieutenant, Company H, Sixth California Infantry.	1863. May 4	1864. Mar. 4.	\$200.00	\$911.00	\$1,111.00	\$231.45	1863. Dec. 30
Thomas Buckley, captain, Company C, Sixth California Infantry.	Feb. 17	1863. Oct. 20	498.51	480.54	979.05	\$813.22	Feb. 17	1863. Sept. 30
A. B. MacGowan: Captain, Company D... Co. A, Sixth Cal. Inf....	Feb. 17 Apr. 28	July 11	464.00	103.84	567.84	\$517.17	Feb. 17	July 9
W. L. Campbell, captain, Company H, First California Cavalry.	Feb. 17	Dec. 31	498.51	861.42	1,359.93	\$1,089.29	Feb. 17	Dec. 31
James J. Billings, second lieutenant, Company H, First California Cavalry.	Oct. 19	Dec. 31		350.54	350.54	139.65	Nov. 24	Dec. 31
George W. Ousley, captain, Company B, Mountaineers.	Feb. 9	May 29	401.50	38.82	440.32	155.46	Apr. 15	
			2,062.52	2,746.16	4,808.68	2,946.24		

1 Date of muster as reported by Department.  
 2 Pay as first lieutenant, Fifth California Infantry.  
 3 Pay as first lieutenant, First California Infantry.  
 4 Pay as second lieutenant, Second California Infantry.

## EXHIBIT No. 9.

*Average amount of State and local bounties paid in loyal States during the period embraced between April, 1864, and the close of the war (exclusive of States on the Pacific Slope).*

[Information compiled by the officers of the provost marshal's bureau during the war.]

States.	Date of call.	Average amount.	States.	Date of call.	Average amount.
	1864.			1864.	
Pennsylvania.....	Mar. 14	\$300	Maryland.....	Mar. 14	\$571
	July 18	400		July 18	578
	Dec. 19	484		Dec. 19	227
New York.....	Mar. 14	300	Massachusetts.....	Mar. 14	492
	July 18	575		July 18	433
	Dec. 19	600		Dec. 19	414
New Jersey.....	Mar. 14	525	Michigan.....	Mar. 14	250
	July 18	600		July 18	300
	Dec. 19	625		Dec. 19	375
Connecticut.....	Mar. 14	260	Minnesota.....	Mar. 14	100
	July 18	390		July 18	275
	Dec. 19	(*)		Dec. 19	275
Delaware.....	Mar. 14	71	Missouri.....	Mar. 14	139
	July 18	380		July 18	191
	Dec. 19	280		Dec. 19	(*)
Illinois.....	Mar. 14	110	New Hampshire.....	Mar. 14	349
	July 18	175		July 18	766
	Dec. 19	350		Dec. 19	627
Indiana.....	Mar. 14	296	Rhode Island †.....		
	July 18	320	Vermont.....	Mar. 14	275
	Dec. 19	370		July 18	703
Iowa.....	Mar. 14	180		Dec. 19	590
	July 18	474	West Virginia.....	Mar. 14	226
	Dec. 19	876		July 18	306
Kansas.....	Mar. 14	(*)		Dec. 19	460
	July 18	(*)	Wisconsin.....	Mar. 14	625
	Dec. 19	208		July 18	625
Kentucky.....	Mar. 14	(*)		Dec. 19	625
	July 18	157	Ohio.....	Mar. 14	75
	Dec. 19	135		July 18	195
Maine.....	Mar. 14	298		Dec. 19	450
	July 18	488	Tennessee †.....		
	Dec.-19	493			

\* Not reported. † No report made. ‡ None reported. No bounty paid so far as known.

## EXHIBIT No. 10.

DEPUTY PAYMASTER-GENERAL'S OFFICE,  
San Francisco, February 13, 1863.

SIR: Yesterday payment of my checks was refused by the assistant treasurer in San Francisco. In reply to a note which I addressed him, I received the following:

"OFFICE OF THE ASSISTANT TREASURER UNITED STATES,  
San Francisco, February 12, 1863.

"SIR: Your communication of this date relative to the check of \$80,000 presented but a few minutes since by Major Eddy and payment declined by me, etc., is just received.

"Under instructions from the honorable Secretary of the Treasury United States of February 9, 1863, I am advised that 'checks of disbursing officers must be paid in United States notes.' Not having notes on hand sufficient to meet the check presented and referred to you has compelled me to decline payment of the same for the time being.

"Respectfully, your obedient servant,

"D. W. CHEESEMAN,  
Assistant Treasurer United States.

"GEORGE H. RINGGOLD,  
Deputy Paymaster-General, U. S. Army."

The effect of these instructions is abruptly to stop payment of the troops. I had drawn out a sufficiency, principally in coin, to pay the posts in Oregon and a portion of the troops in this immediate vicinity; the delay will, I fear, cause great dissatisfaction to those remaining unpaid, as there was a confident expectation that they would now be paid off and in coin.

In connection with the above statement, I deem proper to forward herewith a copy of a letter recently received from Major Drew, of the Oregon Cavalry, which so clearly sets forth the condition of things as regards legal tenders on this coast as to make comment on my part superfluous, except simply to add that gold is the only currency here, and that United States Treasury notes are worth only what they will bring on the street—they are quoted at 61 to-day.

I have the honor to remain, very respectfully, your obedient servant,  
 GEO. H. RINGGOLD,  
*Deputy Paymaster-General.*

Lient. Col. T. P. ANDREWS,  
*Acting Paymaster-General, U. S. Army.*

Respectfully referred to the Treasurer of the United States with the request that the funds may be sent to assistant treasurer at San Francisco to meet the drafts in favor of paymasters, and to return these papers for such other action as may be necessary.

T. P. ANDREWS,  
*Paymaster-General.*

PAYMASTER-GENERAL'S OFFICE, March 18, 1863.

If the Treasurer would be kind enough to furnish us with any suggestions from the Treasury, that would tend to do away the causes of complaint in this, to us, difficult case, we should feel indebted.

T. P. ANDREWS,  
*Paymaster-General.*

PAYMASTER-GENERAL'S OFFICE, March 18, 1863.

TREASURER'S OFFICE, March 19, 1863.

Respectfully referred to the Secretary of the Treasury.

F. E. SPINNER,  
*Treasurer United States.*

#### EXHIBIT No. H.

#### *Affidavit of the treasurer of the State of California.*

STATE OF CALIFORNIA, CITY OF SACRAMENTO,  
 County of Sacramento. ss :

Adam Herold, on first being duly sworn, says that he is now the State treasurer of the State of California, and as such is the present custodian of the records thereof, which relate to all moneys borrowed by said State, including those records that relate to interest paid by said State on the principal so borrowed by either the sale or by the exchange of State bonds of and issued by the State of California.

(1) That the amount of money actually paid by the State of California between April 27, 1863, and July 1, 1889, as interest on money borrowed by said State by the sale of State bonds issued between said dates by said State under the authority of the act of the legislature thereof, approved April 27, 1863, an act entitled "An act for the relief of the enlisted men of the California volunteers in the service of the United States," and which bonds were redeemed and paid by said State prior to July 1, 1889, aggregates the sum of \$310,285.73.

(2) That the amount of money actually paid by the State of California between April 27, 1863, and July 1, 1889, as interest on money borrowed by said State by the sale of State bonds issued between said dates, by said State, under the authority of the aforesaid act of the legislature thereof approved April 27, 1863, and which bonds to the amount of \$239,500 were, on January 2, 1873, converted into or exchanged with other State bonds issued by the State of California under the authority of the act of the legislature thereof, approved April 2, 1870, an act entitled "An act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," and that \$235,500 of said \$239,500 of said last-named bonds so converted or exchanged were not redeemed or paid by said State prior to July 1, 1889, but that the same are still outstanding unpaid, and that \$232,000 of said bonds are now held in trust for the use and benefit of the school fund of the State of California, aggregating the sum of \$233,025.

(3) That the amount of money actually paid by the State of California between April 4, 1864, and July 1, 1889, as interest on money borrowed by said State by the sale of State bonds issued between said dates by said State under the authority of the act of the

legislature thereof approved April 4, 1864, an act entitled "An act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide for the payment of the same, and to levy a tax to pay such bonds," and which bonds were redeemed and paid by said State prior to July 1, 1889, aggregates the sum of \$371,006.23.

(4) That the amount of money actually paid by the State of California between April 4, 1864, and July 1, 1889, as interest on money borrowed by said State by the sale of State bonds issued between said dates by said State under the authority of the aforesaid act of the legislature thereof approved April 4, 1864, and which bonds to the number of \$605,000 were on January 2, 1873, converted into or exchanged with other State bonds issued by the State of California under the authority of the act of the legislature thereof approved April 2, 1870, an act entitled "An act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," and which last-named so converted or exchanged bonds, and amounting to \$605,000, were not redeemed or paid by said State prior to July 1, 1889, but that said bonds so aggregating \$605,000 are still outstanding, unpaid, and now held in trust for the school fund of the State of California, aggregates the sum of \$598,950.

#### RECAPITULATION.

(1) Total interest paid on State bonds issued by the State of California between April 27, 1863, and July 1, 1889, under the act of her legislature approved April 27, 1863, sold, redeemed, and paid by said State prior to July 1, 1889, \$310,285.73.

(2) Total interest paid on State bonds issued by the State of California between April 27, 1863, and July 1, 1889, under the act of her legislature approved April 27, 1863, and sold, and on January 2, 1873, converted into or exchanged with other State bonds issued by said State under the act of her legislature approved April 2, 1870, and which last-named bonds so converted or exchanged, and aggregating an amount of \$235,000, were not redeemed or paid by said State prior to July 1, 1889, \$233,025.

(3) Total interest paid on State bonds issued by the State of California between April 4, 1864, and July 1, 1889, under the act of her legislature approved April 4, 1864, and sold, redeemed, and paid by said State prior to July 1, 1889, \$371,006.23.

(4) Total interest paid on State bonds issued by the State of California between April 4, 1864, and July 1, 1889, under the act of her legislature approved April 4, 1864, and sold, and on January 2, 1873, converted into or exchanged with other State bonds issued by said State under the act of her legislature approved April 2, 1870, and which last-named bonds so converted or exchanged, aggregating an amount of \$605,000 were not redeemed or paid by said State prior to July 1, 1889, \$598,950; making a total aggregate of interest so paid by the State of California between April 27, 1863, and July 1, 1889, under said acts of April 27, 1863, April 4, 1864, and April 2, 1870, respectively, and on account of matters recited in and provided for in said two acts of April 27, 1863, and April 4, 1864, \$1,513,266.96.

ADAM HEROLD,  
*State Treasurer of the State of California.*

Subscribed and sworn to before me this 26th day of September, 1889.

[SEAL.]

J. W. HUGHES,  
*Notary Public, Sacramento County, California.*

#### EXHIBIT No. 12.

#### *Statutes of California.*

CHAPTER CCCCXLIV.—*An act to provide for the payment of the funded indebtedness of the State of California and to contract a funded debt for that purpose.*

[Approved April 2, 1870.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. For the purpose of liquidating and providing for the payment of the funded indebtedness of the State of California hereinafter specified, and to lessen the burden of taxation, the governor of the State, the controller of state, and the treasurer of state, and their successors in office, shall constitute a board of commissioners, to be styled the loan commissioners of the State of California, and shall have and exercise the powers and perform the duties hereinafter provided.

SEC. 2. The said loan commissioners are hereby authorized to issue and sell not exceeding \$3,700,000 of the bonds of said State, bearing interest at the rate 6 per cent, per annum, which interest shall be payable semi-annually in gold coin, on the second days in January and July in each year, at the office of the treasurer of state. The principal of said bonds shall be made payable in gold coin within twenty years after the date of their issue, and shall be of such denominations as the said loan commissioners shall direct, but not less than \$500; shall bear the date of their issue, and shall be signed by the said loan commissioners, and shall have the seal of the State affixed thereto; and the faith of the State of California is hereby pledged for the payment of said bonds and the interest accruing thereon as herein provided.

SEC. 3. Coupons for the interest shall be attached to each bond so that they may be removed without injury or mutilation to the bond; said coupons, consecutively numbered, shall be signed by the treasurer of the State.

SEC. 4. Before the sale of any of the bonds the said loan commissioners shall cause notices of such sale to be published, for the space of one month, in three daily newspapers published in English, one in the city of New York, one in the city of London, in England, and one in the capital of the State; in and for the space of one month in a daily newspaper published in French, in the city of Paris, in France, and for the space of one month in a daily newspaper published in German, in the city of Frankfort-on-the-Main, in Germany. Such notice shall specify the amount of bonds to be sold, the rate of interest they shall bear, the day and hour of sale, the place of sale, which shall be at the State capital, and that sealed proposals will be received by the said loan commissioners for the purchase of such bonds. Within one month from the expiration of such publication, and on the day and hour named in said notice, the said loan commissioners shall open all sealed proposals received by them, and shall award the purchase of said bond to such bidders as will, in their opinion, make the most advantageous bid for the State: *Provided*, That said loan commissioners may reject any or all bids, if they deem it to the advantage of the State: *And provided further*, That they may refuse to make any award unless sufficient security shall be furnished by the bidders for the compliance with the terms of their bids: *And provided further*, That said bonds shall not be sold at less than 91 cents on the dollar, in gold coin, par value.

SEC. 5. It shall be the duty of the treasurer and controller of state each to keep a separate record of all bonds sold under the provisions of this act, showing the number, date, amount, and rate of interest of each bond, and to whom the same was issued.

SEC. 6. The sum of \$1,000 is hereby appropriated out of the general fund for the payment of the expense that may be incurred by the loan commissioners in having such bonds prepared and said notices published.

SEC. 7. The proceeds of such bonds shall be paid into the State treasury, and shall be applied to the payment of the following bonds, in the order of their issuance:

First. The outstanding bonds issued under the act entitled "An act to provide for certain equitable claims against the State of California, and to contract a funded debt for that purpose," approved April 28, 1857.

Second. The outstanding bonds issued under the act of 1860.

Third. The outstanding soldiers' relief bonds.

Fourth. The outstanding soldiers' bounty bonds.

SEC. 8. All persons having any of the bonds specified in section 7 of this act shall, upon presentation of such bonds to the said loan commissioners, be entitled to exchange them at their par value for bonds authorized to be issued under this act at the rate of 93 cents on the dollar, par value, but no bond shall be issued for a less sum than \$500, nor for a fractional part of \$100, but the said loan commissioners may issue certificates of such fractional parts not bonded, which said certificate shall be transferable, and entitled to be paid out of the proceeds of the sales of any bonds provided for in section 7 of this act. The loan commissioners shall cancel each bond so exchanged, and shall indorse on such bond the date on which they received the same, and from whom, the number and amount of the bond issued in exchange therefor, and shall file such bond in the office of the secretary of state.

SEC. 9. Whenever there shall be in the State treasury, from the proceeds of the sale of bonds issued under this act, a sum of \$10,000 or more, it shall be the duty of the treasurer to advertise in two newspapers, printed in English, one in New York and one in the capital of the State, for two months, which advertisement shall state the amount of money in the treasury applicable to the redemption of bonds, and the number of bonds, numbering therein the order of their issuance, which are redeemable; and three months from the date of the expiration of such advertisement, such bonds, unless sooner paid, shall cease to draw interest, but the money for the redemption of such bonds shall remain in the treasury to pay such bonds whenever presented.

SEC. 10. For the payment within twenty years of the principal and interest of the bonds issued under this act, there shall be, and is hereby, levied annually, after any bonds have been issued under this act, such rate of tax on each \$100 of the assessed value of



real and personal property in the State, to be computed by the controller of state on the basis of the assessed value of such property for the preceding year, as shall produce annually, for the first five years, 7 per centum of the amount of such bonds issued; for the next ten years thereafter, 12 per centum of the amount of such bonds issued, and thereafter, until all the bonds issued under this act are paid, 15 per centum of the amount of such bonds issued. The controller shall certify the rate of tax thus computed by him to the several county auditors, and the said auditors are hereby directed and required to enter such rate on the assessment rolls of their respective counties, in the same manner and with the same effect as is provided by law in relation to other State taxes. Every tax levied under the provisions or authority of this act is hereby made a lien against the property assessed, which lien shall attach on the first Monday in March in each year, and shall not be satisfied or removed until such tax has been paid. All moneys derived from taxes authorized by the provisions of this section shall be paid into the State treasury, and shall be applied—

First. To the payment of the interest on the bonds issued by the provisions of this act.

Second. To the payment of the principal of such bonds:

*Provided*, That all moneys remaining in the State treasury on the third day of January in each year, for the first five years after the issuance of any bonds under this act, after all the interest on such bonds then due has been paid, shall be transferred by the treasurer of state to the general fund.

SEC. 11. Whenever, on the third day of January or July in any year, after the expiration of five years from the date of issuance of any bonds under this act, there remains, after the payment of the interest, as provided in the preceding section, a surplus of \$10,000 or more, it shall be the duty of the treasurer to advertise, for the space of one month, in one daily newspaper, published in English, in the city of New York, and for one month in one daily newspaper, published in English, at the State capital, for sealed proposals, to be opened one month after the expiration of such publication by the treasurer, in presence of the governor or controller, at the State capital, for the surrender of bonds issued under this act, which advertisement shall state the amount of money he has on hand for the purpose of redemption; and they shall accept the lowest proposals, at rates not exceeding par value, as may redeem the greatest amount of bonds, until the amount of cash on hand for the redemption is exhausted: *Provided, however*, In case a sufficient amount of such bonds shall not be offered, as aforesaid, to exhaust the sinking fund to a less amount than \$10,000, then it is hereby made the duty of the treasurer to advertise in two newspapers, one in New York and one at the capital of this State, for three months, which advertisement shall state the amount in the sinking fund and the number of bonds, numbering them in the order of their issuance, which such fund is set apart to pay and discharge; and if such bonds so numbered in such advertisement shall not be presented for payment and cancellation at the expiration of such publications, then such fund shall remain in the treasury to discharge such bonds whenever presented, but they shall draw no interest after the expiration of such publication; before any of said bonds shall be paid, they shall be presented to the controller, who shall indorse on each bond the amount due thereon, and shall write across the face of each bond the date of its surrender and the name of the person surrendering.

SEC. 12. The treasurer of state shall keep a full and particular account and record of all his proceedings under this act, and of the bonds redeemed and surrendered, and he shall transmit to the governor an abstract of all his proceedings under this act, with his annual report, to be by the governor laid before the legislature; and all books and papers pertaining to the matter provided for in this act shall at all times be open to the inspection of any party interested, or the governor, or the attorney-general, or a committee of either branch of the legislature, or a joint committee of both.

SEC. 13. It shall be the duty of the treasurer to pay the interest on said bonds, when the same falls due, out of said interest fund, if sufficient; and if said fund be not sufficient, then to pay the deficiency out of the general fund: *Provided*, That the controller of state shall draw first his warrant on the treasurer, payable to the order of said treasurer, for the amount of interest money about to become due, which said interest warrant shall be drawn at least one month previous to the maturing of the interest.

SEC. 14. This act shall take effect sixty days after the next general election as to all its provisions except those relating to and necessary for its submission to the people, and for returning, canvassing, and proclaiming the votes, which shall take effect immediately.

SEC. 15. This act shall be submitted to the people of the State for their ratification at the next general election, and the qualified electors of this State shall at said election, on their ballots for State officers, vote for or against this act; those voting for the same shall write or have printed on their ballots the words "Refund the debt—Yes," and those voting against the same shall write or have printed on their ballots the words "Refund the debt—No."

SEC. 16. The votes cast for and against this act shall be counted, returned, and canvassed, and declared in the same manner and subject to the same rules as votes cast for the treasurer of state, and if it appears that a majority of all the votes so cast for or against this law, as aforesaid, are in favor of this act, then the same shall have effect as hereinbefore provided, and shall be irrevocable until the principal and interest of the liabilities herein created shall be paid and discharged and the governor shall make proclamation hereof; but if a majority of the votes so cast are against this act, then the same shall become void.

SEC. 17. It shall be the duty of the secretary of state to have this act published in one newspaper in each judicial district of this State for three months next preceding the next general election, for which publication no greater allowance shall be made than the rates allowed by law to the State printer.

NOTE.—In the original enrolled laws, of which the foregoing are copies, there are no marginal notes; all sections and the numbers thereof, all sums of money, and all dates (except the dates of approval) are written out in full in words and letters—not figures.

## C.

STATE OF CALIFORNIA, *Department of State:*

I, William C. Hendricks, secretary of state of the State of California, do hereby certify that the foregoing are full, true, and correct copies of the several acts of the legislature of the State of California as the same now appears of record in my office; as follows, to wit:

“An act for the relief of the enlisted men of the California volunteers in the service of the United States.” (Approved April 27, 1863.)

“An act amendatory of and supplemental to an act entitled ‘An act for the relief of the enlisted men of the California volunteers in the service of the United States,’ approved April 27, 1863.” (Approved March 15, 1864.)

“An act to appropriate money to pay for remounting a battery of guns.” (Approved April 4, 1864.)

“An act to extend the provisions of an act entitled ‘An act to appropriate funds for the defense of the State of California,’ approved April 25, 1863.” (Approved April 4, 1864.)

“An act for the relief of the line officers of the California volunteers in the service of the United States.” (Approved April 4, 1864.)

“An act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide for the payment of the same, and to levy a tax to pay such bonds.” (Approved April 4, 1864.)

“An act to appropriate money for the payment of the claim of the California volunteers.” (Approved March 31, 1866.)

“An act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose.” (Approved April 2, 1870.)

Witness my hand and the great seal of State, at office, in Sacramento, Cal., this 27th day of September, 1889.

[SEAL.]

W. C. HENDRICKS,  
*Secretary of State.*  
By H. B. DAVIDSON,  
*Deputy.*

## EXHIBIT No. 13.

Statement of number of men called for by the President of the United States, and number furnished by each State, Territory, and District of Columbia, from April 15, 1861, to close of war of the rebellion.

States, etc.	Call of April 15, 1861, for 75,000 militia for 3 months.		Call of May 3, 1861 (confirmed by act approved August 6, 1861), and under acts approved July 22 and 25, 1861, for 500,000 men.					Total.
	Quota.	Men furnished.	Quota.	Men furnished for—				
				6 months.	1 year.	2 years.	3 years.	
Maine.....	780	771	17,560				18,104	18,104
New Hampshire.....	780	779	9,234				8,338	8,338
Vermont.....	780	782	8,950				9,508	9,508
Massachusetts.....	1,560	3,736	34,868				32,177	32,177
Rhode Island.....	780	3,147	4,955				6,286	6,286
Connecticut.....	780	2,402	13,057				10,865	10,865
New York.....	13,280	13,906	109,056			30,950	89,281	120,281
New Jersey.....	3,123	3,123	19,152				11,523	11,523
Pennsylvania.....	12,500	20,175	82,825				85,160	85,160
Delaware.....	780	775	3,145				1,826	1,826
Maryland.....	3,123		15,578				9,355	9,355
West Virginia.....	2,340	900	8,497				12,757	12,757
District of Columbia.....		4,720	1,627				1,795	1,795
Ohio.....	10,153	12,357	67,365		863		83,252	84,116
Indiana.....	4,683	4,686	38,832		1,698		59,643	61,341
Illinois.....	4,683	4,820	47,785				81,952	81,952
Michigan.....	780	781	21,357				23,546	23,546
Wisconsin.....	780	817	21,753				25,499	25,499
Minnesota.....	780	930	4,890		1,167		5,770	6,337
Iowa.....	780	968	19,316				21,987	21,987
Missouri.....	3,123	10,541	31,544	2,715	199		22,324	25,238
Kentucky.....	3,123		27,237		5,129		29,966	35,095
Kansas.....		650	3,235				6,953	6,953
Tennessee.....	1,560							
Arkansas.....	780							
North Carolina.....	1,560							
Nebraska.....					91			91
<b>Total.....</b>	<b>73,391</b>	<b>91,816</b>	<b>611,827</b>	<b>2,715</b>	<b>9,147</b>	<b>30,950</b>	<b>657,865</b>	<b>700,680</b>

States, etc.	Men furnished in May and June, 1862, by special authority, for 3 months (no quotas).	Call of July 2, 1862, for 300,000 men for 3 years.		Call of August 4, 1862, for 300,000 militia for 9 months.		Men furnished under President's proclamation of June 15, 1863, for militia for 6 months (no quotas).
		Quota.	Men furnished.	Quota.	Men furnished.	
Maine.....		9,609	6,644	9,609	7,620	
New Hampshire.....		5,053	6,390	5,053	1,736	
Vermont.....		4,898	4,369	4,898	4,781	
Massachusetts.....		19,080	16,519	19,080	16,685	103
Rhode Island.....		2,712	2,742	2,712	2,059	
Connecticut.....		7,145	9,195	7,145	5,602	
New York.....	8,588	59,705	78,904	59,705	1,781	
New Jersey.....		10,478	5,499	10,478	10,787	
Pennsylvania.....		45,321	30,891	45,321	82,215	3,708
Delaware.....		1,720	2,508	1,720	1,799	
Maryland.....		8,532	3,586	8,532		1,615
West Virginia.....		4,650	4,925	4,650		1,148
District of Columbia.....		890	1,167	890		
Ohio.....		36,858	58,325	36,858		2,736
Indiana.....	1,723	21,250	30,359	21,250	337	3,767
Illinois.....	4,696	26,148	58,689	26,148		
Michigan.....		11,686	17,656	11,686		
Wisconsin.....		11,904	14,472	11,904	958	
Minnesota.....		2,681	4,626	2,681		
Iowa.....		10,570	24,438	10,570		
Missouri.....		17,269	28,324	17,269		3,284
Kentucky.....		14,905	6,463	14,905		
Kansas.....		1,771	2,926	1,771		
Nebraska.....			1,838	1,228		
<b>Total.....</b>	<b>15,007</b>	<b>334,835</b>	<b>421,465</b>	<b>334,835</b>	<b>87,588</b>	<b>16,861</b>

\* Furnished in November, 1864.

Statement of number of men called for by the President of the United States, etc.—Continued.

States, etc.	Calls of October 17, 1863 (which embraces men raised by draft of 1863, and February 1, 1864, for 500,000 men for 3 years.				Call of March 14, 1864, for 200,000 men for 3 years.			
	Quota.	Men furnished.	Paid commutation.	Total.	Quota.	Men furnished.	Paid commutation.	Quota.
Maine .....	11,803	11,958	1,986	13,944	4,721	7,042	.....	7,042
New Hampshire .....	6,469	6,406	571	6,977	2,538	2,844	121	2,965
Vermont .....	5,751	6,726	1,885	8,611	2,300	1,601	89	1,690
Massachusetts .....	26,597	17,711	3,703	21,414	10,639	17,322	1,615	18,937
Rhode Island .....	3,469	3,223	463	3,686	1,388	1,906	.....	1,906
Connecticut .....	7,919	10,326	1,513	11,839	3,168	5,294	.....	5,294
New York .....	81,993	59,839	15,912	75,751	32,794	41,940	2,267	44,207
New Jersey .....	16,759	9,187	.....	9,187	6,704	9,550	4,170	13,720
Pennsylvania .....	64,979	36,723	17,672	54,395	25,993	35,036	10,046	45,082
Delaware .....	2,463	2,138	435	2,573	.....	985	652	951
Maryland .....	10,794	6,244	1,106	7,550	4,317	9,365	2,528	11,903
West Virginia .....	5,127	3,983	.....	3,983	2,051	3,857	.....	3,857
District of Columbia .....	4,256	4,570	318	4,888	1,702	1,142	.....	1,142
Ohio .....	51,465	32,809	.....	32,809	20,595	31,193	6,290	37,483
Indiana .....	32,521	23,023	.....	23,023	13,008	14,862	.....	14,862
Illinois .....	46,309	28,818	.....	28,818	18,524	25,055	.....	25,055
Michigan .....	19,553	17,686	1,644	19,330	7,821	7,344	323	7,667
Wisconsin .....	19,852	10,389	5,080	15,469	7,941	10,314	.....	10,314
Minnesota .....	5,451	3,054	.....	3,054	2,180	2,469	1,027	3,496
Iowa .....	16,097	8,292	.....	8,292	6,439	11,579	.....	11,579
Missouri .....	9,813	3,823	.....	3,823	3,925	*10,137	.....	10,137
Kentucky .....	14,471	4,785	.....	4,785	5,789	6,488	3,241	9,689
Kansas .....	3,523	5,374	.....	5,374	1,409	2,563	.....	2,563
Total .....	467,434	317,092	52,288	369,380	186,981	259,515	32,678	292,193

\* Includes militia furnished for six months, 5,679; for nine months, 2,311; for one year, 1,954—credited as 2,174 three-years men.

States, etc.	Militia for 100 days, mustered into service between April 23 and July 18, 1864.		Call of July 18, 1864, for 500,000 men (reduced by excess of credits on previous calls).						
	Quota.	Men furnished.	Quota.	Men furnished for—				Total.	
				1 year.	2 years.	3 years.	4 years.		Paid commutation.
Maine .....			11,116	8,320	131	2,590	1	11	11,053
New Hampshire .....	*167	4,648	1,921	1,921	25	4,027	.....	.....	5,973
Vermont .....		2,665	1,861	1,861	18	2,081	11	.....	3,971
Massachusetts .....	4,000	6,809	21,965	6,990	108	24,641	.....	.....	31,739
Rhode Island .....		1,423	1,223	196	891	.....	.....	.....	2,310
Connecticut .....		5,583	493	20	10,318	24	2	.....	10,857
New York .....	12,000	5,640	77,539	45,089	2,128	36,547	74	5	83,843
New Jersey .....		769	14,431	9,587	1,184	4,337	.....	.....	15,119
Pennsylvania .....	12,000	7,675	49,993	44,489	433	10,416	198	171	55,707
Delaware .....		2,184	1,553	9	593	.....	.....	.....	2,175
Maryland .....	1,297	10,947	6,193	246	3,727	64	31	.....	10,266
West Virginia .....		2,717	1,726	28	202	.....	.....	.....	1,956
District of Columbia .....		3,386	979	59	937	343	.....	19	2,337
Ohio .....	30,000	86,254	27,001	25,431	748	4,644	.....	176	30,999
Indiana .....	20,000	7,197	25,662	18,099	597	7,158	.....	690	26,544
Illinois .....	20,000	11,828	21,997	12,553	535	2,323	.....	49	15,465
Michigan .....		12,098	5,960	57	6,492	.....	.....	23	12,532
Wisconsin .....	5,000	2,134	17,590	10,905	86	5,832	.....	16	16,839
Minnesota .....		4,018	2,791	205	239	.....	.....	3	3,238
Iowa .....	10,000	3,901	5,749	3,935	60	168	.....	6	4,290
Missouri .....		25,569	7,732	1,295	14,430	.....	.....	.....	23,507
Kentucky .....		9,871	5,060	169	10,137	.....	.....	24	15,390
Kansas .....		441	.....	29	3	312	.....	.....	351
Total .....	113,000	83,612	357,152	223,044	8,340	153,049	730	1,298	386,461

\* Furnished for three months.

Statement of number of men called for by the President of the United States, etc.—Continued.

States, etc.	Call of December 19, 1864, for 300,000 men.						Total.
	Quota.	Men furnished for—					
		1 year.	2 years.	3 years.	4 years.	Paid com- mutation.	
Maine.....	8,389	4,898	141	1,884	3	10	6,936
New Hampshire.....	2,072	492	9	775	28		1,304
Vermont.....	1,832	962	29	550	9		1,550
Massachusetts.....	1,306	1,535	43	2,349	2		3,929
Rhode Island.....	1,459	789	92	732			1,563
Connecticut.....		84	7	1,282	2		1,325
New York.....	61,076	9,150	1,645	23,321	67	13	94,196
New Jersey.....	11,665	6,511	1,075	3,527	155	15	11,283
Pennsylvania.....	46,437	26,666	204	3,903	44	282	31,099
Delaware.....	938	376	5	30			411
Maryland.....	9,142	3,236	430	1,275		3	4,944
West Virginia.....	4,431	2,114	8	415			2,637
District of Columbia.....	2,222	692	12	116	2	1	823
Ohio.....	26,027	21,712	641	2,214		13	24,580
Indiana.....	22,582	20,642	243	2,329		94	23,308
Illinois.....	32,902	25,940	356	2,022		6	28,324
Michigan.....	10,026	6,767	41	1,034		18	7,860
Wisconsin.....	12,356	9,666	15	240		1	9,922
Minnesota.....	3,636	2,689	12	68		2	2,771
Iowa.....		772	15	67			854
Missouri.....	13,984	3,161	44	1,002			4,207
Kentucky.....	10,481	1,987	7	5,609			7,603
Kansas.....	1,222	622	36	223		2	883
<b>Total.....</b>	<b>284,215</b>	<b>151,363</b>	<b>5,110</b>	<b>54,967</b>	<b>312</b>	<b>460</b>	<b>212,212</b>

Statement of number of men called for by the President of the United States, etc.—Continued.

States, etc.	Volunteers and militia furnished at various times for—								Total.
	60 days.	3 months.	100 days.	4 months.	6 months.	8 months.	1 year.	3 years.	
Tennessee.....			739				6,039	24,314	31,092
Arkansas.....					374		213	7,702	8,289
North Carolina.....								3,156	3,156
California.....								15,725	15,725
Nevada.....								1,080	1,080
Oregon.....				42				1,768	1,810
Washington.....								964	964
Colorado.....			1,156		186			3,561	4,903
Dakota.....								206	206
New Mexico.....		1,593			803			4,165	6,561
Alabama.....							1,447	1,129	2,576
Florida.....								1,290	1,290
Louisiana.....	296					373		4,555	5,224
Mississippi.....								545	545
Texas.....							499	1,466	1,965
Indian Nation.....								3,530	3,530
Colored troops*.....	1,749							91,692	93,441
<b>Total.....</b>	<b>2,045</b>	<b>1,593</b>	<b>1,895</b>	<b>42</b>	<b>1,363</b>	<b>373</b>	<b>8,198</b>	<b>166,848</b>	<b>182,327</b>

\* Colored troops organized at various stations in the States in rebellion, embracing all not specifically credited to States, and which can not be so assigned.



Statement of number of men called for by the President of the United States, etc.—Continued.

States, etc.	Aggregate,				Aggregate reduced to a three-years' standard.
	Quota.	Men furnished.	Paid commutation.	Total.	
Maine.....	73,587	70,107	2,007	72,114	56,776
New Hampshire.....	35,897	33,937	692	34,629	30,849
Vermont.....	32,074	33,288	1,974	35,262	29,068
Massachusetts.....	139,095	146,730	5,318	152,048	124,104
Rhode Island.....	18,898	23,236	463	23,699	17,866
Connecticut.....	44,797	55,864	1,515	57,379	50,623
New York.....	507,148	443,850	18,197	467,047	392,270
New Jersey.....	92,820	76,814	4,196	81,010	57,908
Pennsylvania.....	385,369	337,936	28,171	366,107	265,517
Delaware.....	13,935	12,284	1,386	13,670	10,322
Maryland.....	70,965	46,638	3,678	50,316	41,275
West Virginia.....	34,463	32,068	.....	32,068	27,714
District of Columbia.....	13,973	16,534	338	16,872	11,506
Ohio.....	306,322	313,180	6,479	319,659	240,514
Indiana.....	199,788	196,363	784	197,147	153,576
Illinois.....	244,496	259,092	55	259,147	214,133
Michigan.....	95,007	87,364	2,008	89,372	80,111
Wisconsin.....	109,080	91,327	5,697	96,424	79,260
Minnesota.....	26,326	24,020	1,032	25,052	19,693
Iowa.....	79,521	76,242	67	76,309	63,630
Missouri.....	122,496	109,111	.....	109,111	86,530
Kentucky.....	100,782	75,760	3,265	79,025	70,832
Kansas.....	12,931	20,149	2	20,151	18,706
Tennessee.....	1,560	31,062	.....	31,062	26,394
Arkansas.....	780	8,289	.....	8,289	7,836
North Carolina.....	1,560	3,156	.....	3,156	3,156
California *.....	.....	15,725	.....	15,725	15,725
Nevada.....	.....	1,080	.....	1,080	1,080
Oregon.....	.....	1,810	.....	1,810	1,773
Washington.....	.....	964	.....	964	964
Nebraska.....	.....	3,157	.....	3,157	2,175
Colorado.....	.....	4,903	.....	4,903	3,697
Dakota.....	.....	206	.....	206	206
New Mexico.....	.....	6,561	.....	6,561	4,432
Alabama.....	.....	2,576	.....	2,576	1,611
Florida.....	.....	1,290	.....	1,290	1,290
Louisiana.....	.....	5,224	.....	5,224	4,654
Mississippi.....	.....	545	.....	545	545
Texas.....	.....	1,965	.....	1,965	1,632
Indian Nation.....	.....	3,530	.....	3,530	3,530
Colored troops †.....	.....	93,441	.....	93,441	91,789
Total.....	2,763,670	2,772,408	86,724	2,859,132	2,320,272

\* See accompanying memorandum.

† Colored troops organized at various stations in the States in rebellion, embracing all not specifically credited to States, and which can not be so assigned.

ADJUTANT-GENERAL'S OFFICE,  
Washington, November 9, 1860.

S. Ex. 2—4

## MEMORANDUM.

In order to determine what would have been California's quota under all calls had one been assigned to her, it is necessary to ascertain the ratio of the aggregate quota of each of the States named to the number of its white male inhabitants between the ages of 18 and 45. The quotient arising from a division of the number of such inhabitants in California according to the census of 1860 by the mean of the ratios of all said States would be approximately her quota. Or, instead of taking the mean ratio of all, that of five of the States selected at random would for all practical purposes constitute a sufficiently accurate divisor. To this end let us take three Eastern States—Maine, New Hampshire, and Vermont—and two Western States—Michigan and Iowa—of which, according to the census of 1870, Vermont, Michigan, and Iowa (as well as California), increased their white population, while Maine and New Hampshire suffered a decrease in theirs. From the census of 1860, and Exhibit 11, we obtain the following figures:

States.	White male population between ages of 18 and 45, according to census of 1860.	Quota under all calls.	Ratio.
Maine .....	122,238	73,587	1.6611
New Hampshire .....	63,610	35,897	1.7720
Vermont .....	60,580	32,074	1.8887
Michigan .....	164,007	95,007	1.7263
Iowa .....	139,316	79,521	1.7519
Total .....	549,751	316,086	*1.7600

\* Mean ratio.

It follows that with 169,975 males of military age, as shown by the census of 1860, California's quota under all calls for all terms would have been:

$$\begin{array}{r} 169,975 \\ \hline 96,577 \\ \hline 1.7600 \end{array}$$

Even if we accept the figures of the adjutant-general of California, who, in his annual report, dated December 15, 1862, stated the number of all able-bodied white male citizens between the ages of 18 and 45 to be 150,000, California's aggregate quota would still have been 85,227.

Upon the same basis, Oregon's quota (with a white population of military age of 15,781) would have been 8,967, and that of Nevada, with a population of 3,601 (approximate) of the military age, would have been 2,046.

## EXHIBIT No. 14.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., December 15, 1862.

GENERAL: His Excellency Governor Stanford has organized at various points within this State volunteer companies of militia, composed entirely of good Union men. The great difficulty has been the want of arms. The quota for the State has long since been exhausted, and in view of the good results to be expected from these organizations, I have already placed at the disposal of the governor a limited number of small arms and equipments, and he now asks for an additional supply for several companies he is organizing in the State.

In view of the state of feeling existing in certain localities, and the impossibility of posting my troops at every point, the best interests of the Government require that we should encourage by every means in our power the formation of volunteer companies of patriotic men.

The greatest care will be taken by the governor that no man who is disaffected towards the Union, or who has any sympathy with the rebellion, be enrolled.

I have assured Governor Stanford of my cordial co-operation and assistance, and that I would give him such arms and equipments as could be spared from the Government arsenals without detriment to the service.

Hoping that my acts may be approved by the General-in-Chief and War Department, I have the honor to be your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. LORENZO THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

A true copy:

GEO. D. RUGGLES,

*Assistant Adjutant-General.*

HEADQUARTERS DIVISION OF THE PACIFIC,  
*San Francisco, Cal., November 11, 1889.*

DEAR SENATOR: I have the honor to acknowledge receipt of your communication of the 31st ultimo, requesting to be furnished with copy of a letter addressed by General George Wright, commanding the Department of the Pacific, to Adjutant-General Thomas, dated about December 15, 1863, and in answer thereto I send herewith copy of a letter dated December 15, 1862, which is the one referred to on page 135, Ex. Doc. No. 70, second session Fiftieth Congress.

There is no record of a letter in 1863 in regard to the issue of arms by the United States to militia companies.

Very truly yours,

NELSON A. MILES,

*Brigadier-General, Commanding.*

Hon. WM. M. STEWART,

*United States Senate, Washington, D. C.*

EXHIBIT No. 15.

*Organization of volunteers.*

ADJUTANT-GENERAL'S OFFICE,  
*Washington, October 12, 1889.*

SIR: I have the honor to return herewith request of Hon. William M. Stewart, United States Senate, of the 4th instant, for copies of certain papers in connection with report relative to raising volunteer troops to guard the Overland and Inland Mail and Emigrant Route, etc., from 1861 to 1866, published in Senate Ex. Doc. No. 70, Fiftieth Congress, second session, referred to this office, and in compliance with said request to transmit the following, viz:

(1.) Copy of S. O., 86, War Department, Adjutant-General's Office, Washington, March 23, 1861, directing Brigadier-General Sumner, without delay, to repair to San Francisco and relieve Brevet Brigadier-General Johnston in the command of Department of Pacific.

(2.) Copy of G. O., Nos. 15 and 16, War Department, Adjutant-General's Office, Washington, May 4, 1861, relative to plan of organization of the volunteer forces called into service of the United States by the President.

(3.) No record has been found in this office, nor at the Headquarters of the Army, of the letter of December 15, 1862, from Wright to Thomas, referred to on page 135 Ex. Doc. No. 70, in telegram of January 27, 1863, from Brig. Gen. G. Wright to the Adjutant-General regarding issuing arms to organized militia companies.

(4.) With reference to the letter of January 23, 1863, referred to on page 136 of said Ex. Doc. No. 70, in letter of March 31, 1863, Halleck to Wright, relative to issuing arms to organized militia companies, etc., it appears from an examination of the papers in the case that the date, January 23, 1863, is a mistake, and should read, instead, February 23, 1863, under which date the letter is published on page 148 of said Ex. Doc. No. 70.

Very respectfully,

J. C. KELTON,

*Adjutant-General.*

## EXHIBIT No. 16.

GENERAL ORDERS, } WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
No. 15. } Washington, May 4, 1861.

The President of the United States having called for a volunteer force to aid in the enforcement of the laws and the suppression of insurrection, and to consist of 39 regiments of infantry and 1 regiment of cavalry, making a minimum aggregate of 34,506 officers and enlisted men, and a maximum aggregate of 42,034 officers and enlisted men, the following plan of organization has been adopted, and is directed to be printed for general information:

PLAN OF ORGANIZATION OF THE VOLUNTEER FORCES CALLED INTO THE SERVICE OF THE UNITED STATES BY THE PRESIDENT.

The volunteers called into service under the proclamation of the President of the United States, dated the 3d day of May, 1861, will be subject to the laws and regulations governing the Army of the United States, and the proportion and organization of each arm will be as follows:

1. *Infantry.*

Thirty-nine regiments of volunteer infantry will be raised. Each regiment will consist of 10 companies, and each company will be organized as follows:

	Minimum.	Maximum.
Captain.....	1	1
First lieutenant.....	1	1
Second lieutenant.....	1	1
First sergeant.....	1	1
Sergeants.....	4	4
Corporals.....	8	8
Musicians.....	2	2
Wagoner.....	1	1
Privates.....	64	82
Aggregate.....	83	101

The commissioned officers of the company will be appointed by the governor of the State furnishing it, and the non-commissioned officers, until the company shall be embodied in a regiment, will be appointed by the captain; afterwards by the colonel, on recommendation of the captain.

Each regiment will be organized as follows:

	Minimum.	Maximum.
Company officers and enlisted men.....	830	1,010
Colonel.....	1	1
Lieutenant-colonel.....	1	1
Major.....	1	1
Adjutant (a lieutenant).....	1	1
Regimental quartermaster (a lieutenant).....	1	1
Assistant surgeon.....	1	1
Sergeant-major.....	1	1
Regimental quartermaster-sergeant.....	1	1
Regimental commissary-sergeant.....	1	1
Hospital steward.....	1	1
Principal musicians.....	2	2
Musicians for band.....	24	24
Aggregate.....	866	1,046

The field officers of the regiment will be appointed by the governor of the State which furnishes the regiment.

The adjutant and regimental quartermaster will be selected from the company officers of the regiment by the colonel, and may be reassigned to companies at his pleasure.

The non-commissioned staff will be selected by the colonel from the non-commissioned officers and privates of the regiment, and the vacancies so created will be filled by appointment, as is prescribed above.

## 2. Cavalry.

One regiment of volunteer cavalry will be raised, and will consist of 4, 5, or 6 squadrons. Each squadron will consist of 2 companies, and each company will be organized as follows:

	Minimum.	Maximum.
Captain.....	1	1
First lieutenant.....	1	1
Second lieutenant.....	1	1
First sergeant.....	1	1
Company quartermaster-sergeant.....	4	4
Sergeants.....	8	8
Corporals.....	2	2
Buglers.....	2	2
Farriers and blacksmiths.....	2	2
Saddler.....	1	1
Wagoner.....	1	1
Privates.....	56	72
Aggregate.....	79	95

Volunteer cavalry may be mustered into the service by companies or squadrons.

When two squadrons shall have been received, a lieutenant-colonel will be appointed to their command; and when two more squadrons shall have been received a colonel and major will be appointed and the four squadrons will be organized into a regiment. Two additional squadrons may be mustered into the regiment without affecting the organization of its regimental field and staff.

For the regiment there will be 1 colonel, 1 lieutenant-colonel, 1 major, 1 adjutant (a lieutenant), 1 regimental quartermaster, 1 assistant surgeon, 1 sergeant-major, 1 regimental quartermaster-sergeant, 1 regimental commissary-sergeant, 1 hospital steward, 2 principal musicians, 16 musicians for band.

And the minimum aggregates will be—

If the regiment consists of four squadrons.....	660
If the regiment consists of five squadrons.....	818
If the regiment consists of six squadrons.....	976

And the maximum aggregate will be—

If the regiment consists of four squadrons.....	788
If the regiment consists of five squadrons.....	978
If the regiment consists of six squadrons.....	1,168

All officers of volunteer cavalry will be appointed and selected in the same manner as infantry officers of like rank.

## 3. General organization.

This force will be organized into three divisions of from three to four brigades.

Each brigade will consist of four regiments and 1 brigadier-general, 1 aid-de-camp (a lieutenant), 1 assistant adjutant-general (a captain), 1 surgeon, 1 assistant quartermaster (a captain), 1 commissary of subsistence (a captain).

All of the above officers will be appointed by the President, by and with the advice and consent of the Senate, except the aid-de-camp, who will be selected by the brigadier-general from the company officers, and who may be reassigned to his company at the pleasure of the brigadier-general.

Each division will consist of three or more brigades and of 1 major-general, 2 aids-de-camp (captains or lieutenants), 1 assistant adjutant-general (a major).

The above officers will be appointed and selected as prescribed above for the additional officers of a brigade.

## 4. Memorandum.

The officers, non-commissioned officers, and privates, organized as above set forth, will in all respects be placed on the footing, as to pay and allowances, of similar corps of the Regular Army: *Provided*, That their allowances for clothing shall be \$2.50 per month for infantry and \$3 per month for cavalry, and that each non-commissioned officer, private, musician, and artificer of cavalry shall furnish his own horse and horse equipments, and shall receive 50 cents per day for their use and risk, except that, in case the horse shall become disabled, or shall die, the allowance shall cease until the disability be removed, or another horse be supplied. Every cavalry volunteer who shall not keep himself provided with a serviceable horse shall serve on foot.



Every volunteer non-commissioned officer, private, musician, and artificer who enters the service of the United States under this plan shall be paid at the rate of 50 cents, and if a cavalry volunteer, 25 cents additional in lieu of forage for every 20 miles of travel from his home to the place of muster—the distance to be measured by the shortest usually traveled route—and when honorably discharged, an allowance at the same rate from the place of his discharge to his home, and, in addition thereto, the sum of \$100.

Any volunteer who may be received into the service of the United States under this plan, and who may be wounded or otherwise disabled in the service, shall be entitled to the benefits which have been or may be conferred on persons disabled in the regular service; and the legal heirs of such as die or may be killed in service, in addition to all arrears of pay and allowances, shall receive the sum of \$100.

The bands of the regiments of infantry and of the regiment of cavalry will be paid as follows: One-fourth of each will receive the pay and allowances of sergeants of engineer soldiers; one-fourth, those of corporals of engineer soldiers; and the remaining half, those of privates of engineer soldiers of the first class.

The wagoners and saddlers will receive the pay and allowances of corporals of cavalry.

The regimental commissary-sergeant will receive the pay and allowances of a regimental sergeant-major. The company quartermaster-sergeant, the pay and allowances of a sergeant of cavalry.

There will be allowed to each regiment one chaplain, who will be appointed by the regimental commander on the vote of the field officers and company commanders on duty with the regiment at the time the appointment is to be made. The chaplain so appointed must be a regularly ordained minister of some Christian denomination, and will receive the pay and allowances of captain of cavalry.

#### 5. Promotion from the ranks.

Two-thirds of the company officers of the regiments to be raised under this plan will be appointed at the commencement of the organization of each regiment, and the remaining one-third, when the regiment shall have its full complement of men, will be appointed from the ranks, to be taken from among the sergeants, on the recommendation of the colonel of the regiment, approved by the general commanding the brigade.

After the completion of the organization of a regiment of cavalry or infantry, one-half of all the vacancies which may occur in the lowest grade of commissioned officers, by promotion or otherwise, will be appointed as above, from the ranks.

Corporals will be taken from the privates; sergeants from corporals.

The first sergeant will be taken from the other sergeants of the company by the captain.

The regimental non-commissioned staff will be appointed from the sergeants of the regiment by the colonel.

#### RECAPITULATION.

	Minimum.	Maximum.
39 regiments of infantry .....	33, 774	40, 794
1 regiment of cavalry .....	660	1, 168
Brigade staff .....	34, 434	41, 962
Division staff .....	60	60
.....	12	12
Aggregate .....	34, 506	42, 034

By order:

L. THOMAS,  
*Adjutant-General.*

Official:

SAM'L BRECK,  
*Assistant Adjutant-General.*

#### EXHIBIT No. 17.

GENERAL ORDERS, }  
No. 16. }

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
Washington, May 4, 1861.

The President of the United States having directed an increase of the Regular Army of the United States by the addition of eight regiments of infantry, one regiment of cavalry, and one regiment of artillery, making a minimum aggregate of 18,154 officers and enlisted men, to be augmented, at the discretion of the President, to a maximum aggregate of 22,714 officers and enlisted men, the following plan of organization has been adopted, and is directed to be printed for general information.

PLAN OF ORGANIZATION

For the increase of the force of the Regular Army of the United States, as directed by the President.

1. *Infantry.*

Eight regiments of infantry, in addition to those now in service, will be raised. Each regiment will consist of two or more battalions. Each battalion will consist of eight companies. Each company will be organized as follows:

	Minimum.	Maximum.
Captain .....	1	1
First lieutenant .....	1	1
Second lieutenant .....	1	1
First sergeant .....	1	1
Sergeants .....	4	4
Corporals .....	8	8
Musicians .....	2	2
Privates .....	64	82
<b>Aggregate .....</b>	<b>82</b>	<b>100</b>

Each battalion will be organized as follows:

	Minimum.	Maximum.
Company officers and enlisted men .....	656	800
Major .....	1	1
Battalion adjutant (a lieutenant) .....	1	1
Battalion quartermaster and commissary (a lieutenant) .....	1	1
Sergeant-major .....	1	1
Quartermaster-sergeant .....	1	1
Commissary-sergeant .....	1	1
Hospital steward .....	1	1
<b>Aggregate .....</b>	<b>663</b>	<b>807</b>

Each regiment will be organized, supposing three battalions to constitute a regiment, as follows:

	Minimum.	Maximum.
Battalion officers and enlisted men .....	1,989	2,421
Colonel .....	1	1
Lieutenant-colonel .....	1	1
Regimental adjutant (a lieutenant) .....	1	1
Regimental quartermaster and commissary (a lieutenant) .....	1	1
Drum-major .....	1	1
Principal musicians .....	2	2
Musicians for band .....	24	24
<b>Aggregate .....</b>	<b>2,020</b>	<b>2,452</b>

2. *Cavalry.*

One additional regiment of cavalry will also be raised, and will consist of three battalions. Each battalion will consist of two squadrons, and each squadron will consist of two companies, each of which will be organized as follows:

	Minimum.	Maximum.
Captain .....	1	1
First lieutenant .....	1	1
Second lieutenant .....	1	1
First sergeant .....	1	1
Company quartermaster-sergeant .....	1	1
Sergeants .....	4	4
Corporals .....	8	8
Musicians .....	2	2
Farriers .....	2	2
Saddler .....	1	1
Wagoner .....	1	1
Privates .....	56	72
<b>Aggregate .....</b>	<b>79</b>	<b>95</b>

Each battalion will be organized as follows:

	Minimum.	Maximum.
Company officers and enlisted men.....	316	380
Major.....	1	1
Battalion adjutant.....	1	1
Battalion quartermaster and commissary (a lieutenant).....	1	1
Sergeant-major.....	1	1
Quartermaster-sergeant.....	1	1
Commissary-sergeant.....	1	1
Hospital steward.....	1	1
Saddler sergeant.....	1	1
Veterinary sergeant.....	1	1
Aggregate.....	325	389

Each regiment will consist of two or more battalions, organized, when consisting of three battalions to a regiment, as follows:

	Minimum.	Maximum.
Battalion officers and enlisted men.....	975	1,167
Colonel.....	1	1
Lieutenant-colonel.....	1	1
Regimental adjutant (lieutenant).....	1	1
Regimental quartermaster and commissary (lieutenant).....	1	1
Chief buglers.....	2	2
Musicians for band.....	16	16
Aggregate.....	997	1,189

### 3. Artillery.

One additional regiment of artillery will be raised, and will consist of eight or twelve batteries, and each battery will be organized as follows:

	Minimum.	Maximum.
Captain.....	1	1
First lieutenant.....	1	2
Second lieutenant.....	1	2
First sergeant.....	1	1
Company quartermaster-sergeant.....	1	1
Sergeants.....	4	6
Corporals.....	8	12
Musicians.....	2	2
Artificers.....	2	6
Wagoner.....	1	1
Privates.....	58	122
Aggregate.....	80	156

The regiment will be organized, supposing it to consist of twelve batteries, as follows:

	Minimum.	Maximum.
Company officers and enlisted men.....	960	1,872
Colonel.....	1	1
Lieutenant-colonel.....	1	1
Majors.....	3	3
Adjutant.....	1	1
Regimental quartermaster and commissary (a lieutenant).....	1	1
Sergeant-major.....	1	1
Quartermaster-sergeant.....	1	1
Commissary-sergeant.....	1	1
Principal musicians.....	2	2
Hospital steward.....	1	1
Musicians for band.....	24	24
Aggregate.....	997	1,999

4. *General organization.*

This force will be organized into two divisions of two brigades each. Each division will have 1 major-general, 2 aids-de-camp (a captain or lieutenant), 1 assistant adjutant-general (a major from the Adjutant-General's Department), 1 quartermaster (from the regular staff of the Army), 1 commissary of subsistence (from the regular staff of the Army).

A brigade will have 1 brigadier-general, 1 aid-de-camp (a lieutenant), 1 assistant adjutant-general (a captain from the Adjutant-General's Department), 1 assistant quartermaster (a captain), 1 assistant commissary (a captain).

To provide for the foregoing, there will be added to the Adjutant-General's Department 1 lieutenant-colonel, 4 captains, and to the commissary department 2 majors.

5. *Memorandum.*

The officers and enlisted men, raised in pursuance hereof, will receive the same pay, emoluments, and allowances, and be on the same footing, in every respect, with those of corresponding grades and corps now in the service.

The bands of the regiments of infantry, artillery, and cavalry will be paid as follows: One-fourth of each will receive the pay and allowances of sergeants of engineer soldiers; one-fourth, those of corporals of engineer soldiers; and the remaining half, the pay and allowances of engineer soldiers of the first class. The wagoners and saddlers will receive the pay and allowances of corporals of cavalry. The battalion sergeant-major, quartermaster-sergeant, and commissary-sergeant, will receive the same pay and allowances as the sergeant-major of the regiment to which they belong.

The saddler sergeants, veterinary sergeants, company quartermaster-sergeants, and drum-major, will receive the pay and allowances of sergeants of cavalry.

The battalion adjutants and battalion quartermaster and commissary will receive the emoluments now provided for regimental adjutants.

There will be added to the Quartermaster's Department as many wagoners, with the pay and allowances of corporals of cavalry, and as many master wagoners, with the rank, pay, and allowances of sergeants of cavalry, as the exigencies of the service, in the judgment of the President, may require.

There will be allowed to each regiment one chaplain, who will be appointed by the regimental commander, on the vote of the field officers and company commanders on duty with the regiment at the time the appointment is to be made. The chaplain so appointed must be a regularly ordained minister of some Christian denomination, and will receive the pay and allowances of a captain of cavalry.

6. *Promotion from the ranks, etc.*

Two-thirds of the company officers of the infantry and cavalry regiments will be appointed in the same manner as the officers of like rank in the existing Army; and the remaining one-third, when a regiment shall have its full complement of enlisted men, will be appointed from the ranks, to be taken from among the sergeants, on the recommendation of the colonel of the regiment, approved by the general commanding the brigade.

After the completion of the organization of a regiment of cavalry or infantry, one-half of all the vacancies which may occur in the lowest grade of commissioned officers, by promotion or otherwise, will be appointed as above, from the ranks.

Non-commissioned officers will be appointed by the colonels of regiments, on the nomination of the captains, approved by the majors commanding battalions.

Corporals will be taken from the enlisted men; sergeants from corporals.

The first sergeant will be taken from the other sergeants of the company by the captain.

The battalion non-commissioned staff, will be appointed from the sergeants of the battalion by the major commanding.

The regimental non-commissioned staff will be appointed from the sergeants of the regiment by the colonel.

## RECAPITULATION.

	Minimum.	Maximum.
Infantry—3 regiments (3 battalions each).....	16, 160	19, 616
Cavalry—1 regiment (6 squadrons).....	997	1, 189
Artillery—1 regiment (12 batteries).....	997	1, 909
Aggregate.....	18, 154	22, 714

By order:

L. THOMAS,  
*Adjutant-General.*

Official.

SAM'L BRECK,  
*Assistant Adjutant-General.*

## EXHIBIT No. 18.

SPECIAL ORDERS, No. 86.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
*Washington, D. C., March 23, 1861.*

Brigadier-General Sumner will, without delay, repair to San Francisco and relieve Brevet Brigadier-General Johnston in the command of the Department of the Pacific, whereupon the latter will return to Washington and receive further orders.

By order of

L. THOMAS,  
*Adjutant-General.*

Official:

SAM'L BRECK,  
*Assistant Adjutant-General.*

## EXHIBIT No. 19.

*An act to indemnify the States for expenses incurred by them in defense of the United States.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed, out of any money in the Treasury not otherwise appropriated, to pay to the governor of any State, or to his duly authorized agents, the costs, charges, and expenses properly incurred by such State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States, to be settled upon proper vouchers, to be filed and passed upon by the proper accounting officers of the Treasury.*

Approved July 27, 1861.

*Rules for the preparation and settlement at the Treasury Department under the acts of Congress approved July 17, 1861, and July 27, 1861, of claims for re-imbusement of expenses properly incurred by the States respectively on account of their troops employed in aiding to suppress the present insurrection against the United States.*

I. Accounts, with vouchers for all expenditures made, must be presented to the Secretary of the Treasury, by whom they will be referred to the proper accounting officers for investigation and settlement.

II. It is only for expenditures on account of troops, officers, or men that have been or may be mustered and received into, or actually employed in, the service of the United States, that re-imburements will be made. Organizations raised, or attempted to be raised, but not mustered and received into, nor actually employed in, the service, will not be recognized. Nor will any re-imburement be made by the United States of expenses incurred in organizing, equipping, and maintaining troops for State purposes, or home guard, whether called out by State or other local authority, unless such troops were called out and such expenditures incurred at the request or under the authority of the President or the Secretary of War.



III. Personal expenses of commissioned officers in recruiting their companies prior to their being mustered into service will not be allowed; but commissioned officers may be allowed the same rates for subsistence and quarters (board and lodging) as privates, from the date of enrollment until mustered into service. The necessary and actual traveling expenses of recognized military agents of the State, when accompanied by bills of particulars and receipts for payments, will be refunded.

IV. Bills of particulars; with dates and rate of charge, and the receipt of the party to whom payment was made, must, in all cases, be furnished. It is not sufficient to show that a gross amount was expended; still less, that sums were turned over to individuals to expend, without evidence showing that they were expended by them, and how they were expended. In short, *original vouchers for expenditures of every description* must be furnished. The expenditures should be classified; and separate abstracts, with the vouchers presented for pay, subsistence, clothing, transportation, arms, and equipments, and other expenses; and they should also designate, as far as practicable, the particular regiment or corps on account of which the expenditure was incurred. Claims for pay of troops must be accompanied with complete pay-rolls for each corps, properly certified and receipted, the same as are required in the regular service.

V. Where subsistence in kind could not be furnished, and expenses were incurred for "board," or "board and lodging," the rates will depend on the section of country where furnished, and the price paid for complete rations at the nearest recruiting station or military post; and in no case will a higher rate be allowed than the amount actually paid. The bills must specify the regiment or company to which the troops so subsisted or quartered belonged, and that rations could not be procured. Bills for lodging will be restricted to cases where there were no tents, and quarters could not be otherwise obtained. Purchases of subsistence in bulk will be paid for at not exceeding the current prices at the place of purchase, provided that the quantities are in proper proportions, or reasonably so, to the number of men according to the rates of allowance in the Subsistence Department. The articles of subsistence must be such only as are recognized in the regular service, or, if other articles are substituted, the cost of the whole must not exceed the regular supplies. Bills for spirituous liquors, treating, expenses of holding elections for officers, will not be recognized or paid.

VI. Transportation and quarters for troops at reasonable rates will be paid for. Transportation is restricted to the usual routes and modes of conveyance, and excessive quantities will not be recognized. Wagon hire for the transportation of the men themselves will not be sanctioned. Charges for transportation by railroad or other public conveyance must be accompanied by bills of lading in cases of property or supplies; and for troops, the number of men, with the regiment or corps, must be distinctly set forth; and where the same has been done in pursuance of a contract, the contract must accompany the vouchers. The same provisions apply to transportation by vessel.

VII. Claims growing out of impressment of property or services, and for damages done to individuals or their property, are not authorized to be paid. Provision for such claims must be made by special act of Congress, when not already provided for by general laws.

VIII. Bounties or donations to men or their families to induce men to volunteer will not be recognized. Such bounties as may be authorized by law will be paid by the United States directly to the men authorized to receive them. Voluntary contributions, either by State or local corporations, or by individuals, in aid of families of volunteers, etc., constitute no charge against the United States, and will not be refunded.

IX. Each State must present its full and final accounts for re-imbusement, under the acts providing therefor, up to the date of the passage of said acts. The proper authorities of the State should certify, over their official seals, that the respective amounts claimed to be refunded have been actually paid by said State; and that no part thereof has been paid by any disbursing officer of the United States.

Approved:

S. P. CHASE,  
*Secretary of the Treasury.*

EXHIBIT No. 20.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 8, 1863.*

GENERAL: Under the requirements of General Orders No. 86, of April 2, from the War Department, I have sent instructions to the regimental commanders in this department to forward to my headquarters copies of their latest regimental returns, and hereafter to send to department headquarters copies at the same time such returns are sent to your office. When the returns are received I shall proceed at once to make the required consolidation. It is probable that most, if not all, of the infantry regiments are

now reduced below the minimum, and some of them to one-half the maximum number prescribed by law. It will be recollected that when these volunteer regiments were called out the greatest expedition was used, and the companies and officers were mustered in with a minimum organization and hurried off to remote stations to relieve the regular troops then under orders from the East; and thus far, although numerically small, they have done good service. If regiments, or even battalions, could be brought together a consolidation and reduction of the number of companies would be highly beneficial, but in this country, where we have so many remote points to occupy with one or two companies each, it is necessary to maintain as many organized companies as possible.

It has been extremely difficult with the small force in this country to meet all the calls for troops and to meet emergencies. I have been forced to muster in officers and men without waiting for complete organizations; this course will, I hope, receive the approval of the General-in-Chief and War Department. It was absolutely necessary in this country, and has had the most happy results in maintaining peace and quiet within our borders by giving me promptly a small but reliable force, ably commanded and ready for any service.

I am happy to say that this country is generally very quiet. Rumors are rife of secret organizations of disloyal persons, but no open demonstrations, except by individuals, have occurred. In southern California the secession sympathizers are more numerous than in any other portion of the State, and I have deemed it prudent to send to that district the two companies of the Fourth Infantry, California Volunteers, temporarily held at Benicia Barracks, and also one of the newly-raised companies of the First Cavalry, California Volunteers.

With great respect, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

Official copy:

SAM'L BRECK,  
*Assistant Adjutant-General.*

ADJUTANT-GENERAL'S OFFICE, *November 12, 1889.*

EXHIBIT No. 21.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
*Washington, July 7, 1863.*

SIR: Your communication of the 8th ultimo, in relation to the condition of affairs in the Department, of the Pacific, and the consolidation of volunteer regiments, under requirements of General Orders No. 86, April 2, 1863, has been submitted to the General-in-Chief, who approves the course pursued, and directs that you exercise your own judgment in regard to the immediate consolidations, consulting the good of the public service.

I am, sir, etc.,

E. D. TOWNSEND,  
*Assistant Adjutant-General.*

Brig. Gen. GEORGE WRIGHT,  
*Commanding Department of the Pacific,  
San Francisco, Cal.*

Official copy:

SAM'L BRECK,  
*Assistant Adjutant-General.*

ADJUTANT-GENERAL'S OFFICE, *November 12, 1889.*

EXHIBIT No. 22.

HEADQUARTERS DEPARTMENT OF NEW MEXICO,  
*Santa Fé, N. Mex., November 29, 1863.*

GENERAL: Until Mr. Broadhead's decision was made, that volunteers who should be discharged by enlistment in veteran volunteers should not receive their mileage from the place of such discharge to the place of original enrollment, I entertained hopes that many, if not most, of the First and Fifth Regiments of Infantry, of the First Cavalry California Volunteers, and First Cavalry New Mexico Volunteers would re-enlist in the

veteran-volunteers. But since that decision was made it is very doubtful if the California volunteers will re-enlist. Their present term of office will expire next August and September. Before that time other troops will have to be sent here to take their places, unless these can be induced to re-enlist. The troops in this department should be made an exception to the general rule. In my opinion an order should be made giving all volunteers who re-enlist in this department the \$100 due on first enlistment and an increased bounty on the second over and above the bounty paid to soldiers in the East, which would be equal to the cost of getting soldiers from the East to New Mexico. The Government in this way would lose nothing, but would rather gain, because these well-disciplined men would then remain, doubtless, and they have now become familiar with the country, and can do better service for that reason than any new-comers. These men should receive their mileage on their first enlistment. In my opinion the law clearly allows it to soldiers honorably discharged. If the Government do not deny their traveling allowances and will give the bounty named I believe the most of these regiments can be got to remain. If the Government will not do this I beg to give timely notice of the necessities which will exist to have troops sent to take their places in time to be in position before the term of service of these men expire.

The California troops do not wish to be sent as regiments back to California; they would rather be discharged here in case they do not re-enlist. Some desire to go to the States, some to the gold-fields of Arizona, some settle in New Mexico, and some go to California by whatever route they please. The true economy of the question would be promoted by making the bounties so liberal as to induce them to re-enter the service for three years or during the war.

I am, general, very truly and respectfully, your obedient servant,

JAMES H. CARLETON,  
Brigadier-General, Commanding.

Brig. Gen. LORENZO THOMAS,  
Adjutant-General U. S. Army, Washington, D. C.

DEPARTMENT NEW MEXICO,  
Santa Fé, N. Mex., July 12, 1865.

Official:

BEN. C. CUTLER,  
Assistant Adjutant-General.

CITY OF WASHINGTON, District of Columbia, ss:

John Mullan, on first being duly sworn, says that the foregoing letter is a full, true, and correct copy of a letter dated: "Headquarters Department of New Mexico, Santa Fé, N. Mex., November 29, 1863; signed, James H. Carleton, brigadier-general, commanding," addressed to "Brig. Gen. Lorenzo Thomas, Adjutant-General U. S. Army, Washington, D. C.;" and found printed in "Appendix to Journals of Senate and Assembly, volume 3, sixteenth session, of the legislature of California."

JOHN MULLAN.

Subscribed and sworn to before me this 10th day of December, 1889.

[SEAL.]

S. A. TERRY,  
Notary Public.

EXHIBIT No. 23.

LAWS PERTAINING TO VOLUNTEERS.

CHAP. CCCCXIV.—*An act for the relief of the enlisted men of the California volunteers in the service of the United States.*

[Approved April 27, 1863.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION ONE. A sum not exceeding \$600,000 is hereby appropriated and set aside to constitute a separate fund, to be known as the "Soldiers' Relief Fund," for the purpose of paying a compensation to the soldiers of the companies of California volunteers raised in this State for the service of the United States, to aid in repelling invasion, suppressing insurrection, enforcing the laws, and protecting the public property, in addition to the pay allowed them by the United States. All liabilities created by this act shall be paid out of said fund.

SEC. 2. There shall be paid out of the fund created and set apart by the first section of this act to each and every enlisted soldier of the companies of California volunteers raised, or hereafter to be raised in this State for the service of the United States to aid in repelling invasion, suppressing insurrection, enforcing the laws, and preserving and protecting the public property, from the time of their enlistment to the time of their discharge, the sum of \$5 per month: *Provided*, That this provision shall not apply to any soldier who may be drafted or enlisted as a substitute for any person drafted into the service of the United States.

SEC. 3. No money shall be drawn out of the "Soldiers' Relief Fund," herein provided for, except as is provided for in section four of this act.

SEC. 4. The captains or commanding officers of companies of California volunteers shall, after each and every muster, file in the office of the adjutant-general of this State a complete muster-roll (duly certified) of their companies, from the date of their enlistment, noting desertions, discharges, and dismissals, and stating the cause of such discharges and dismissals from the service. No non-commissioned officer or private shall be entitled to the benefit of this act who shall not obtain an honorable discharge from the service, and no money shall be drawn from the fund hereby authorized and set apart until he has been honorably discharged the service: *Provided, however*, That the monthly amount hereby appropriated may be drawn by such enlisted married men as have families depending upon them for support, who shall have power to allot the whole or a portion of the same for the support of their families. The amount of pay thus allotted shall be paid to the person to whom the same is legally allotted, upon the following certificate of the adjutant-general of the State (with seal of office attached) being indorsed thereon, namely: "I hereby certify that \_\_\_\_\_ is a \_\_\_\_\_ in Company \_\_\_\_\_, \_\_\_\_\_ Regiment California Volunteers, \_\_\_\_\_ and that he is entitled to the benefit of the act entitled 'An act for the relief of the enlisted men of the California volunteers in the service of the United States,' approved April \_\_\_\_\_, eighteen hundred and sixty-three, and that this allotment is made according to law." After the term of enlistment shall have been served, or an honorable discharge granted to any enlisted man, a certified copy of his final statement shall be transmitted to the adjutant-general of this State, who shall certify on the back of the same the amount due under this act to the person discharged, and the comptroller shall draw his warrant upon the treasurer of state for the amount so certified, payable out of the fund hereby created: *Provided*, That in case a volunteer be discharged for disability that existed at the time of his enlistment he shall not be entitled to the benefit of this act.

SEC. 5. To enable all concerned to avail themselves of the benefits of this act, muster-rolls of the respective companies of California volunteers shall be duly filed in the adjutant-general's office of this State, and a certified copy thereof filed in the office of the comptroller of state.

SEC. 6. For the purpose of carrying into effect the provisions of this act, and providing for the fund created by section 1 of this act, the treasurer of the State of California shall cause to be prepared bonds of the State, to the amount of \$600,000, in sums of \$500 each, redeemable at the office of the treasurer of the State, on the 1st day of July, 1883. The said bonds shall bear interest, payable semi-annually, at the rate of 7 per cent. per year from the date of their issue, which interest shall be due and payable at the office of the treasurer of state on the 1st days of January and July of each year: *Provided*, That the first payment of interest shall not be made sooner than the 1st day of January, 1864. The said bonds shall be signed by the governor, and countersigned by the comptroller, and indorsed by the treasurer of state, and shall have the seal of State affixed thereto. And such bonds shall be issued from time to time as they may be required for use. The expense of preparing such bonds shall be audited as a claim against the "soldiers' relief fund," created by this act.

SEC. 7. Coupons for the interest shall be attached to each bond, consecutively numbered, and signed by the treasurer of state, and it shall be the duty of the comptroller and treasurer of the State, each, to keep a separate record of all such bonds as may be issued, showing the number, date, and amount of each bond, and to whom the same was issued.

SEC. 8. All demands against the soldiers' relief fund shall be audited by the board of State examiners, in like manner as other claims against the State are or may be directed to be audited.

SEC. 9. The treasurer of state shall sell and dispose of said bonds for gold and silver coin of the United States, from time to time, as may be necessary to provide for the payment of liabilities against the said soldiers' relief fund, in the following manner: He shall publish notice for thirty days in two daily papers of the city of Sacramento, and in two daily papers of the city of San Francisco, inviting sealed proposals for the purchase of said bonds; the notice to state the time and place of receiving bids, the amount of bonds to be disposed of, and that no bids will be received for the purchase of a less sum than \$2,000, nor for a greater rate of discount than 15 cents on the dollar of the par value

thereof, and that the payments for the same must be made in gold and silver coin of the United States. Parties proposing to purchase bonds offered as aforesaid must state, in writing, the amount they propose to purchase and the rate per cent. they are willing to pay in gold and silver coin as aforesaid; each proposal to be accompanied with a responsible guaranty that the bidder will take the amount of bonds proposed and pay for the same on delivery of the bonds, if his bid is accepted, in accordance with the terms of his bid. No bid shall be received for a less sum than \$2,000, nor for any fractional part thereof, and the said bonds shall not be sold or negotiated by the treasurer at a greater discount than 15 cents on the dollar of the par value thereof. The treasurer shall, immediately upon the closing of said bids, or as soon thereafter as convenient, open the whole of the bids or proposals in the presence of the governor and comptroller, and the governor, comptroller, and treasurer shall proceed to consider such proposals, and shall accept such as propose to purchase the said bonds for the smallest discount, such discount not, in any case, to be greater than hereinbefore limited. Upon the acceptance of any bid and notification by the treasurer to the bidder, such bidder shall forthwith pay to the treasurer the amount of the purchase-money for the bonds proposed to be purchased, in gold and silver coin of the United States; upon receiving the same the treasurer shall deliver to such purchaser the bonds so purchased. All moneys received by the treasurer from the sale of bonds as herein proposed shall be placed by the treasurer to the credit of the said soldiers' relief fund.

SEC. 10. If any bidder whose bid shall be accepted shall fail to pay the money and accept the bonds, as provided in the last preceding section, he shall forfeit all right to his bid, and shall, with his guaranties, be liable to an action by the treasurer of state for the benefit of said fund for any damages resulting from such failure to comply with the conditions of his bid in accepting the bonds and paying over the purchase-money.

SEC. 11. For the payment of the principal and interest of the bonds issued under this act there shall be levied and collected annually, until the final payment or redemption of the same, and in the same manner as other State revenue is or may be directed by law to be levied and collected, a tax of 2 cents for the year A. D. 1863, and annually thereafter 4 cents on each \$100 of taxable property in the State, in addition to the taxes for general State purposes, and the fund derived from this tax shall be set apart and applied to the payment of the interest accruing on the bonds herein provided for, and the final redemption of the principal of said bonds; and the faith of the State of California is hereby pledged for the payment of the bonds issued by virtue of this act, and the interest thereon, and, if necessary, to provide other and ample means for the payment thereof.

SEC. 12. Whenever, on the 1st day of January or July, 1864, or upon the 1st day of January or July in any subsequent year, there shall remain a surplus, after the payment of the interest as hereinbefore provided, of \$10,000 or more, in the fund created by the eleventh section of this act, it shall be the duty of the treasurer to advertise in two daily newspapers published in English in each of the cities of San Francisco and Sacramento for sealed proposals for the surrender of bonds issued under the provisions of this act. He shall state in such advertisement the amount of money on hand applicable to the redemption of bonds, and he shall accept such proposals, at rates not exceeding par value, as may redeem the greatest number of bonds, until the amount of cash on hand for redemption is exhausted.

SEC. 13. Full and particular account and record shall be kept by the treasurer of the condition of the funds collected in accordance with the provisions of this act, open at all times to the inspection of the governor and controller, and of any committee appointed by the legislature or either branch thereof.

SEC. 14. It shall be the duty of the treasurer of this State to make arrangements for the payment of the interest of the said bonds when the same falls due; and in the event that the said interest fund shall be insufficient, the said treasurer shall make up the deficiency from the general fund; and in the event of the insufficiency of the general fund, the said treasurer is authorized and required to make such contracts and arrangements as may be necessary for the payment of said interest and the protection of the credit of the State; and in case there should at any time be in the fund created by this act for the payment of said interest and the redemption of said bonds any surplus moneys not needed for the payment of said interest or the redemption of any bonds, it shall be the duty of the treasurer of state to transfer such surplus moneys to the general fund of this State. Said bonds shall be redeemed and the interest paid in the gold and silver coin of the United States.

SEC. 13. This act shall take effect and be in force from and after its passage.



CHAP. CLXXVII.—An act amendatory of and supplemental to an act entitled "An act for the relief of the enlisted men of the California Volunteers in the service of the United States," approved April twenty-seventh, eighteen hundred and sixty-three.

[Approved March 15, 1864.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. Section 4 of the above-recited act is hereby amended so as to read as follows:

SEC. 4. The captains or commanding officers of companies of California Volunteers shall, after each and every muster, file in the office of the adjutant-general of this State a complete muster roll (duly certified) of their companies from the date of their enlistment, noting desertions, discharges, and dismissals, and stating the causes of such discharges and dismissals from the service. No non-commissioned officer or private shall be entitled to the benefit of this act who shall not obtain an honorable discharge from the service, or be transferred to the invalid corps, and no money shall be drawn from the fund hereby authorized and set apart until he has been honorably discharged from the service: *Provided, however,* That the monthly amount hereby appropriated may be drawn by such enlisted married men as have families depending upon them for support, who shall have power to allot the whole or a portion of the same for the support of their families. The amount of pay thus allotted shall be paid to the person to whom the same is legally allotted upon the following certificate of the adjutant-general of this State (with the seal of office attached), being endorsed thereon, namely:

"I hereby certify that \_\_\_\_\_ is a \_\_\_\_\_ in company \_\_\_\_\_, \_\_\_\_\_ Regiment California Volunteers, and that he is entitled to the benefit of the act entitled An act for the relief of the enlisted men of the California volunteers in the service of the United States, approved April twenty-seventh, eighteen hundred and sixty-three, and that this allotment is made according to law."

After the term of enlistment shall have been served or an honorable discharge granted to any enlisted man, a certified copy of his final statement shall be transmitted to the adjutant-general of this State, who shall certify on the back of the same the amount due under this to the person discharged, and the comptroller shall draw his warrant upon the treasurer of state for the amount so certified, payable out of the fund hereby created: *Provided,* That in case a volunteer be discharged for disability that existed at the time of his enlistment, he shall not be entitled to the benefit of this act: *Provided further,* That whenever a soldier can not obtain a certified copy of his final statement, by reason of the removal of the paymaster, or other satisfactory causes, or who has or may hereafter be honorably discharged and paid by the United States upon his muster roll, descriptive list, or otherwise, or be transferred to the invalid corps, the adjutant-general shall certify the amount due, upon a certified copy of his discharge, transfer, or other satisfactory evidence of his being entitled to the benefits of this act.

SEC. 2. *And be it further enacted,* That if any person named in the fourth section of this act has died since his enlistment, or shall hereafter die by reason of any wound received or disease contracted while in the service of the United States, his legal heir or heirs shall be entitled to and receive the amount due him at the time of his death in the order following, to wit:

*First.* To the widow of such deceased soldier, if there be one;

*Second.* If there be no widow, then to the children of such deceased soldier, share and share alike;

*Third.* If such soldier left neither a widow, nor child, nor children, then and in that case such bounty shall be paid to the following persons, provided they be residents of the United States, to wit: First, to his father, or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother, as aforesaid, then such bounty or sum due shall be paid to the brothers and sisters of the deceased soldier, resident as aforesaid: *Provided,* The benefits of this act shall apply only to loyal citizens of the United States.

SEC. 3. It shall be the duty of the adjutant-general to certify to copies of discharges, final statements, or other papers and documents (whenever the same can not be conveniently procured from the United States proper army officers) required to perfect claims of applicants under this act.

SEC. 4. All acts or parts of acts in conflict with this act are hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

CHAP. CCCLXVIII.—*An act to appropriate money to pay for remounting a battery of guns.*

[Approved April 4, 1864.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. The sum of \$3,000 is hereby appropriated, out of any moneys in the State treasury not otherwise appropriated, to defray the expense of refitting and remounting a certain battery of seven guns issued to this State by the United States, the carriages of which were destroyed by fire at the city of Sacramento, on the 14th day of March, 1864; and the controller of state is hereby authorized and required to draw his warrant or warrants in such sums as may be certified to him by the board of examiners, not exceeding in the aggregate the said sum of \$3,000, and the treasurer is hereby required to pay the same, for the purpose of defraying the expenses above mentioned.

SEC. 2. The governor and adjutant-general are hereby authorized and required to cause the work of refitting and remounting said battery to be executed and completed as speedily as possible: *Provided*, That if any of said pieces, upon inspection, prove to be unserviceable, the same shall not be remounted: *And provided*, That the whole expense thereof shall not exceed the sum herein appropriated for that purpose.

SEC. 3. This act shall take effect from and after its passage.

CHAP. CCCXCIV.—*An act to extend the provisions of an act entitled "An act to appropriate funds for the defense of the State," approved April twenty-fifth, eighteen hundred and sixty-three.*

[Approved April 4, 1864.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. The provisions of an act entitled "An act to appropriate funds for the defense of the State," approved April 25, 1863, are hereby extended to apply to all military companies now organized and not yet provided with uniforms, and to all companies which may hereafter be organized under the military laws of the State: *Provided*, The whole number of companies in this State shall not exceed 140 companies of infantry and rifles, 20 companies of cavalry, and such batteries as may be authorized by the commander-in-chief, and that no company shall be entitled to the benefits of this act that does not contain 43 members, rank and file.

SEC. 2. For the purpose of carrying out the provisions of this act, the sum of \$80,000 is hereby appropriated, out of any money in the State treasury not otherwise appropriated; and the controller is hereby required to draw his warrants on the treasurer, and the treasurer to pay the same in like manner as now provided by law.

SEC. 3. This act shall take effect immediately.

CHAP. CCCLXXVII.—*An act for the relief of the line officers of the California Volunteers in the service of the United States.*

[Approved April 4, 1864.]

Whereas the burden of raising the volunteer companies of this State for the service of the United States is borne principally by the captains and lieutenants of those companies after having been examined and accepted by a board of army officers, and after receiving their commission from the State; and

Whereas the said officers receive no pay for their services until they are declared mustered into service of the United States; which, with a first lieutenant, is when his company is raised to one-half the minimum number, and with a captain and second lieutenant, when the company is raised to the full minimum number, or when it is mustered in by a special order; and

Whereas owing to the tardy manner in which volunteering has progressed under the governor's call for volunteers of February 5, 1863, the officers of the companies called for have been subjected to great expense in raising their companies, in some cases having been compelled to abandon the enterprise in order to procure the means to subsist themselves and their families: Therefore, the people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. A sum not exceeding \$65,000 is hereby appropriated and set aside, to constitute a separate fund, to be known as the "line officers' relief fund," for the purpose of paying the line officers of the companies of California Volunteers, raised and being raised in this State for the service of the United States, under the governor's call for volunteers of February 5, 1863, to aid in the enforcement of the laws and the suppression of insurrection, for services rendered in raising recruits for their companies during the time intervening between the date of each receiving his commission and the date of his being mustered into the service of and receiving pay from the United States. All liabilities created by this act shall be paid out of said fund.

SEC. 2. There shall be paid out of the fund created and set apart by the first section of this act, to each and every line officer of the companies of California Volunteers raised and being raised in this State for the service of the United States, under the governor's call for volunteers of February 5, 1863, to aid in the enforcement of the laws and the suppression of insurrection, from the time of each receiving his commission to the time of his being mustered into the service of and receiving pay from the United States, the same pay and allowances as is received from the Government of the United States by United States army officers of the same grade serving in California: *Provided*, That the amounts received by any commissioned or non-commissioned officer or private from the General Government for services, or State government to aid in payment of expenses of recruiting between the date of their commissions, upon which they claim the benefit of this act, and the date of their being mustered into the service of the United States thereon, shall be deducted, respectively, from the amount above appropriated: *And provided further*, That no officer who shall have been dismissed the service, or left the same dishonorably, shall receive any benefits from the provision of this act.

SEC. 3. No money shall be drawn out of the line officers' relief fund, herein provided for, except as is provided for in section 4 of this act.

SEC. 4. Each of the line officers referred to in sections 1 and 2 of this act is hereby authorized to send in his pay account against the State of California monthly, or at longer intervals, for services rendered in raising recruits for his company during the time intervening between the date of his receiving his commission and the date of his being mustered into the service of and receiving pay from the United States, to the adjutant-general of this State, the said account to be drawn up and duly certified to in conformity with form 3 (official pay account), page 358, "Revised United States Army Regulations." The adjutant-general, finding the said account to be true and correct, and the amount due and payable under the provisions of this act, shall certify to the same, and the controller shall draw his warrant upon the treasurer of the State for the amount so certified to, payable out of the fund hereby created. Such warrants shall not be assignable.

SEC. 5. For the purpose of carrying into effect the provisions of this act, and providing for the fund created by section 1 of this act, the treasurer of the State of California shall cause to be prepared bonds of the State, to the amount of \$65,000, in sums of \$500 each, redeemable at the office of the treasurer of the State on the first day of July, 1874. The said bonds shall bear interest, payable semi-annually, at the rate of 7 per cent. per year from the date of their issue, which interest shall be due and payable at the office of the treasurer of the State on the first days of January and July of each year: *Provided*, That the first payment of interest shall not be made sooner than the first day of January, 1865. The said bonds shall be signed by the governor and countersigned by the controller, and indorsed by the treasurer of state, and shall have the seal of State affixed thereto; and such bonds shall be issued as soon after the passage of this act as they can be prepared and sold. The expenses of preparing such bonds shall be audited as a claim against the "line officers' relief fund," created by this act.

SEC. 6. Coupons for the interest shall be attached to each bond, consecutively numbered, and signed by the treasurer of state, and it shall be the duty of the controller and treasurer of state, each to keep a separate record of all such bonds as may be issued, showing the number, date, and amount of each bond, and to whom the same was issued.

SEC. 7. All demands against the line officers' relief fund shall be audited by the board of State examiners, in like manner as other claims against the State are, or may be directed to be audited.

SEC. 8. The treasurer of state shall sell and dispose of said bonds for gold and silver coin of the United States in the following manner: He shall, immediately after the passage of this act, publish notices for thirty days in two daily papers of the city of Sacramento, and in two daily papers of the city of San Francisco, inviting sealed proposals for the purchase of said bonds, the notice to state the time and place of receiving bids, the amount of bonds to be disposed of, and that no bids will be received for the purchase of a less sum than \$2,000, nor for a greater rate of discount than 15 cents on the dollar of the par value thereof, and that the payments for the same must be made in gold and silver coin of the United States. Parties proposing to purchase bonds offered as afore-

said must state in writing the amount they propose to purchase, and the rate per cent. they are willing to pay in gold and silver coin as aforesaid, each proposal to be accompanied with a responsible guaranty that the bidder will take the amount of bonds proposed, and pay for the same on delivery of the bonds, if his bid is accepted, in accordance with the terms of his bid. No bids shall be received for a less sum than \$2,000, nor for a fractional part thereof; and the said bonds shall not be sold or negotiated by the treasurer at a greater discount than 15 cents on the dollar of the par value thereof. The treasurer shall, immediately upon the closing of said bids, or as soon thereafter as convenient, open the whole of the bids or proposals, in the presence of the governor and controller, and the governor, controller, and treasurer shall proceed to consider such proposals and shall accept such as propose to purchase the said bonds for the smallest discount, such discount not in any case to be greater than hereinbefore limited. Upon the acceptance of any bid, and notification by the treasurer to the bidder, such bidder shall forthwith pay to the treasurer the amount of the purchase money for the bonds proposed to be purchased, in gold and silver coin of the United States; upon receiving the same the treasurer shall deliver to such purchaser the bonds so purchased. All moneys received by the treasurer from the sale of bonds as herein proposed shall be placed by the treasurer to the credit of the said line officers' relief fund.

SEC. 9. If any bidder whose bid shall be accepted shall fail to pay the money and accept the bonds, as provided in the last preceding section, he shall forfeit his right to his bid, and shall, with his guarantors, be liable to an action by the treasurer of the State, for the benefit of said fund, for any damages resulting from such failure to comply with the conditions of his bid in accepting the bonds and paying over the purchase money.

SEC. 10. For the payment of the principal and interest of the bonds issued under this act there shall be levied and collected, annually, commencing in the year A. D. 1864 and continuing until the final payment or redemption of the same, and in the same manner as other State revenue is or may be directed by law to be levied and collected, a tax of 1 cent on each \$100 of taxable property in the State in addition to the taxes for general State purposes, and the fund derived from this tax shall be set apart and applied to the payment of the interest accruing on the bonds herein provided for and the final redemption of the principal of said bonds; and the faith of the State of California is hereby pledged for the payment of the bonds issued by virtue of this act, and the interest thereon, and, if necessary, to provide other and ample means for the payment thereof.

SEC. 11. If, on the 1st day of January or July, 1865, or upon the first day of January or July in any subsequent year, there shall remain a surplus, after the payment of the interest as hereinbefore provided, of \$5,000 or more in the fund created by the tenth section of this act, it shall be the duty of the treasurer to advertise in two daily newspapers, published in English in each of the cities of San Francisco and Sacramento, for sealed proposals for the surrender of bonds issued under the provisions of this act. He shall state in such advertisement the amount of money on hand applicable to the redemption of bonds, and he shall accept such proposals, at rates not exceeding par value, as may redeem the greatest number of bonds, until the amount of cash on hand for redemption is exhausted.

SEC. 12. Full and particular account and record shall be kept by the treasurer of the condition of the funds collected in accordance with the provisions of this act, open at all times to the inspection of the governor and controller, and of any committee appointed by the legislature, or either branch thereof.

SEC. 13. It shall be the duty of the treasurer of this State to make arrangements for the payment of the interest of said bonds when the same falls due; and, in the event that the said interest fund should be insufficient, the said treasurer shall make up the deficiency from the general fund; and, in the event of the insufficiency of the general fund, the said treasurer is authorized and required to make such contracts and arrangements as may be necessary for the payment of said interest and the protection of the credit of the State. And in case there should at any time be in the fund created by this act for the payment of said interest and the redemption of said bonds any surplus moneys not needed for the payment of said interest or the redemption of any bonds, it shall be the duty of the treasurer of state to transfer such surplus moneys to the general fund of this State. Said bonds shall be redeemed and the interest paid in the gold and silver coin of the United States.

SEC. 14. This act shall take effect and be in force from and after its passage.

CHAP. CCCXLII.—*An act granting bounties to volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds.*

[Approved April 4, 1864.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby granted to every soldier who shall hereafter enlist for three years, or during the war, in any regiment, battalion, company, troop, or battery, now organized, or hereafter to be organized or raised, as part of the quota of volunteers of this State, under the laws of Congress and the orders of the President of the United States during the existing rebellion, and there shall be paid out of the fund hereinafter provided for, in addition to other bounties and pay now provided for and authorized by any law of this State or of the United States, to every such enlisted soldier a bounty of one hundred and sixty dollars, in manner following, to wit: The sum of forty dollars to be paid at the time of enlistment, and the further sum of twenty dollars at the end of each successive six months thereafter: *Provided*, That such bounty shall in no case be paid on the order of such soldier, but shall be paid to him personally, in the same manner as soldiers in the Army of the United States are now paid, excepting only where the same shall be necessary for the support of his wife or family, or upon certificates executed by such soldier after each successive payment shall have fallen due under the provisions of this act; such certificate to be attested by the commanding officer of the regiment, battalion, company, troop, or battery, or post commandant of any detachment in which such soldier may be serving: *And, provided further*, That in all cases where such soldier shall have a wife or family such payments may be made to the wife or temporary guardian or custodian of minor child or children, as the same shall become due, such soldier having first filed in the office of the adjutant general of this State a power of attorney to that effect, executed before and certified by the commanding officer of the regiment, battalion, company, troop, or battery in which such soldier shall have been enlisted or to which he may be attached.

SEC. 2. In case of death or of honorable discharge from the service, when such discharge occurs from any wound, disease, or disability incurred or contracted in the service, the full amount of bounty granted by this act shall be allowed and paid to every such soldier or to his legal heirs; but if any such soldier be dishonorably discharged, or be discharged from disease or disability which existed or which followed from causes existing and concealed before enlistment, such allowance of bounty herein provided for shall cease at the date of such discharge; and in case the term of service expire by the conclusion of the war, and the quota of this State be mustered out before the end of three years, then the whole amount of such bounty remaining shall become due and payable.

SEC. 3. To every enlisted veteran soldier who shall have heretofore served for more than six months in the Army of the United States (marines, regulars, or volunteers), and who shall have been honorably discharged therefrom, or who is now serving therein, and at the expiration of his present term shall re-enlist in any regiment, battalion, company, troop, or battery existing or which may hereafter be organized as part of any quota of this State, there shall be paid, as additional bounty, the further sum of \$140, to wit: The sum of \$50 to be paid at the time of such re-enlistment, and the further sum of \$40 at the end of each successive six months thereafter, such bounty to be paid out of the same fund, in like manner, under the same restrictions, and on the same terms and conditions as provided in sections one and two of this act.

SEC. 4. In computing and allowing the bounty to be paid under this act, the following scale shall be adopted: All persons enlisting before the first day of July, 1864, shall be entitled to receive the first payment after enlistment on the first day of October ensuing, and thence successively every six months thereafter; all persons enlisting on or after the first day of July, 1864, and before the first day of October, 1864, shall be entitled to receive the first payment after enlistment on the first day of January, 1865, and thence successively every six months thereafter; all persons enlisting on or after the first day of October, 1864, and before the first day of January, 1865, shall be entitled to receive the first payment after enlistment on the first day of April, 1865, and thence successively every six months thereafter; and thus continuing such scale of computation and allowance until the first day of January, 1866, when the payment of bounties herein provided for further enlistments shall cease, unless otherwise ordered by the legislature of this State.

SEC. 5. To carry into effect the foregoing provisions of this act the adjutant-general is hereby authorized to procure and shall provide all necessary blank muster-rolls, pay-rolls, registers, allotments, certificates, powers of attorney, and such other blanks and books as may be requisite and necessary, at the expense of the State, and shall furnish



the same, with suitable instructions, to the respective officers of commands, whose duty it shall be to make returns of the same at proper times to the office of the adjutant-general of this State; and the adjutant-general is hereby authorized to make such rules and regulations and issue proper instructions to such officers as will enable the soldiers under their command effectively to obtain the benefits and to carry out the provisions of this act.

SEC. 6. The payment of the bounties at the time of enlistment shall be made upon the certificate of the officer mustering in the enlisted men; and the controller of state is hereby authorized and required to draw his warrants for the amount of such bounties, payable out of the soldiers' bounty fund, upon presentation to him of such certificates by the person in whose favor it is given, attested by the signature of the commanding officer of the company or regiment in which such soldier has been enlisted, countersigned by the adjutant-general of this State.

SEC. 7. The governor, adjutant-general, and treasurer of state are hereby appointed and constituted a board of examiners, whose duty it shall be to examine, audit, and allow all claims for payments of bounty after enlistment under the provisions of sections 1, 2, 3, and 4 of this act, in favor of the parties legally entitled thereto; and the controller of state is hereby authorized and required to draw his warrants in favor of the persons, respectively, to whom such allowances shall be made by such board for the sums respectively allowed, to be paid out of the soldiers' bounty fund. All demands against such fund shall be presented to the board herein constituted, through the adjutant-general's office, under such rules as may be prescribed by them; and no money shall be drawn out of the soldiers' bounty fund except as provided in this act.

SEC. 8. For the purpose of paying the bounties hereinbefore provided for, the sum of \$2,000,000 is hereby appropriated and set aside of the moneys to be derived from the sale of the bonds of the State hereinafter provided for, or so much thereof as may be realized from the sale of such bonds; and all moneys so realized shall be set apart by the treasurer of state and constitute a separate fund to be designated as the "soldiers' bounty fund." All liabilities created by this act shall be paid out of such fund, and the treasurer of state is hereby authorized and required to pay all warrants drawn upon the soldiers' bounty fund out of the moneys at any time in such fund and none other.

SEC. 9. For the purpose of carrying into effect the provisions of this act and providing for the fund created by section 8 thereof, the treasurer of the State of California shall, immediately after the passage of this act, cause to be prepared bonds of the State to the amount of \$2,000,000, in sums of not less than \$100 each, redeemable at the office of the treasurer of the State on the 1st day of July, 1864. The said bonds shall bear interest, payable semi-annually, at the rate of 7 per cent. per annum from the date of their issue, which interest shall be due and payable at the office of the treasurer of state on the 1st day of January and July of each year: *Provided*, That the first payment of interest shall not be made sooner than the 1st day of January, 1865, which payment shall include any fractional portion of interest that may be due on bonds sold prior to the 1st day of July, 1864. The said bonds shall be signed by the governor and countersigned by the controller and indorsed by the treasurer of state and shall have the seal of State affixed thereto; and such bonds shall be sold and issued from time to time by order of the governor as the money to be derived therefrom may be required for use under the provisions of this act. The expense of preparing such bonds shall be audited as a claim against the soldiers' bounty fund.

SEC. 10. Coupons for the interest shall be attached to each bond, consecutively numbered, and signed by the treasurer of state; and it shall be the duty of the controller and treasurer of state, each, to keep a separate record of all such bonds as may be issued, showing the number, date, and amount of each bond, and to whom the same was issued.

SEC. 11. The treasurer of state shall, immediately after the passage of this act, and as soon as such bonds can be prepared for issue, sell and dispose of a sufficient amount thereof to provide the funds necessarily required under the provisions of sections one and three of this act, which amount shall be regulated by the number of volunteers called for or ordered into the service of the United States from this State, and shall be declared to the treasurer by an order to that effect issued by the governor after the reception by him of such call; and from time to time thereafter shall sell and dispose of such bonds in such amounts as may be required by the number of volunteers so called out from this State who may be actually in the service of the United States and entitled to the benefits of this act; such sales shall be made for gold and silver coin of the United States.

SEC. 12. All sales of such bonds shall be made in the following manner: The treasurer of state shall publish notice for thirty days in two daily papers published in the city of Sacramento, and two or more daily papers published in the city of San Francisco, inviting sealed proposals for the purchase of said bonds; the notice shall state the time and place of receiving bids, the amount of bonds to be disposed of, and that bids will

be received for the purchase of one bond or more, naming the lowest amount for which the bonds are issued; that bids made for a greater rate of discount than 12 cents on the dollar of the par value thereof will not be received, and that the payment for the same must be made in gold and silver coin of the United States. Parties proposing to purchase bonds offered as aforesaid must state in writing the amount they propose to purchase and the rate per centum they are willing to pay: *Provided*, That no bid shall be accepted nor any of such bonds shall be sold by the treasurer at a greater discount than 12 cents on the par value thereof.

SEC. 13. At the time specified in the notice for bids the treasurer shall proceed to open the whole of such bids or proposals in the presence of the governor and controller of state, and the governor, controller, and treasurer shall proceed to consider such proposals and shall accept such as propose to purchase the said bonds for the smallest discount, such discount not in any case to exceed the amount hereinbefore limited. Upon the acceptance of any bid the treasurer shall forthwith notify the bidder thereof, and require him to pay to the treasurer the amount of the purchase money in gold and silver coin of the United States within ten days thereafter at the State treasurer's office, and upon the payment of such purchase money by the bidder the treasurer shall deliver to him the bonds so purchased. All moneys so received by the treasurer from the sale of bonds as herein proposed shall be placed by the treasurer to the credit of the soldiers' bounty fund.

SEC. 14. At any time after the opening, consideration, and acceptance of proposals for the purchase of such bonds, if it should appear that the whole amount thereof so offered has not been taken the treasurer may proceed to sell the same, or any portion thereof, at private sale to such purchasers as may present themselves: *Provided*, That no bonds shall be thus sold at a greater rate of discount than the rate at which any of said bonds were actually bidden for, and such bid accepted, at the time such sealed proposals were opened and considered.

SEC. 15. For the payment of the principal and interest of the bonds issued under this act there shall be levied and collected, annually, until the final payment or redemption of the same and in the same manner as other State revenue is or may be directed by law to be levied and collected upon all real and personal property taxable in this State a tax of 12 cents upon each \$100 of valuation of such property in addition to the taxes for general State purposes, and the fund derived from this tax shall be set apart and applied to the payment of the interest accruing on the bonds herein provided for and the final redemption of the principal of said bonds; and the faith of the State of California is hereby pledged for the payment of the bonds issued by virtue of this act, and the interest thereon, and, if necessary, to provide other and ample means for the payment thereof.

SEC. 16. Whenever on the 1st day of January or July, 1865, or upon the 1st day of January or July in any subsequent year there shall remain a surplus after the payment of the interest as hereinbefore provided, of \$10,000 or more in the fund created in the eleventh section of this act, it shall be the duty of the treasurer to advertise in two daily newspapers, published in English, in each of the cities of San Francisco and Sacramento, for sealed proposals for the surrender of bonds issued under this act. He shall state in such advertisement the amount of money on hand applicable to the redemption of bonds, and he shall accept such proposals, at rates not exceeding par value, as may redeem the greatest number of bonds until the amount of cash on hand for redemption is exhausted.

SEC. 17. Full and particular account and record shall be kept by the treasurer of the condition of the funds collected in accordance with the provisions of this act, open at all times to inspection of the governor and controller, and of any committee appointed by the legislature or either branch thereof.

SEC. 18. It shall be the duty of the treasurer of this State to make arrangements for the payment of the interest of the said bonds when the same falls due, and in the event that the said interest fund should be insufficient the said treasurer shall make up the deficiency from the general fund; and in the event of the insufficiency of the general fund the said treasurer is authorized and required to make such contracts and arrangements as may be necessary for the payment of said interest and the protection of the credit of the State; and in case there should at any time be in the fund created by this act for the payment of said interest and the redemption of said bonds any surplus moneys not needed for the payment of said interest or the redemption of any bonds, it shall be the duty of the treasurer of state to transfer such surplus moneys to the general fund of the State. Said bonds shall be redeemed and the interest paid in the gold and silver coin of the United States.

SEC. 19. This act shall take effect and be in force from and after its passage.

CHAP. DIII.—*An act to appropriate money for the payment of the claims of the California volunteers.*

[Approved March 31, 1866.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. The sum of five hundred and fifty thousand dollars (\$550,000) is hereby appropriated for the payment of the claims of the California volunteers which have accrued, or which may hereafter accrue, under the provisions of an act for the relief of the enlisted men of the California volunteers in the service of the United States, approved April 27, 1863.

SEC. 2. The controller of state is hereby authorized and required to direct the State treasurer to transfer from the general fund to the soldiers' relief fund the said sum of five hundred and fifty thousand dollars, as follows: Three hundred and fifty thousand dollars to be transferred immediately after the passage of this act, and the remaining \$200,000 to be transferred on the 20th day of January, 1867; and the State treasurer is hereby authorized and required to make such transfer pursuant to the order of the State controller.

SEC. 3. All claims arising under the act named in the first section of this act shall be audited and allowed out of the soldiers' relief fund; and all warrants already drawn, or hereafter to be drawn upon the said fund, shall be paid in the order of their issue by the controller.

SEC. 4. This act shall take effect from and after its passage.

CHAP. CCCCLXIV.—*An act to provide for the payment of any claims due or hereafter to become due to the California volunteers, under the act for the relief of the enlisted men of the California volunteers in the service of the United States, approved April twenty-seventh, eighteen hundred and sixty-three, not now provided for by law.*

[Approved March 31, 1866.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. Should the amount of money appropriated under the act for the relief of the enlisted men of the California volunteers, approved April twenty-seventh, one thousand eight hundred and sixty-three, and an act entitled "An act to appropriate money for the payment of the claims of the California volunteers," be insufficient to pay all the claims that shall accrue under the said first-mentioned act, the remainder of such claims shall be audited and allowed out of the appropriation and fund made and created by an act entitled "An act granting bounties to the volunteers of this State in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds," approved April fourth, one thousand eight hundred and sixty-four. And the State controller is hereby authorized and required to draw his warrants upon the soldiers' bounty fund and the treasurer of State to pay the same.

SEC. 2. This act shall take effect from and after its passage.  
(Statutes of California, page 604, 1865, 1866.)

*An act to amend an act entitled an act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds, approved April fourth, eighteen hundred and sixty-four.*

[Approved January 11, 1866.]

The people of the State of California, represented in the senate and assembly, do enact as follows:

SECTION 1. Section two of the above-recited act is hereby amended so as to read as follows:

"SECTION 2. In case of death or of honorable discharge from the service, when such discharge comes from any wound, disease, or disability incurred or contracted in the service, the full amount of bounty granted by this act shall be allowed and paid to every such soldier, or to his heirs, upon satisfactory proof being made before the board of examiners of bounty claims, and without administration, in the following order:

"First. To such soldier, if living; if he be deceased, then;

"Second. To the widow of such deceased soldier, if there be one,

"Third. If there be no widow, then to the children of such deceased soldier, share and share alike.

"Fourth. If such soldier left neither widow, nor child, nor children, then and in that case such bounty shall be paid to the following persons, provided they be residents of the United States, to wit: First, to his father, or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother as aforesaid, then such bounty or sum due shall be paid to the brothers and sisters of the deceased soldier, residents as aforesaid; *Provided*, The benefits of this act shall apply only to loyal citizens of the United States; but if any soldier be dishonorably discharged, or be discharged from disease or disability which existed or which followed from causes existing and concealed before enlistment, such allowance of bounty herein provided for shall cease at the date of such discharge; and in case the term of service expire by the conclusion of the war, and the quota of this State be mustered out before the end of three years, then the whole amount of such bounty remaining shall become due and payable.

(Pages 10 and 11, Statutes of California, 1865-'66.)

#### EXHIBIT No. 24.

##### MILITIA PAY.

#### CHAP. CCXCVI.—*An act in relation to the militia of the State.*

[Approved April 24, 1862.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION ONE. The governor, as commander-in-chief of the militia of the State, shall issue commissions to all officers appointed, or elected, under the provisions of this act. The military staff of the commander-in-chief shall consist of one adjutant-general, with the rank of brigadier-general; six aides-de-camp, with the rank of lieutenant-colonel; one chief engineer; one paymaster-general; one judge-advocate-general, and one surgeon-general, each with the rank of colonel.

SECTION TWO. The adjutant-general shall be appointed by the commander-in-chief, by and with the advice and consent of the Senate, and shall hold his office for the term of two years. He shall be, *ex officio*, chief of staff, quartermaster-general, commissary-general, inspector-general, and chief of ordnance. He shall receive a salary of \$3,000 annually, to be paid out of moneys appropriated for that purpose. He shall reside at the seat of government, and shall keep his office open, for the transaction of business, every day (Sundays excepted), from 10 o'clock a. m. to 3 o'clock p. m.

SECTION THREE. Other officers of the general staff, and all other officers of the staff of the commander-in-chief, shall be appointed by the governor, and shall continue in office for the same term as the governor, or at his pleasure, except as hereinafter provided for officers called into active service.

SEC. 4. There shall also be appointed by the commander-in-chief, by and with the advice and consent of the senate, one major-general of division and one brigadier-general to each brigade, who shall be citizens of the United States, and severally residents of the division or brigade for which they shall be appointed. They shall hold their offices for the term of four years, and until their successors are appointed and qualified.

SEC. 5. The staff of the major-general of division shall consist of one assistant adjutant-general, with the rank of lieutenant-colonel; two aides-de-camp, with the rank of major; one engineer officer; one ordnance officer; one quartermaster; one commissary; one paymaster; one division inspector; one judge-advocate, and one surgeon, with the rank of lieutenant-colonel; and four staff orderlies, with the rank of sergeant-major. The staff of the adjutant-general shall consist of one aide-de-camp, with the rank of captain. The staff of each general of brigade shall consist of one assistant adjutant-general, with the rank of major; one aide-de-camp, with the rank of captain; one engineer officer; one ordnance officer; one quartermaster; one commissary; one paymaster; one brigade inspector; one judge-advocate, and one surgeon, with the rank of major; and two staff orderlies, with the rank of sergeant-major. The staff of a colonel of a regiment and of a lieutenant-colonel, or a major, commanding a battalion, as hereinafter provided, shall consist of one adjutant and one assistant surgeon, each with the rank of first lieutenant; and one sergeant-major, to be appointed by such commanding officer; the adjutant being selected from the line, as in the United States Army.

SEC. 6. The general of division, the generals of brigade, and the adjutant-general shall appoint the officers of their respective staffs, who must be residents of their respective divisions and brigades. Any officer of a regiment, battalion, or company, receiving and accepting any staff appointment, except that of adjutant, shall be considered as *ipso facto* resigning his commission in such regiment, battalion, or company. All such staff officers will continue to hold their office until their successors shall have been appointed and commissioned, except as is herein otherwise provided for troops called into active service.

SEC. 7. All military officers appointed or elected under the laws of this State, shall be commissioned by the governor, and each commission shall be countersigned by the secretary of state, and attested by the adjutant-general, or officer acting in his place, and the officer so commissioned shall take the oath of office prescribed by the constitution, before some officer authorized by law to administer oaths, a copy of which oath shall be indorsed on, or attached to, each commission, and a certified copy of the same shall be made out by the officer administering it, and delivered to the officer taking it, and by him transmitted to the adjutant-general, and the commission shall be deemed as taking effect on the day of the indorsement and transmission of the certificate of the oath, as herein provided. In case of promotion, the commission shall take effect from its date. Commissions shall run at the pleasure of the commander-in-chief, except as is herein otherwise provided.

SEC. 8. It shall be the duty of the adjutant-general to take charge of, and to carefully guard and preserve, and to account for, all arms, accoutrements, ammunition, ordnance stores, and other military property belonging to this State or granted to it by the Congress of the United States. He shall keep and file, in his office, all returns, reports, and military correspondence, made by him, in accordance with the provisions of this act. He shall also keep an account of all moneys received and expended by him. The manner of keeping these accounts and papers, where not otherwise provided by law, shall be directed by the commander-in-chief, and they shall be always subject to his inspection. He shall, on or before the second Monday in December of each year, make to the governor, to be by him laid before the legislature, a report of all the transactions of his department since his last annual report, containing—

*First.* An account of all moneys received and expended.

*Second.* An account of all arms, accoutrements, ammunition, ordnance stores, and military property of every description, belonging to the State, from what source received, to whom issued, or how expended, and by whose order.

*Third.* A statement of the present condition of all such property under his charge, and if any such property shall not be under his charge, he shall state in whose possession the same may be.

*Fourth.* The number, strength, and condition of the organized militia, and the strength of the enrolled militia of the State. He shall also make and transmit an annual return of the militia of this State, pursuant to the requirements of the act of Congress of March second, eighteen hundred and three, to the President of the United States, a copy of which, duly certified, he shall lay before the commander-in-chief of this State. He shall also perform all other duties appertaining to his office, or which may be enjoined on him by law. He shall be the medium of military correspondence with the commander-in-chief.

SEC. 9. Before entering upon the duties of his office he shall give bonds to the people of the State of California, with good and sufficient sureties, to be approved by the governor, in the sum of twenty-five thousand dollars, conditioned that he shall faithfully perform all the duties enjoined on him by law. If at any time the governor shall deem the sureties so given to be insufficient, he shall require the adjutant-general to give new sureties, to be approved by him; and if the adjutant-general shall refuse or neglect to do so, the governor shall suspend him from office, and immediately report his proceedings to the senate, if the legislature be in session, and if not, then at the beginning of the next session; and if the senate approve such suspension it shall be regarded as a removal from office, but if the senate disapprove of the suspension the adjutant-general shall resume the duties of his office. During the time of his suspension from office he shall receive no portion of his salary; but if such suspension be disapproved he shall receive his back pay.

SEC. 10. During the suspension of the adjutant-general from office, or his absence or inability, from any cause, to perform his duties, the governor may appoint some competent person to perform the duties of adjutant-general ad interim.

SEC. 11. On the expiration of his term of office the adjutant-general or the person performing his duties ad interim shall turn over to his successor, in good order, all arms, ordnance, ordnance stores, and other property belonging to the State, and all the books, papers, bonds, and money in his charge and pertaining to his office.

SEC. 12. Every able-bodied white male inhabitant of this State, between the ages of



eighteen and forty-five years, not exempt by law, shall be subject to military duty and shall be organized and enrolled as hereinafter directed.

SEC. 13. The following persons are exempted from military duty and enrolment: All ministers of religion having a license or written evidence, according to the rules of their particular persuasion or organization, that they are such ministers; all civil and military officers of the United States; all officers of foreign governments; all civil officers (including members of the legislature) of the State of California; all persons who have been wounded in the service of the State or of the United States, and all persons exempted from military duty by the laws of the United States.

SEC. 14. The district or county assessor of each and every revenue district or county in this State shall, at the same time in each year, when he prepares a roll containing the taxable inhabitants of his district or county, enrol all the inhabitants of his district or county subject to military duty, which list or roll shall be sworn to by him and delivered to the clerk of the board of supervisors, in the same manner and at the same time as is provided by law for the civil tax-list or assessment roll, and the clerk of the board of supervisors shall keep the same open for inspection, as is provided by law for the civil assessment roll.

SEC. 15. The board of equalization shall correct the said military assessment roll at the same time and in the same manner as is prescribed by law for the correction of the civil tax-list; and it shall be the duty of the said clerk to deliver to the brigadier-general of the brigade to which his county belongs a triplicate of said list, certified by him, within ten days after the board of equalization shall have completed their corrections; and the compensation allowed for making out said military list shall be the same or be determined and fixed in the same manner as for making out the assessment list.

SEC. 16. If any assessor shall neglect or refuse to perform any of the duties required of him by this act, he shall be subject to the same penalties, liabilities, and punishments as is provided by law for a neglect or refusal to perform any of the duties required of him for the assessment of the civil taxes; and, moreover, he shall forfeit and pay the sum of not less than three hundred and not more than one thousand dollars, to be sued for in the name of the people of the State, by the district attorney of the respective county, and recovered in the name of the people of the State, and paid into the general fund of the State; and if the clerk of the board of equalization shall neglect or refuse to make and deliver to the brigadier-general of the brigade to which his county belongs the triplicate of the military assessment roll as directed in this act, he shall forfeit and pay a sum of not less than two hundred and not more than five hundred dollars, to be sued for and recovered in the same manner as is provided in the section with respect to the assessor.

SEC. 17. Whenever a sufficient number of persons by the provisions of this act, residents of any county of this State, subject to military duty, shall subscribe to a call for the organization of a volunteer company, the county judge of said county, upon due application of the persons who have subscribed, as above, shall appoint some suitable person; resident of the county, to open a book, in which he shall enter the names of the persons so volunteering, and shall fix a time and place of meeting for the purpose of organization by giving ten days' notice thereof by publication in some newspaper, or by posting notices in at least three public places in the county.

SEC. 18. The person so appointed shall preside at such meeting and organize the same; he shall superintend the election of the officers of said company, which election shall be by ballot; he shall make out, after said election shall have been determined, a list of persons so volunteering, a certificate of each officer so elected, and transmit them to the brigadier-general commanding the brigade in which such company shall be organized, who shall, if found correct, transmit the same, with his approval, to the adjutant-general of the State, together with a copy of the proceedings of said meeting and a copy of his appointments, and of the notice of said meeting, duly certified by him. And if it shall be found that such company has been organized and such officers elected in conformity with the provisions of this act, such company shall be listed in the office of the adjutant-general as a company of the organized militia of this State, and the officers so elected shall be commissioned by the commander-in-chief.

SEC. 19. The volunteer or independent companies shall be armed and equipped in the same manner as similar corps in the United States Army, and shall consist of the following officers, non-commissioned officers, and privates, viz: to each company of cavalry, one captain, one first lieutenant, one senior second, one junior second, lieutenant, five sergeants, four corporals, one trumpeter, one farrier, and not less than forty nor more than eighty privates. To other companies there shall be one captain, one first lieutenant, one senior and one junior second lieutenant, five sergeants, four corporals, one drummer, one fifer, and not less than forty nor more than eighty privates; excepting light batteries, which shall be allowed one hundred active members each, and such officers as are allowed in the United States service.

SEC. 20. Volunteer companies and battalions may adopt a constitution and form by-



laws, rules, and regulations, not inconsistent with the Constitution of the United States, or of this State, for the government of their members, and for their improvement in military science. It shall be the duty of the acting orderly sergeant of the company and sergeant-major of the battalion to keep a perfect and complete record of the constitution, by-laws, rules, and regulations, of his company, or battalion, which shall be signed by the captain or commander, and countersigned by the orderly sergeant, or sergeant-major; and said record shall at all times be subject to the inspection of any member of the company or battalion, and all military officers, or persons interested therein; and if any member of such volunteer company, or battalion, shall fail to comply with the provisions of such constitution, by-laws, rules, and regulations, he may be expelled from such company, or battalion, and his name erased from its roll.

SEC. 21. When any volunteer company shall be organized according to law, the commanding officer thereof may apply to the commander-in-chief, through the proper military authorities, for such arms and accoutrements, or stores as may be required, such application being first submitted to the county judge, and receiving his approval, which shall be indorsed thereon. If the commander-in-chief shall approve such application, or any part thereof, he shall give an order, upon the back thereof, directing the issue by the adjutant-general, who shall immediately notify the officer making such application, and the county judge who approved it, that the arms and accoutrements, or stores, mentioned in such application, or any portion thereof, are ready for issue; and thereupon it shall be the duty of such officer to give such bonds and security as may be deemed requisite by the county judge, to secure the county from loss on account of use or misapplication of such arms or equipments, or other stores. And on due notification from such county judge, that such bonds have been given, to his satisfaction, and on receiving triplicate receipts from such officer, the adjutant-general shall make the issue. He shall file one copy of such receipts in his office, and transmit the other two, one to the controller of state, and the other to the county clerk of the county to which such volunteer company belongs.

SEC. 22. It shall be the duty of the board of supervisors of each county in which there shall be one or more organized volunteer companies, upon application of the captain or commanding officer of the same, to provide for each company in said county, an armory, safe and suitable for the drill of squads in the school of the soldier, and an armorer, to take charge of the same, and said board shall also, at each of its sessions, audit and allow, and cause to be paid, the necessary incidental expenses of said company previously incurred; provided, that the total amount for all the purposes above mentioned shall not exceed fifty dollars in money, per month, for each company.

SEC. 23. The commander-in-chief shall have authority to demand and receive back from any county, or from any portion of the military force of this State, any arms, equipments, military stores, or other property, belonging to the State, which may be in possession of any such counties or military force. And when such arms, equipments, military stores, or other property shall again come into the possession of the adjutant-general, or other officer designated by the governor to receive them from such counties, or military forces, to which they have been issued, as above provided, it shall be the duty of the adjutant-general, or officer so appointed, to receipt for the same, which receipt shall be in triplicate, one copy to be filed in the office of the county clerk, one in the office of the adjutant-general, and the third in the office of the controller of state.

SEC. 24. All arms, equipments, and military stores issued as hereinbefore provided, shall at all times be subject to examination by the inspector and ordnance officers of the State, and of any other officer designated by the commander-in-chief for that purpose; and if such officers shall find any of such public property out of repair, injured, or defective, he shall immediately notify the facts to the board of supervisors of the county, and report the same, through the proper channels, to the commander-in-chief, who, if the damage shall not be repaired, and the defects or losses supplied, within a reasonable time, shall order the same to be done under the direction of some officer, and the vouchers for the expense thereof shall be duly examined and audited by the State board of military auditors, and paid, on the draft of the controller of state, out of the general fund.

SEC. 25. It shall be the duty of the controller of state to charge the value of all arms, equipments, and military stores, issued as above provided, to the counties in which such public property shall be issued, and all expenses of repairs, of damage, and defects, as provided in the foregoing section, and double the value of any arms, accoutrements, and military property, which such counties, or such military companies, shall have failed to return to the State on the demand of the governor. At the close of each fiscal year he shall settle the account of each county, with reference to such issues and military charges, and the amount so found due, shall, on the requisition of the controller of state, be assessed, at the time of the next annual assessment, as a part of the county taxes, and be collected in such county in the same manner as the ordinary taxes, and shall be paid into the State treasury, as a part of the general fund of the State.

SEC. 26. The transportation of all arms, equipments, and military stores, issued to troops or received by the State, under the provisions of this act, shall be contracted for, under the direction of the commander-in-chief, by the adjutant-general, and the vouchers for such transportation, when audited by the State board of military auditors, shall be paid from the general fund, on the warrant of the controller.

SEC. 27. No public arms, equipments, or military stores, of any kind shall hereafter be issued to any person not a member of the organized volunteer militia or of the enrolled militia called into active service; except in time of war, insurrection, or public danger so imminent that the commander-in-chief shall consider that the public safety requires him to make such issues, in which case an accurate account shall be taken of such issues, and to whom they are made.

SEC. 28. Within ninety days from the passage of this act, each and every officer of volunteer companies now organized, having in his possession any arms, equipments, or military stores belonging to the State shall give to the county in which he resides good and sufficient bonds, to be approved by the county judge, to secure the county from loss, on account of the use or misapplication of the same; and the officer so giving bonds to the county shall, together with his sureties, be released from his and their liabilities for the same property on any bond heretofore given by him and them to the State, and the same shall be charged to the said county; and after the expiration of the said ninety days no person shall retain or have in his possession at any time any arms, equipments, or military stores of any kind belonging to the State, unless they have been properly issued to such person in pursuance of law, and he shall be permitted, by proper authority, to retain the same in the discharge of a public duty; and no person shall use any public arms, equipments, or military stores belonging to the State, for his private use, under penalty, in either of the above cases, of not less than five nor over fifty dollars for each offense, to be recovered, in case of a member of the organized militia or the enrolled militia in active service, by sentence of a court-martial; or in case of any other person, by suit in the name of the people of the State, by the district attorney of the county, before any court of competent jurisdiction, and the money so recovered shall be paid into the treasury, as a part of the general fund of the State. The commanding general of brigade shall have authority to take possession of such arms and equipments so used, without process of law, and he shall account to the adjutant-general for the same.

SEC. 29. Any number of organized volunteer companies, not less than three, nor more than eight, may form themselves into a volunteer battalion, by giving notice of such intention through their commanding officer to the general of their brigade, who will appoint some suitable officer to hold an election of the officers of such battalion; and the officer so appointed shall fix a time and place for such election by giving ten days' notice thereof by publication in some newspaper or by posting notices in at least three public places in the county. Such election shall be by ballot, by the commissioned officers of the volunteer companies calling for the organization of the battalion. The officer so appointed to hold the election shall preside over and superintend such election, and as soon as it shall have been determined he shall make out certificates of election of the officers so elected, and a certified account of the proceedings of said meeting, with a certified copy of the notice of said meeting, all of which he shall transmit to the brigadier-general of the brigade, who shall transmit them, with a certified copy of the appointment of such officer to hold the election, to the adjutant-general of the State, through the ordinary channels of military correspondence.

SEC. 30. A battalion of eight companies shall be deemed a regiment, and shall elect one colonel, one lieutenant-colonel, and one major; a battalion of more than four and less than eight companies, shall elect one lieutenant-colonel, who shall be the commanding officer, and one major; and a battalion of three or four companies shall elect one major, who shall be the commanding officer. Each regiment shall be allowed, in addition, a detachment of engineers, consisting of ten, including a junior second lieutenant and one sergeant.

SEC. 31. It shall be the duty of each and every commanding officer of any volunteer company in this State, on or before the last Mondays of March and September of each year, to muster his company, and to make out, in triplicate, muster-rolls setting forth the names and number of the members of his company, the officers, in the order of their rank, and the privates, in alphabetical order, and stating at the foot of such muster-roll a list of all arms, accoutrements, ordnance, and ordnance stores, and other property belonging to the State in his possession; one of which muster-rolls, duly certified, he shall transmit, through his commanding officer, to the adjutant-general of the State, he shall file one in the office of the county clerk of his county, and he shall keep the other as a voucher for himself. If such company shall form a part of any organized battalion or regiment, the commanding officer thereof shall transmit the same, with a muster-roll of the field and staff officers of his regiment or battalion, to the adjutant-general of the State, through the proper channels of military correspondence.

SEC. 32. All commissioned officers of the organized volunteer regiments, battalions, and companies, shall take rank according to the date assigned them by their commissions; and when two of the same grade be on the same date, their rank shall be determined by length of service in the militia; and if of equal service, then by lot. Officers of organized volunteer regiments, battalions, and companies, shall in all cases be deemed of superior rank to officers of the enrolled militia of the same grade, irrespective of the date of their commissions.

SEC. 33. It shall be the duty of each and every brigadier-general to make, from the assessment roll received by him from the clerks of the boards of supervisors, and from the muster rolls received by him from the officers of companies, battalions, and regiments, as prescribed in this act, on or before the first Monday in October of each year, two brigade muster rolls, one to be entitled "Muster roll of the organized militia of the \_\_\_\_\_ brigade," and the other to be entitled "Muster roll of the enrolled militia of the \_\_\_\_\_ brigade," in the first of which he shall include the names of all the officers of his staff, and all of the officers, non-commissioned officers, musicians, artificers, and privates, of the organized volunteer regiments, battalions, and companies in his brigade, in the order of their organizations; and in the second, he shall include, in alphabetical order, the names of all other persons subject to military duty. The originals of these muster rolls, signed by the general of brigade, shall be filed in his office, and duly certified copies thereof shall be furnished by him to the general of division, and to the adjutant-general of the State.

SEC. 34. And it shall be the duty of the major-general of division, on or before the fourth Monday of October of each year, to make, from the rolls received by him from the brigadier-generals of his division, two muster rolls, one to be entitled "Muster roll of the organized militia of the division," and the other to be entitled "Muster roll of the enrolled militia of the division," the first to be made up of the names of the officers of the division staff, and the muster rolls of the organized militia of the brigades of the division, according to their organization; and the other to be made up of the muster rolls of the enrolled militia of these brigades, as provided in the foregoing section. The originals of these muster rolls, signed by the major-general, shall be filed in his office, and duly certified copies thereof shall be transmitted to the adjutant-general of the State.

SEC. 35. All commissioned officers of the staff of the commander-in-chief, the adjutant-general, and the officers of his staff, the major-general and brigadier-generals, and all officers of their respective staffs, and all commissioned officers, non-commissioned officers, musicians, artificers, and privates, of volunteer regiments, battalions, and companies, whose names are borne upon the muster rolls of their respective regiments, battalions, and companies, shall be denominated the organized militia of California, and shall at all times be subject to be called into active service by the commander-in-chief; and when so called into active service, each person shall be called and mustered according to his commission, enrolment, and organization. All other militia in this State shall be denominated the enrolled militia of California.

SEC. 36. In case of war, insurrection, or rebellion, or of resistance to the execution of the laws of this State, or upon the call or requisition of the President of the United States, or upon the call of any officer of the United States Army, commanding a division, department, or district, in California, or upon the call of any United States marshal in California, or of any mayor of a city, or president of the board of supervisors of the cities and counties of Sacramento and San Francisco, or of any sheriff, the commander-in-chief is authorized to call into active service any portion of the organized or enrolled militia of this State. In case of the absence of the commander-in-chief from the capital, or if it be impossible to immediately communicate with him, the civil or military officer making the requisition for troops may, if he deem the danger imminent and not admitting of delay, serve a copy of such requisition, together with a statement of the governor's absence, or the impossibility of immediately communicating with him, upon the major-general, or, in his absence, upon the general of the brigade, who is hereby authorized to exercise, with respect to calling out the troops of his division or brigade, the powers conferred in this section upon the governor; but if the call shall be disapproved by the governor, the troops so called into service will be immediately disbanded. Such call for any portion of the organized militia shall be made by an order issued and directed to the commanding officer of the company, battalion, regiment, brigade, or division, which is so called into service, designating in such order the particular troops called, the time and place of rendezvous, and the officer to whom they shall report. If such order be directed to the major-general of division, it will be immediately communicated to the brigadier-generals, and by them to all the officers of their respective brigades; and any officer receiving such order will rendezvous and report for duty, as herein directed; and any officer commanding an organized volunteer company or battalion, on receiving such order, will immediately proceed to notify the same to each individual of his command by personal notice, or by publication in some newspaper, or

by the usual posting in public places of the county or counties from which the call is made, and such officer shall attend in person, or by deputing an officer of the organized militia in his place, at the place of rendezvous, and take the names of all volunteers for service under such call; and if the number of such volunteers shall be sufficient to form one or more companies or battalions, according to the provisions of this act, he shall immediately call and superintend the election of the officers of such companies or battalions, which elections shall be conducted in the manner prescribed in this act for the election of officers of volunteer companies and battalions, except as to the publication of notice of such election; a proclamation of the call of such election, made by the officer calling it at the place of rendezvous, being deemed a sufficient notice. But the commander-in-chief shall have authority, if he shall deem it expedient, to direct that a portion of the volunteers so presenting themselves shall be assigned to organized volunteer companies or battalions already in active service, whose numbers are less than the full complement prescribed in this act, after which those volunteering shall organize and elect as herein described: *Provided*, Nothing herein contained shall be construed to give any officer authority to call out troops for service against Indians in this State until the senior officer of the United States Government, in service at the headquarters of the United States troops in this State, shall be officially notified by the governor, major-general, or some brigadier-general, of the necessity for the service of troops against Indians, and shall have refused or declined to order out the United States troops for said service.

SEC. 37. If the number of volunteers so presenting themselves at the place of rendezvous shall not be sufficient to satisfy the call of the commander-in-chief, the brigadier-general of the brigade in which such call is made shall promptly proceed to draft from the enrolled militia of his brigade a sufficient number of men to satisfy said call, and this draft shall be made by putting the names of all the enrolled militia of the county or counties from which the order directs the forces to be raised into a box and drawing therefrom a sufficient number of names to satisfy the call. The persons whose names are so drawn will be summoned by some officer or officers appointed for that purpose by the brigadier-general, in the manner prescribed by law for the summoning of witnesses in civil cases, the time and place of rendezvous, as ordered by the brigadier-general, being stated in the summons. It shall be the duty of the major-general to be present, and to superintend the drafting of the enrolled militia; under any call by the commander-in-chief, but his presence shall not be necessary to give validity to the proceedings. In case of the absence or inability of the brigadier-general; the officer next in rank of the brigade, or, in default of any officer of that brigade for duty, the major-general, or, in his default, the commander-in-chief, shall designate some officer to perform the duties prescribed to such brigadier-general with respect to making such drafts; and as soon as a sufficient number of such drafted men shall have appeared at the rendezvous to form a company or companies they shall proceed to the election of their company officers, in the manner prescribed in section eighteen of this act.

SEC. 38. Any company or companies of the enrolled militia so drafted and organized may, by direction of the commander-in-chief, be enrolled and mustered into any battalion of the organized militia having less than eight companies; and any drafted men of the enrolled militia not organized into companies may, at the discretion of the commander-in-chief, be enrolled and mustered into any existing company of organized or enrolled militia not having the full number authorized by law, and which has already been called into active service. If the enrolled militia, when drafted into service, shall fail to elect to any office designated in such call for an election, in the manner and at the time appointed, as provided in this act, such vacancy or vacancies shall be filled by appointments made by the commander-in-chief; and any company or companies of drafted militia not assigned to and mustered in, any incomplete battalion of the organized volunteer militia shall be organized into battalions or regiments the field officers of which shall be appointed by the commander-in-chief, such appointments being made in all cases where, in the opinion of the commander-in-chief, suitable persons can be obtained from the officers of the organized volunteer militia of this State.

SEC. 39. Where troops are called into active service from different brigades, and the number so called into active service shall not be more than sufficient to constitute one complete brigade, the commander-in-chief shall so organize them, and shall designate the particular brigadier-general for the command of the brigade so organized.

SEC. 40. The commission of any officer called into active service shall continue until he shall be disbanded by the order of the commander-in-chief: *Provided*, That such commission shall not be vacated by resignation, dismissal, or revocation, as provided in this act. All vacancies of officers and non-commissioned officers in active service shall be filled by appointment or promotion, the first by the commander-in-chief and the second by the commanding officer of the battalion or of the company in case such company forms no part of any battalion. In filling such vacancies of commissioned officers, the commander-in-chief shall, as a general rule, promote by seniority, or appoint,

on the recommendation of their superior officers, those in active service, and in any case of departure from this rule the commander-in-chief shall report his reasons for such departure to the senate. The commanding officer of troops in active service may nominate to any vacancy for personal bravery or service in siege or battle, and if the governor shall commission some other person than the one so nominated, he shall report his reasons to the senate; and if the senate, in either of the foregoing cases, shall disapprove of the reasons given, the commission so given shall be regarded as vacated, and the governor shall immediately proceed, with the advice and consent of the senate, to fill such vacancy.

SEC. 41. Any officer, non-commissioned officer, musician, artificer, or private of the organized militia of this State who shall neglect or refuse to rendezvous and organize, when ordered out by the commander-in-chief, shall be deemed guilty of disobedience of orders, and shall be tried and punished by a court-martial; and any person of the enrolled militia who shall refuse or neglect to rendezvous and organize, when drafted as provided in this act, shall be subject to a fine of not less than fifty nor more than five hundred dollars, to be recovered by an action to be brought by the district attorney, in the name of the people of the State, upon the certificate of the officer appointed to make the draft, before any court of competent jurisdiction in the county from which such person was drafted, and the fine so recovered shall be paid into the treasury as belonging to the general fund of the State.

SEC. 42. Any private of the organized militia, and any person of the enrolled militia, called or drafted into service under the provisions of this act may furnish, as a substitute, any person fit for military duty who has not been called or drafted into service. No alien drafted into service shall be obliged to serve and bear arms against any foreign enemy to whom he owes allegiance.

SEC. 43. The commander-in-chief shall order a public parade of all the organized militia of the State on at least two days of each year, such parades to be held within the limits of the brigade to which such troops respectively belong; and such public parades shall be reviewed by the commander-in-chief, or, in his absence, by the major-general, or by the officer of the brigade of the highest rank present. Immediately after such troops have been reviewed, they shall be inspected by the inspector-general, or, in his absence, by the division or brigade inspector, and such inspecting officer, after a minute inspection of dress and military bearing of the field officers and commissioned staff and the officers of companies, and arms, accouterments, and dress of each soldier, will report the result of such inspection to his commanding officer: *Provided*, That in the city and county of San Francisco the organized militia shall parade at least six times during the year; two parades as hereinbefore provided, two by regiments or battalions, and two parades by company, one of which company parades shall be for target practice, the result of which target practice shall be reported to the commanding officer of the brigade: *And provided further*, That upon occasions of reception, or upon the celebration of any event of public importance, the commanding officer of the brigade shall have authority to order out the organized militia, to join such parade, and the parade so ordered is hereby constituted a legal parade: *And provided further*, That each and every company of the organized militia of the city and county of San Francisco shall assemble at least once in each week for military instruction. In other parts of the State such companies shall assemble at least once a month for such instruction, and all members who absent themselves from such meetings for instruction during four consecutive meetings, unless properly excused by the commanding officer of such company, or through absence from the county, or bodily disability, shall be debarred from the exemption of jury duty and poll-tax, and subject to expulsion from their company.

SEC. 44. All members of the organized militia of this State, commissioned or mustered as such under the provisions of this act, shall be exempt from jury duty, and from the payment of poll-tax of every description, and from serving on any *posse comitatus*, except when called to do so in their military capacity by the commander-in-chief. Whenever a member of the organized militia of this State shall be summoned as a juror, or called upon for any poll-tax, in order to entitle him to the exemption provided for in this section, he shall be required to produce, to the county clerk, sheriff, or constable, and to the collector of any poll-tax, a certificate of the commanding officer of his company, countersigned by the first sergeant, that he is a member in good standing, fit for active service, and not in arrears for fines or dues, and that he has attended all the regular drill meetings of his company unless excused on account of sickness, or absence from the place of company rendezvous, for good cause, for three months next preceding the issuance of said certificate, and said certificate shall bear date within thirty days of its presentation.

SEC. 45. The rules of discipline and regulations of the Army of the United States shall, so far as the same may be applicable, constitute the rules of discipline and regulations of the organized militia of this State; and the rules and articles of war established by



Congress for the Army of the United States shall be adopted so far as they may be applicable for the government of the militia of California in active service.

SEC. 46. The commander-in-chief will appoint courts-martial for the trial of general officers and all officers of the staff of the commander-in-chief; the major-general will appoint courts-martial for the trial of all staff officers of the division and brigades, and for the field and staff-officers of battalions and regiments; and brigadier-generals will appoint courts-martial for the trial of all captains and commissioned officers under their rank in their respective brigades; the commanding officers of regiments and battalions will appoint courts-martial for the trial of all non-commissioned officers, musicians, artificers, and privates of their respective regiments and battalions. The commanding officer of a single company not forming a part of any battalion or regiment shall have power to appoint courts-martial the same as the commanding officer of a regiment or battalion. The officer appointing a court-martial will revise the proceedings, and approve or disapprove the sentences of such court-martial, and will direct the execution of such sentences, or mitigate the punishment or pardon the person or persons convicted, but the person or persons so sentenced may apply to the commander-in-chief to revise the proceedings and to disapprove them, or pardon the offence; in which case the officer approving the sentence will transmit the proceedings in such case to the commander-in-chief, and the execution of the sentence shall be suspended until the proceedings shall be returned with the decision thereon. Courts-martial appointed under the provisions of this act shall be organized in like manner, and be subject to the rules and regulations governing courts-martial in the United States Army. They shall have the same power to compel the attendance of witnesses when duly summoned by the judge-advocate, to preserve order in and about the court-room during their session, and to punish contempt, as the judges of the district courts have, under the laws of this State.

SEC. 47. Any commissioned officer of a brigade, or division, who shall remove his residence from the limits of his brigade, or division, will be deemed to have resigned his commission; and the major-general, or any brigadier-general, who shall absent himself from the State for more than three months, without the permission of the commander-in-chief, shall be deemed to have resigned his office.

SEC. 48. Whenever any of the militia of this State shall be called into active service for the space of more than one week, they shall receive the same pay and allowances as United States troops serving in California. Any general or field officer being called into active service, such call shall be deemed to include all the officers of their respective staff. In case a division, or part of a division, is called into active service, the commander-in-chief shall be authorized to put upon active service one of his aides-de-camp.

SEC. 49. When the commander-in-chief shall order the return to the State of any arms, equipments, military stores, or other military property, belonging to the State, such arms and military property shall be immediately delivered to the officers authorized in such order to receive it, he receipting for the same, and describing their condition in such receipts; and if the property mentioned in such order shall not be promptly delivered, as directed, the officer named in such order is hereby authorized to take immediate possession of the same, in the name of the people of the State; and any person resisting such officer in the performance of this duty shall be deemed guilty of a misdemeanor, punishable by imprisonment for not more than six months in the county jail, and shall be subject to a fine not exceeding five hundred dollars, to be recovered by an action brought by the district attorney, in the name of the people of the State, and be paid into the treasury as a part of the general fund.

SEC. 50. The commander-in-chief, adjutant-general, and the controller of state, shall constitute a State board of military auditors. The commander-in-chief shall be president, and the adjutant-general shall be secretary, of said board.

SEC. 51. The Board of military auditors shall have a seal, an impression of which shall be deposited by the secretary of the board in the office of the State treasurer, and be attached to all accounts audited by said board.

SEC. 52. It shall be the duty of said board of military auditors to audit all reasonable expenses incurred by volunteer companies in the service of this State, and officers attached to the same, and all other claims required under the provisions of this act. It shall be the duty of the controller of state to draw his warrants for the amount thus audited, and the treasurer of state is hereby required to pay the same out of any moneys in the general fund not otherwise appropriated.

SEC. 53. The adjutant-general shall, under the direction of the governor, prepare and keep in his charge all blank military commissions, and such other blanks as may be required for the service.

SEC. 54. All volunteer companies, battalions, and regiments, organized prior to the passage of this act, shall be deemed to have been organized in compliance with its provisions, and to be entitled to its benefits; but such companies, battalions, and regiments shall be required to comply with all the remaining provisions of this act.



SEC. 55. The organized and enrolled militia of this State shall be organized into one division and six brigades. The brigades shall be as follows: First Brigade—San Diego, Los Angeles, San Bernardino, Santa Barbara, San Luis Obispo, and Monterey Counties; Second Brigade—Santa Cruz, Santa Clara, San Mateo, San Francisco, Alameda, Contra Costa, Marin, Sonoma, Solano, Napa, and Lake Counties; Third Brigade—San Joaquin, Mariposa, Tuolumne, Fresno, Stanislaus, Calaveras, Merced, Mono, Butte, and Tulare Counties; Fourth Brigade—Sacramento, Yolo, Sutter, El Dorado, Amador, Placer, Nevada, Yuba, and Sierra Counties; Fifth Brigade—Plumas, Colusa, Tehama, Shasta, and Siskiyou Counties; Sixth Brigade—Mendocino, Humboldt, Trinity, Del Norte, and Klamath Counties.

SEC. 56. Any and all new counties, which may hereafter be organized in this State, shall be attached to the respective brigade in which the larger portion of said new county is now located.

SEC. 57. Whenever any portion of the organized or enrolled militia shall have been called into active service, to suppress an insurrection or rebellion, to disperse a mob, or to enforce the execution of the laws of this State, or of the United States, it shall be competent for the commander-in-chief, or the general acting in his place, as provided in section thirty-nine, to place such troops under the temporary direction of the major of any city, or the president of the board of supervisors of the cities and counties of Sacramento and San Francisco, or person acting in that capacity, of the sheriff of any county, or of any marshal of the United States. And if, in the opinion of such civil officer, it shall become necessary that the troops so called out shall fire or charge upon any mob or body of persons, assembled to break or resist the laws, such civil officer shall give a written order to that effect, to the superior officer present in the command, who will at once proceed to carry out the order, and shall direct the firing and attack to cease only when such mob or unlawful assembly shall have been dispersed, or when ordered to do so by the proper civil authority. No officer, who has been called out to sustain the civil authorities, shall, under any pretense, or in compliance with any order, fire blank cartridge upon any mob or unlawful assemblage, under penalty of being cashiered by sentence of a court-martial: *Provided*, That nothing in this section shall be construed as prohibiting any such troops from firing or charging upon such mob or assembly, without the orders of such civil officers, in case they shall first be attacked or fired upon, or forcibly resisted in discharge of their duty. When the commander-in-chief, or general acting in his place, shall call troops into active service, for the purposes mentioned in this section, and shall not place them under the temporary direction of any civil officer, the commanding officer shall use his own discretion with respect to the propriety of attacking or firing upon any mob or unlawful assembly.

SEC. 58. All fines, legally imposed by a court-martial lawfully constituted, after the proceedings and findings of said court in the premises have been approved, as prescribed by this act, shall be, and the same are hereby, made collectable by law. And any person failing to pay the same, shall be proceeded against by the district attorney, in the name of the people of the State, as for ordinary debts, in any court of competent jurisdiction of the county. And a copy of so much of the finding and approval as relates to imposition and approval of such fine, certified by the officer authorized by law to approve the same, shall be received as evidence in the case. And if judgment be obtained, it shall be collected as in ordinary cases and shall be paid into the county treasury as belonging to the general fund of the State, and to be accounted for as such.

SEC. 59. The commander-in-chief may, from time to time, make and publish rules, regulations, and orders, for the government of the militia of this State, in accordance with the provisions and spirit of this act.

SEC. 60. Any volunteer company may, on its organization, or thereafter, adopt a distinctive name, but shall be known by a particular letter, or number, in the battalion or regiment to which it belongs.

SEC. 61. No person shall be a member of two companies at the same time, and any member of a company who removes beyond the limits of the county, shall be considered as having been discharged from such company.

SEC. 62. In the cases of military taxes and fines assessed and charged against a minor, the parent or guardian shall be held to pay. In case of minors who are orphans, the commander-in-chief shall have power to remit any military taxes or fines.

SEC. 63. In the absence of any appropriate commander, the next in rank in the command of troops, where not otherwise provided in this act, shall succeed to his authority.

SEC. 64. Every senior, in his appropriate command, shall have authority to control the actions of his junior, in accordance with the principles of military subordination, under the laws and usages that govern the United States Army.

SEC. 65. Any officer cashiered by sentence of a court-martial, shall be precluded thereby from holding any commission in the military service of the State, except the sentence be remitted by the commander-in-chief.

SEC. 66. No non-commissioned officer, artificer, musician, or private, expelled from his company, or dismissed from service, for any disgraceful cause, shall be permitted to again enter any volunteer company, except the offense be pardoned by the commander-in-chief.

SEC. 67. No officer, inferior in grade to a regimental or battalion commander, shall have power to grant discharges to non-commissioned officers, artificers, musicians, or privates, in active service; but commanders of companies of the organized militia, when not in active service, may issue certificates of service and discharges. All discharges shall be in writing, and shall set forth fully the cause of the discharge, and shall be signed by the officer granting the same.

SEC. 68. Any officer resigning his commission shall do so in writing, and transmit the same, through his immediate commanding officer, who will make his indorsement thereon, and the resignation shall go into effect when accepted by the commander-in-chief, and not before. Vacancies of commissioned officers of organized companies and battalions (not in active service), caused by resignation, death, dismissal, or removals, or by the expiration of the term fixed by the rules and regulations of such company, or battalion, or by any other cause, shall be filled by election. Such elections of company and field officers shall be presided over by an officer appointed for that purpose by the brigadier-general; and such presiding officer shall report the result of such election to the officer appointing him, which report shall be transmitted to the commander-in-chief, who shall issue commissions in accordance therewith: *Provided, however,* That when the same officer shall be re-elected, no new commission shall be issued, but the officer so re-elected shall continue to hold under his original commission.

SEC. 69. The commission of any staff officer, whose term of office depends upon the pleasure of the officer by whom he is appointed, shall, when such officer is not on active service, be considered as vacated, upon the qualification of his successor, and shall be so noted upon the proper books, or roll, kept in the office of the adjutant-general of the State.

SEC. 70. The commander-in-chief is authorized, at any time, by issuing his orders to that effect, to disband any portion of the organized volunteer forces, or of the enrolled militia, mustered into service, which may evince a mutinous, disorderly, or disobedient spirit, and to deprive them of arms; a copy of which order shall be transmitted to the clerk of the county court or courts of the county or counties in which such force was raised; after which, it shall be a misdemeanor in any person so disbanded to appear with State arms in his possession, or as any portion of the organized volunteer militia, or of the enrolled militia, in active service, until again drafted or regularly mustered into service, under the penalty of not less than ten nor more than one hundred dollars for each offense; and such person shall be proceeded against by the district attorney, in the name of the people of the State, before any competent court of the county where such person may happen to be; and all fines so recovered and collected shall be paid into the treasury, as a part of the general fund.

SEC. 71. Every company, battalion, or regiment, of organized militia of this State, may adopt a uniform for itself, which shall be subject, however, to the approval of the commander-in-chief, on report of the inspection officers, made through the proper channels of communication; and no uniform which is not thus approved shall be worn when on duty.

SEC. 72. The uniform of all general officers, and members of their staff, and all other officers not required to wear the distinctive uniform of their regiment or corps, shall be similar to that of the corresponding grades and corps in the United States Army, with such modifications as may be directed by the commander-in-chief for adapting it to State troops.

SEC. 73. The system of instruction in tactics, prescribed for the different arms and corps in the United States Army, shall be followed in the military instruction and practice of the militia of this State, and the use of any other system is forbidden.

SEC. 74. The commanding officer of every organized company shall, during the months of June and December of each year, furnish the county clerk of his county with a list of the names of the bona-fide members of his company who attend regularly to appropriate duty. He shall also, at the end of each year's service of any member of his company who has performed duty, in accordance with the regulations and by-laws of such company, during the year, issue to such member a certificate to that effect. And if such commander of a company shall make a false list of the members of his company who have done duty as aforesaid, or a false certificate of service, he shall, on conviction by a court-martial, be cashiered from service, and shall, moreover, be subject to a fine of not less than fifty nor over five hundred dollars, to be sued for and recovered in the name of the people of the State, by the district attorney of the county of his residence, in any court of competent jurisdiction, and be paid into the treasury, as a part of the general fund of the State.

SEC. 75. The president of any general court-martial, assembled in pursuance of the provisions of this act, may make a requisition upon the sheriff of the county in which the session is held, for a deputy sheriff to attend upon such court as provost-marshal, and such deputy sheriff shall receive for his attendance the same pay and fees, and be subject to the same responsibility, as when attending upon the sessions of the district court. And the president of any regimental, battalion, or company court-martial, may make a requisition upon any constable of the county, to act as provost-marshal of such court; and such constable shall receive the same pay and fees as in a justice's court; and the pay and fees of such deputy sheriff, or constable, shall be paid, on the certificate of the judge-advocate and warrant of the controller of state, by the State treasurer, from the general fund, such account being first audited by the board of military auditors.

SEC. 76. When bands of music shall not have been organized for any regiment, battalion, or isolated company, in the manner provided in the regulations of the Army of the United States, it shall be lawful for such regiment, battalion, or isolated company, through its commanding officer, to hire the services of any band of musicians, at their own expense, and the persons so employed shall, during the term of their engagement, be subject to the same laws and regulations that govern the military body with which they may serve.

SEC. 77. When any person, drafted for service, shall offer, at or after the time of rendezvous, a suitable substitute, of the age of twenty-one years, and such substitute shall consent, in writing, to subject himself to all the duties, fines, forfeitures, and punishments, to which his principal would have been subject had he personally served, he shall be accepted by the officer making such draft. And the same rule shall apply to substitutes offered by members of organized volunteer companies called into active service, the commanding officer of such company being the judge of the suitability of the substitute offered. And the person whose substitute shall be so accepted, shall be exempted from draft during the term of service of his substitute.

SEC. 78. No action shall be maintained against any member of a court-martial, or officer, or agent, acting under his authority, on account of the imposition of a fine, or the execution of a sentence, on a person not liable to military duty, if such person shall have been duly summoned, and shall have neglected to appear and show his exemption before the court.

SEC. 79. Courts of inquiry may be ordered by the commander-in-chief, major-general, or any brigadier-general. Such courts of inquiry shall be governed by the same rules as similar courts in the United States Army, and they shall have the same power to preserve order, punish contempts, and compel the attendance of witnesses, as courts-martial have.

SEC. 80. For all services under this act, sheriffs, constables, and jailers, shall receive like fees as for similar services in other cases, and shall be subject to the same penalties for any neglect of duty.

SEC. 81. The adjutant-general shall have a seal of office, to be approved by the commander-in-chief, and all copies of records, or papers, in his office, duly certified and authenticated under the said seal, shall be evidence in all cases in like manner as if the originals were produced.

SEC. 82. On the days of military parade appointed by the commander-in-chief, the militia so called out and doing military duty, shall be considered to be under military discipline from the rising to the setting of the sun; and no officer, non-commissioned officer, musician, artificer, or private, belonging to the same, during the time aforesaid, shall be subject to be arrested on any civil process.

SEC. 83. The commanding officer of any parade, review, or drill, and the officer in charge of any rendezvous, may cause the ground selected for that purpose to be marked, or designated, in such a manner as not to obstruct the passage of travelers on any public highway; and if any person, during the occupation of such ground for such military purpose, shall encroach upon such bounds, or enter upon such ground, without the permission of such officer commanding, or in charge, he may be put and kept under guard, by the order of such commander, until the setting of the sun of the same day, and, moreover, shall be subject to arrest and punishment, by any court of competent jurisdiction, for a breach of the peace.

SEC. 84. If any person shall intercept, molest, or insult by abusive words or behavior, any officer, non-commissioned officer, or soldier, while in the performance of his military duty, he shall be immediately put under guard, and kept, at the discretion of the commanding officer of the forces engaged in the performance of such military duty, until the setting of the sun of the same day on which the offense shall have been committed; and moreover, shall be subject to arrest and punishment, by any court of competent jurisdiction, for a breach of the peace.

SEC. 85. Any officer, non-commissioned officer, or soldier, on military duty, who shall disobey the legal orders of his superior, use any reproachful or abusive language to his superior, or misbehave, or demean himself in an unofficer or unsoldier-like manner,

shall be immediately arrested, if an officer; and if a non-commissioned officer or soldier, shall be disarmed and put under guard, and shall be tried and punished by a court-martial, according to law and military usage.

SEC. 86. In case of parades, reviews, inspections, or musters, of the troops of any brigade, any companies, not organized into battalions, shall be temporarily organized into a battalion, for the duties of the day, and the battalion so temporarily organized shall be commanded by the officer senior in rank of the companies composing it. It shall be optional with any such unattached companies to attach themselves for the day to any organized battalion or battalions or to organize a temporary battalion; but no such temporary battalion shall be organized of less than three companies, if there be any organized battalion or battalions present on duty, to which they may attach themselves without exceeding the complement fixed by this act. If such unattached companies shall not attach, or organize, themselves, in accordance with the provisions of this section, the officer commanding the brigade for the day shall order such assignment or organization.

SEC. 87. Horses, arms, equipments, and uniforms, of all officers, non-commissioned officers, and privates, used for military purposes in the organized or enrolled militia of the State, shall be exempt from execution.

SEC. 88. The act, approved May ninth, eighteen hundred and sixty-one, entitled an act in relation to the militia of the State, and all other acts, or parts of acts, in conflict with the provisions of this act, are hereby repealed.

SEC. 89. This act shall take effect and be in force from and after its passage.

CHAP. CCCIX.—*An act amendatory of and supplementary to an act entitled "An act in relation to the militia of this State," approved April twenty-fourth, eighteen hundred and sixty-two.*

[Approved April 25, 1863.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. Section two of the above-recited act is hereby amended so as to read as follows:

"SECTION 2. The adjutant-general shall be appointed by the commander-in-chief, by and with the consent of the senate, and shall hold his office for the term of two years. He shall be *ex officio* chief of staff, quartermaster general, commissary-general, inspector-general, and chief of ordnance. He shall receive a salary of three thousand dollars annually, to be paid out of moneys appropriated for that purpose. He shall reside at the seat of government, and shall keep his office open for the transaction of business every day (Sundays excepted), from ten o'clock a. m. to four o'clock p. m."

SEC. 2. Section fourteen of said act above recited is hereby amended so as to read as follows:

"SECTION 14. The district or county assessor of each and every revenue district or county in this State, shall, at the same time in each year when he prepares a roll containing the taxable inhabitants of his district or county, enroll all the inhabitants of his district or county subject to military duty, which list or roll shall be sworn to by him, and delivered to the clerk of the board of supervisors, in the same manner and at the same time as is provided by law for the civil-tax-list or assessment-roll, and the clerk of the board of supervisors shall keep the same open for inspection, as is provided by law for the civil assessment-roll: *Provided*, That in the city and county of San Francisco, the tax collector of said city and county shall perform the duties by this section imposed upon district or county assessors."

SEC. 3. Section fifteen of said act above recited is hereby amended so as to read as follows:

"SECTION 15. The board of equalization shall correct the said military assessment-roll at the same time and in the same manner as is prescribed by law for the correction of the civil-tax list; and it shall be the duty of the said clerk to deliver to the brigadier-general of the brigade to which his county belongs a triplicate of said list, certified by him, within ten days after the board of equalization shall have completed their corrections; and the compensation allowed to said assessors for making out said military list shall be determined by the boards of supervisors of the several counties, at the rate of five dollars for each one hundred names of persons returned by the county or district assessors, who, by said board of equalization, shall be determined as subject to military duty."

SEC. 4. Section sixteen of said act above recited is hereby amended so as to read as follows:

"SECTION 16. If any assessor, or the tax collector of the city and county of San Francisco, shall neglect or refuse to perform any of the duties required of him by this act, he shall be subject to the same penalties, liabilities, and punishments, as is provided by law for a neglect or refusal to perform any of the duties required of him for the assessment of the civil taxes; and, moreover, he shall forfeit and pay the sum of not less than three hundred and not more than one thousand dollars, to be sued for in the name of the people of the State, by the district attorney of the respective county, and recovered in the name of the people of the State, and paid into the military fund of the State; and if the clerk of the board of equalization shall neglect or refuse to make and deliver to the brigadier-general of the brigade to which his county belongs the triplicate of the military assessment-roll, as directed in this act, he shall forfeit and pay the sum of not less than two hundred and not more than five hundred dollars, to be sued for and recovered in the same manner as is provided in this section with respect to the assessor."

SEC. 5. Section nineteen of the above-recited act is hereby amended so as to read as follows:

"SECTION 19. The volunteer or independent companies shall be armed and equipped in the same manner as similar corps in the United States Army, and shall consist of the following officers, non-commissioned officers, and privates, viz: To each company of cavalry, one captain, one first lieutenant, one senior and one junior second lieutenant, five sergeants, four corporals, one trumpeter, one farrier, and not less than thirty nor more than eighty privates; to other companies there shall be one captain, one first lieutenant, one senior and one junior second lieutenant, five sergeants, four corporals, one drummer, one fife, and not less than thirty nor more than eighty privates, excepting light batteries, which shall be allowed one hundred active members each, and such officers as are allowed in the United States service: *Provided*, That infantry, artillery, and cavalry regiments may be organized with the number of field, staff, and non-commissioned officers as are allowed in the United States service."

SEC. 6. Section twenty-two of the above-recited act is hereby amended so as to read as follows:

"SECTION 22. It shall be the duty of the board of supervisors of each county in which there shall be one or more organized volunteer companies, upon application of the captain or commanding officer of the same, to provide for each company in said county, an armory, safe and suitable for the drill of squads in the school of the soldier, and an armorer to take charge of the same; and it shall also be the duty of the board of supervisors of each county in which there shall be one or more organized regiments, upon application of the colonel or commanding officer of the same, to provide for each regiment in said county a drill-room, suitable for skeleton regimental drill; and said board shall also, at each of its sessions, audit and allow and cause to be paid, the necessary incidental expenses of said company or regiment previously incurred: *Provided*, That the total amount for all the purposes above mentioned shall not exceed fifty dollars per month for each company and one hundred dollars per month for each regiment, and for light batteries not less than two hundred and fifty dollars per month: *And, provided further*, That at the annual settlement of the several treasurers of such counties with the State treasurer the amounts so paid, or caused to be paid, by the several boards of supervisors thereof, shall be allowed and credited to such counties."

SEC. 7. Section thirty-three of the above-recited act is hereby amended so as to read as follows:

"SECTION 33. It shall be the duty of each and every brigadier-general to make, from the assessment-rolls received by him from the clerk of the boards of supervisors and from the muster-rolls received by him from the officers of companies, battalions, and regiments, as prescribed in this act, on or before the first Monday in October of each year, two brigade muster-rolls, one to be entitled 'Muster-roll of the organized militia of the \_\_\_\_\_ brigade,' and the other to be entitled 'Muster-roll of the enrolled militia of the \_\_\_\_\_ brigade,' in the first of which he shall include the names of all the officers of his staff, and all the officers, non-commissioned officers, musicians, artificers, and privates of the organized volunteer regiments, battalions, and companies in his brigade, in the order of their organization; and in the second, he shall include the number of all other persons subject to military duty. The original of these muster-rolls, signed by the general of brigade, shall be filed in his office, and duly certified copies thereof shall be furnished by him to the general of division and to the adjutant-general of the State."

SEC. 8. Section thirty-four of the above-recited act is hereby repealed.

SEC. 9. Section forty-three of the above-recited act is hereby amended so as to read as follows:

"SECTION 43. The commander-in-chief shall order a camp of military instruction, to continue for ten days, at some central point in this State, in the month of April or May of each year, which shall be attended by all of the commissioned officers, non-commissioned officers, and non-commissioned staff of the militia of this State, the same to be commanded by the major-general, or, in his absence, by the senior brigadier-general pres-



ent. The commander-in-chief shall also order, annually, an encampment, to continue not more than ten days, of the organized militia of this State, to be held in the month of September or October of each year, within the limits of the brigade to which such troops respectively belong; the troops attending each camp of instruction and State encampment shall be deemed to be in active service, and shall be reviewed by the commander-in-chief, and in addition to such inspections as may be ordered by the officer in command, shall be inspected by the inspector-general of the State, on the second and last days of such camp of instruction and encampment: *Provided*, That in the city and county of San Francisco, the organized militia shall parade at least four times during the year: once by brigade, twice by regiments or battalions, and once by company, which last shall be for target practice; the result of such target practice shall be reported to the commanding officer of the brigade: *And provided further*, That upon occasions of reception, or upon the celebration of any event of public importance, the commanding officer of the brigade shall have authority to order out the organized militia to join such parade, and the parade so ordered is hereby constituted a legal parade: *Provided, further*, That each and every company of the organized militia of the city and county of San Francisco shall assemble at least once in each week for military instruction. In other parts of the State such companies shall assemble at least once a month for such instruction, and all members who absent themselves from such meetings for instruction during three consecutive meetings, unless excused by the commanding officer of such company, shall be debarred from the exemption of jury duty, and poll and road tax, and subject to expulsion from their company: *Provided*, At any other legal parade, that any officer, non-commissioned officer, or private who shall neglect to attend a camp of instruction, or military encampment, as above provided, when legally required to do so, shall be subject to a fine of three dollars for each day's absence from such camp of instruction or military encampment, unless excused in consequence of sickness or absence from the State; such fines may be sued for and recovered in the name of the people, before any justice of the peace of the township in which such delinquent resides."

SEC. 10. Section forty-eight of the above-recited act is hereby amended so as to read as follows:

"SECTION 48. Whenever any of the militia of this State shall be called into active service for the space of more than two days, they shall receive the same pay and allowances as United States troops serving in California. Any general or field officer being called into active service, such call shall be deemed to include all the officers of their respective staff. In case a division, or part of a division, is called into active service, the commander-in-chief shall be authorized to put upon active service one of his aides-de-camp."

SEC. 11. Section fifty of the above-recited act is hereby amended so as to read as follows:

"SECTION 50. The commander-in-chief, adjutant-general, and the surgeon-general, shall constitute a State board of military auditors. The commander-in-chief shall be president, and the adjutant-general shall be secretary of said board."

SEC. 12. Section fifty-two of the above-recited act is hereby amended so as to read as follows:

"SECTION 52. It shall be the duty of said board of military auditors to audit and allow all proper claims against the military fund incurred by the organized troops in the service of this State, and officers attached to the same, and all other just claims required to be paid under the provisions of this act; it shall be the duty of the controller of state to draw his warrants for the amounts thus audited and allowed, and the treasurer of the State is hereby required to pay the same out of the military fund."

SEC. 13. Section fifty-five of the above-recited act is hereby amended so as to read as follows:

"SECTION 55. The organized and enrolled militia of this State shall be organized into one division and six brigades. The brigades shall be as follows:

"*First Brigade*—San Diego, Los Angeles, San Bernardino, Santa Barbara, San Luis Obispo, and Monterey Counties.

"*Second Brigade*—Santa Cruz, Santa Clara, San Mateo, San Francisco, Alameda, Contra Costa, Marin, Sonoma, Solano, Napa, and Lake Counties.

"*Third Brigade*—San Joaquin, Mariposa, Tuolumne, Fresno, Stanislaus, Calaveras, Merced, Mono, Buena Vista, and Tulare Counties.

"*Fourth Brigade*—Sacramento, Yolo, Sutter, El Dorado, Amador, Placer, Nevada, Yuba, and Sierra Counties.

"*Fifth Brigade*—Butte, Plumas, Colusa, Tehama, Shasta, Trinity, and Siskiyou Counties.

"*Sixth Brigade*—Mendocino, Humboldt, Del Norte, and Klamath Counties."

SEC. 14. The sum of three hundred dollars annually shall be audited by the board of military auditors, and paid out of the military fund, to each duly uniformed company of sixty active members, and in the same proportion to all uniformed companies, and be



received for by the captain or commanding officer of said company; and also, the sum of one hundred dollars to each detachment of engineers, which shall be placed in and known as the company fund of said company, and be used for such purposes as the company officers may direct. A quarterly statement of the manner in which any portion of the same has been expended shall be made to the adjutant-general of the State, duly certified by the commanding officer of the company: *Provided*, That no company of the organized militia of this State shall be entitled to the benefits of this act which have not complied with all its provisions; a certificate of which, signed by the commanding officer of the company, and approved by the commanding officer of the battalion, regiment, and brigade to which such company may be attached, shall be filed with the board of military auditors.

SEC. 15. The adjutant-general of this State, under the direction and with the approval of the governor, shall purchase the necessary camp equipage for the use of the camps of instruction and military encampments hereby ordered; the same to become the property of the State, and to be paid for out of the military funds, upon orders drawn by the board of military auditors. He shall also, in the same manner, provide the necessary transportation and company stores required for the militia of the State, while marching to and from each camp of instruction and military encampment, and while in attendance at the same.

SEC. 16. For the purpose of creating a State military fund, an annual poll-tax of two dollars is hereby levied upon each male inhabitant of the State, of the age of twenty-one years and upwards (California Indians alone excepted), to be known as the "military poll-tax;" which shall be assessed and collected in the same manner and at the same time as is now or may be prescribed by law for the assessment and collection of State poll-taxes. For the purpose of collecting said tax, the officers hereby authorized to collect the same shall have all the powers which are now or may hereafter be conferred by law on the collectors of State poll-taxes; and any person who shall neglect or refuse to pay said military poll-tax, or who shall forge or fraudulently issue any military poll-tax receipt, or give a false name, or refuse to give his proper name, shall be subject to all the pains and penalties imposed by law on persons who neglect or refuse to pay the State poll-tax, or who forge or fraudulently issue any State poll-tax receipt, or who give a false name, or refuse to give their proper names, to the officer collecting the same: *Provided*, That volunteers serving in the Army of the United States be, and they are hereby, exempted from the provisions of this act.

SEC. 17. The said military poll-tax shall be due and payable on and after the first Monday of March in each year, and the officers hereby authorized shall proceed to collect the same as soon as it becomes due; and the said officers, and county auditors and treasurers shall make their statements, settlements, and payments at the same time and in the same manner as is now or may hereafter be required by law in making statements, settlements, and payments of the State poll-tax, except that the return and exchange of blank receipts shall not be required to be made on the first Monday in August, as directed by the law as to State poll-tax receipts: *Provided*, That the officers authorized to collect the military poll-tax shall be allowed to retain for their services 15 per cent. on all sums collected by them and paid over to the county treasurers.

SEC. 18. The officers herein authorized to collect said military poll-tax shall keep a book, in which they shall enter the name of every person on whom said tax is assessed, who, when called upon, shall refuse or neglect to pay the same, and shall, on the first Monday in March of each year, deposit the same with the county auditor, who shall carefully preserve the same, and said book shall, at all times during office hours, be open to the free inspection of all persons desiring it.

SEC. 19. The controller of state shall, immediately after the passage of this act, for the year one thousand eight hundred and sixty-three, and before the first Monday of March in each succeeding year, cause proper blank receipts for military poll-taxes, to be printed by the State printer, of a uniform appearance, changing the style thereof each year; and said controller, after numbering and signing them, shall cause a number thereof, equal to the probable number of inhabitants in each county liable to pay the military poll-tax, to be immediately forwarded to the county treasurer of each county, who shall sign them, or so many of them as may be required, and make an entry thereof in a book to be kept by him for that purpose, and thereupon deliver them to the auditor, who shall likewise sign them, and make an entry of the number he receives in a book to be kept by him for that purpose; and he shall, from time to time, issue to the tax collector, or the district collectors in those counties divided into collection districts, so many of the military poll-tax receipts as they may need, taking their receipts therefor, and the said auditor shall immediately charge the same to the collector so receiving them.

SEC. 20. Any officer, non-commissioned officer, or private who shall have faithfully served in the organized militia of this State for the term of seven consecutive years shall be thereafter exempt from military service, except in time of war, and shall be entitled to such other exemptions as are provided in the act of which this is amendatory and sup-

plemental, and he shall be entitled to a certificate of such exemption from the adjutant-general of the State.

SEC. 21. Commissioned officers while on active duty in the service of the State shall receive the same pay and emoluments as is paid to officers of the United States Army of similar grade, the same to be audited by the board of military auditors upon the payroll, properly made up, and signed by the officer so serving.

SEC. 22. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SEC. 23. This act shall take effect and be in force from and after its passage.

CHAP. LXXI.—*An act amendatory of an act entitled an act amendatory of and supplementary to an act entitled an act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, approved April twenty-fifth, eighteen hundred and sixty-three.*

[Approved February 10, 1864.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. Section sixteen of the act amendatory of and supplementary to an act entitled an act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, approved April twenty-fifth, eighteen hundred and sixty-three, is hereby amended so as to read as follows:

“SECTION 16. For the purpose of creating a State military fund, an annual poll-tax of two dollars is hereby levied upon each male inhabitant of the State of the age of twenty-one years and upwards (California Indians alone excepted), to be known as the ‘military poll-tax,’ which shall be assessed and collected in the same manner and at the same time as is now or may be prescribed by law for the assessment and collection of State poll-taxes. For the purpose of collecting said tax the officers hereby authorized to collect the same shall have all the powers which are now or may hereafter be conferred by law on the collectors of State poll-taxes, and any person who shall neglect or refuse to pay said military poll-tax, or who shall forge or fraudulently issue any military poll-tax receipt, or give a false name, or refuse to give his proper name, or having men in his employ shall refuse to furnish the poll-tax collector or his deputy, when requested, the name and residence of each man employed by him, or shall refuse to grant free access to the collector or his deputy to the building or place where such men are employed, shall be subject to all the pains and penalties imposed by law on persons who neglect or refuse to pay the State poll-tax, or who forge or fraudulently issue any State poll-tax receipt, or who give a false name, or refuse to give their proper names to the officer collecting the same: *Provided*, That volunteers serving in the Army of the United States, be, and they are hereby, exempted from the provisions of this act.”

SEC. 2. This act shall take effect and be in force from and after its passage.

CHAP. CCCLIII.—*An act supplementary to an act entitled an act amendatory of and supplementary to an act entitled an act in relation to the militia of this State, approved April twenty-fourth, one thousand eight hundred and sixty-two, approved April twenty-fifth, one thousand eight hundred and sixty-three.*

[Approved April 4, 1864.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. It shall not be necessary for the commander-in-chief to order the encampment of military instruction or the encampment of the organized militia of this State, as required by the provisions of the act to which this is supplementary, unless in his discretion the same is necessary.

SEC. 2. This act shall take effect immediately.

NOTE.—In the original enrolled laws of which the foregoing are copies there are no marginal notes, and the sections and numbers of the same are all written out in full, in words and letters—not figures. Also, the several dates (except the dates of approval) as well as all other sums recited, are written out in full in words and letters—not figures.

STATE OF CALIFORNIA, *Department of State:*

I, William C. Hendricks, secretary of state of the State of California, do hereby certify that the foregoing are full, true, and correct copies of certain acts of the legislature of said State, entitled—

“An act entitled an act in relation to the “militia of the State.” (Approved April 24, 1862.)

An act entitled “An act amendatory of and supplementary to an act entitled an act in relation to the militia of this State, approved April 24, 1862.” (Approved April 25, 1863.)

An act amendatory of an act entitled “An act amendatory of and supplementary to an act entitled ‘an act in relation to the militia of this State,’ approved April 24, 1862,” approved April 25, 1863. (Approved February 10, 1864.)

An act entitled “An act supplementary to an act entitled ‘An act amendatory of and supplementary to an act entitled “An act in relation to the militia of this State,” approved April 24, 1862,’ approved April 25, 1863.” (Approved April 4, 1864.)

Witness my hand and the great seal of State, at office, in Sacramento, Cal., this 27th day of September, 1889.

[SEAL.]

W. C. HENDRICKS,

*Secretary of State.*

By H. B. DAVIDSON,

*Deputy.*



# INDEX.

A.

Page.

**Acts and resolutions of the legislature of California, under the authority of which California appropriated and expended money to pay certain expenses arising during the war of the rebellion; on account of suppressing Indian hostilities and disturbances; guarding overland mail and emigrant routes (during and subsequent to the rebellion); recruiting, enlisting, enrolling, organizing, arming, equipping, supplying, clothing, subsisting, paying, drilling, furnishing, transporting California volunteers, militia volunteer (organized) companies; bounty, extra pay or relief to California volunteers in the military service of the United States, and preparing any thereof in camp or field for readiness to perform military service for the United States; and interest actually earned and paid on money borrowed, or assumed on obligations issued, with which to meet the expenses necessarily incurred on account of certain of the purposes aforesaid:**

**Acts:**

April 24, 1862, Exhibit 2 (report) .....	32
April 24, 1862, Exhibit 24 (report) .....	72
April 10, 1863, Exhibit 32 (statement) .....	47
April 26, 1862, Exhibit 24 (statement) .....	44
April 25, 1863, Exhibit 33 (statement) .....	47
April 25, 1863, Exhibit 24 (report) .....	84
April 27, 1863, Exhibit 23 (report) .....	61
February 10, 1864, Exhibit 24 (report) .....	88
March 15, 1864, Exhibit 23 (report) .....	64
April 4, 1864, Exhibit 23 (report) .....	65
April 4, 1864, Exhibit 23 (report) .....	65
April 4, 1864, Exhibit 23 (report) .....	65
April 4, 1864, Exhibit 23 (report) .....	68
April 4, 1864, Exhibit 24 (report) .....	88
January 11, 1866, Exhibit 23 (report) .....	71
March 31, 1866, Exhibit 23 (report) .....	71
March 31, 1866, Exhibit 23 (report) .....	71
April 2, 1870, Exhibit 12 (report) .....	42

**Resolutions:**

January 30, 1860, Exhibit 1 (statement) .....	30
May 17, 1861, Exhibit 2 (statement) .....	30
May 17, 1861, Exhibit 3 (statement) .....	30
February 6, 1862, Exhibit 19 (statement) .....	39
February 25, 1862, Exhibit 21 (statement) .....	40
March 10, 1863, Exhibit 31 (statement) .....	46
February 6, 1864, Exhibit 56 (statement) .....	64
April 1, 1864, Exhibit 38 (statement) .....	65

**Adjutant-general of California:**

Salary and miscellaneous expenses of office of (\$38,083.17), during the war of the rebellion .....	21-31
Acts of legislature April 24, 1862, April 25, 1863, authorizing same .....	72-84

B.

**Bounty:**

Paid by California to California volunteers mustered into the military service of the United States during the war of the rebellion .....	21-23-31
---	----------

C.

**Circumstances and exigencies:**

Under which California appropriated and paid money on account of equipping, subsisting, transporting, supplying, furnishing, drilling, organizing, and paying the expenses of her militia, volunteer (organized) companies, and volunteer forces during the period of the rebellion; extra pay, bounty to the California volunteers in the military service of the United States during the period of the rebellion; and interest paid on money borrowed by her with which to pay the same .....	7, 10, 12, 20, 22, 24-28
Under which California provided the necessary relief by her law of April 27, 1863 (all appeals therefor to the General Government having theretofore proved futile) .....	26

**Coin:**

Services of all troops serving in the Department of the Pacific paid for in coin up to December 31, 1862; after December 31, 1862, said troops were paid in United States notes. ....	25
---	----

	Page
<b>Congress:</b>	
Act of, June 17, 1850 (U. S., Stat. vol. 9, page 435), under which each recruit enlisting at or in the vicinity of the military posts on the western frontier, and at remote and distant stations, between June 17, 1850, and August 3, 1861 (U. S. Stat., vol. 12, page 288), was paid a money bounty equal in amount to the cost of transportation and subsisting a soldier from the principal recruiting depot in the harbor of New York to place of his such enlistment .....	23
<b>Currency or United States notes:</b>	
Depreciation thereof on the Pacific coast .....	25
D.	
<b>Defenses of California:</b>	
Act of legislature, April 25, 1863, providing \$100,000 therefor .....	6
Act of legislature, April 4, 1864, providing \$80,000 therefor. (Exhibit 33, page 47; Exhibit 41, page 67; statement to Committee on Military Affairs) .....	6
E.	
<b>Evidence:</b>	
Filed in support of the payment of money (appropriated by State of California) by said State; consists of paid canceled warrants of the State controller; of certificates of the State adjutant-general that services were rendered, supplies furnished, and money due; of the approvals of accounts by State board of examiners, consisting of governor, attorney-general, and secretary of state of California; of certificates of State board of military auditors of California; and of receipts of payees indorsed upon said warrants, etc. ....	4
<b>Exhibits:</b>	
No. 1 (report) .....	30
No. 2 (report) .....	32
No. 3 (report) .....	33
No. 3 <sup>a</sup> (report) .....	33
No. 4 (report) .....	34
No. 5 (report) .....	34
No. 6 (report) .....	36
No. 7 (report) .....	39
No. 8 (report) .....	39
No. 9 (report) .....	40
No. 10 (report) .....	40
No. 11 (report) .....	41
No. 12 (report) .....	42
No. 13 (report) .....	46
No. 14 (report) .....	50
No. 15 (report) .....	51
No. 16 (report) .....	52
No. 17 (report) .....	54
No. 18 (report) .....	58
No. 19 (report) .....	58
No. 20 (report) .....	59
No. 21 (report) .....	60
No. 22 (report) .....	60
No. 23 (report) .....	61-72
No. 24 (report) .....	72-89
G.	
<b>Gold:</b>	
On February 28, 1863, value of each gold dollar in California was equal to \$1.70 in United States Treasury notes .....	25
<b>Governor of California:</b>	
Letter of, July 16, 1863, in reply to letter of military commander of the Department of the Pacific, July 5, 1863, transmitting resolutions of Congress of March 19, 1862 (Senate Ex. Doc. No. 70, page 183; 12 U. S. Stat., 616), authorizing Secretary of War to accept any money appropriated by any State during the rebellion to pay the volunteers of that State, and to apply the same to the payment designated by such State, the same as if Congress had appropriated the same, etc. ....	25
I.	
<b>Indians:</b>	
Hordes of marauding bands of, overrun northern California; efforts to suppress same, etc. For her expenses in suppressing portions of which, California has, by the United States, been re-imburced only \$11,723.44 .....	10-33
<b>Interest:</b>	
Shown to have actually been earned and paid by the State of California on money borrowed by issue of State bonds with which to pay relief and bounty to California volunteers in the military service of the United States. ....	26-27
Actually earned on money borrowed and paid by California, proof of payment on; consists of paid canceled coupons of State bonds (heretofore paid or exchanged), of requisitions of the State treasurer of California for money required to pay semi-annual interest on State bonded debt; of canceled paid warrants drawn by State controller on State treasury in compliance with said requisition; of register books containing description of interest-bearing State bonds; of affidavit of present State treasurer (the legal custodian of State records relating to interest paid by California) showing the amount of money actually paid by her as interest earned on principal borrowed by sale of paid California State bonds issued during the rebellion period (or by exchange into other bonds issued subsequent to the rebellion period) to raise money with which to pay for the services of the California volunteers in the military service of the United States .....	26-27, 41-42



	Page.
L.	
Loyalty and effectiveness:	
Of militia and volunteer (organized) companies of California in preventing uprising, etc., conceded.....	12
Loyalty of California:	
During period of the rebellion; shown by earnest desire of all California State authorities to uphold the authority of the national Government by leaving nothing undone that could be done; by raising troops for difficult and important frontier service, wherein there was little or no opportunity for distinction and scant compensation; by efforts that were prompt, energetic, and successful; in training the militia, raising and properly supporting its volunteers, and for all of which California expended money without hesitation and without stint.....	27
M.	
Militia and volunteer (organized) companies of California, and expenses thereof, during the period of the rebellion:	
Artillery, mounted battery. Amount of money shown to have actually been paid by California to sustain a mounted (artillery) battery at San Francisco, Cal., \$46,231.15.....	30
Acts of legislature, April 26, 1862, authorizing same. (Exhibit 24; statement of Senate Committee on Military Affairs).....	44
Drilling of. Amount of money shown to have actually been paid by California for drilling the, \$24,020.....	4-30
Acts of legislature, April 24, 1862, April 25, 1863, authorizing same.....	72-84
Drilling of and sustaining mounted battery. Total amount of money shown to have actually been paid by California for drilling militia and (organized) volunteer companies, including amount of money to sustain mounted (artillery) battery at San Francisco, \$70,251.15.....	4-30
Acts of legislature April 24, 1862, April 25, 1863, and April 26, 1862, authorizing same.....	44-72-84
Equipment of. Amount of money shown to have actually been paid by California for equipping the, \$179,000.....	4-7-30
Acts of legislature, April 24, 1862, April 4, 1864, authorizing same.....	72-65
Furnishing of. Amount of money shown to have actually been paid by California for furnishing the, \$3,779.16.....	4-30
Acts of legislature, April 24, 1862, April 25, 1863, authorizing same.....	72-84
Organization of. Amount of money shown to have actually been paid by California for organizing the, \$6,778.61.....	4-30
Acts of legislature, April 24, 1862, April 25, 1863, authorizing same.....	72-84
Pay to officers of. Amount of money shown to have actually been paid by California on account of pay of the officers of, \$38,696.40.....	4-30
Acts of legislature, April 24, 1862, April 26, 1863, authorizing same.....	72-84
Subsistence of. Amount of money shown to have actually been paid by California for the subsistence of the, \$37,075.47.....	4-30
Acts of legislature, April 24, 1862, April 25, 1863, authorizing same.....	72-84
Supplies of. Amount of money shown to have been paid by California for supplies of the, \$64,805.78.....	4-30
Acts of legislature, April 24, 1862, April 25, 1863, authorizing same.....	72-84
Transportation of. Amount of money shown to have actually been paid by California for transportation of the, \$62,589.97.....	4-30
Acts of legislature, April 24, 1862, April 25, 1863, authorizing same.....	72-84
Total expenses of. Amount shown to have actually been paid by California on account of, \$468,976.54.....	4-7, 17-30
Purposes and objects of the legislature of California to increase the value of her militia and volunteer (organized) companies for the benefit of the national Government, and the extent of such value, etc.....	5-17
General Wright encourages the preparations made by California State authorities by means of volunteer (organized) companies to prevent secession party therein obtaining forcible control, etc.....	12
General Wright's correspondence (but only recently discovered; see note) discloses his action in furnishing arms to California (organized) volunteer and militia companies and encourages the formation and organization thereof.....	12
General Wright reports to Adjutant-General, U. S. Army, that "in view of the feeling existing in certain localities and the impossibilities of posting the troops of the United States at every point in California, the best interest of the Government of the United States required the encouragement of the formation of volunteer companies in California by every means in the power of the United States" (Exhibit 34), etc.....	12-33
Correspondence only recently discovered from General Wright to Adjutant-General, U. S. Army (see note).....	12
Less liberal provisions would have been made for the California militia and volunteer (organized) companies but for the state of feeling existing during the war of the rebellion, etc.....	17
When attending camps of military instruction and State encampments during war period regarded by the State laws of California as in active service, etc.....	6
Money:	
Actually expended by the State of California, proof of, satisfactory.....	4
Actually paid by State of California out of her State treasury, proof thereof, conclusive.....	5
Actually expended by California for defense of that State, and to place California in a more efficient state of defense against foreign and domestic foes, \$179,000.....	7
Aggregating \$468,976.54 expended by California for her militia and volunteer (organized) companies, etc., during the war period not yet re-imbursed to said State by the United States.....	17
O.	
Oulton, J.:	
Controller of California, letter to Hon. James G. Blaine, January 17, 1866, reports that California had theretofore expended for the defense of that State during the rebellion about \$180,000 and for her militia system on account of the rebellion about \$400,000....	16

	Page
<b>P.</b>	
<b>Pay:</b>	
To certain officers of California volunteers, organized for military service in the United States, from the dates of their commissions to dates of being mustered in the military service of the United States.....	19-20
Amount of money paid to officers of California volunteers between the dates of their commissions and dates of muster, etc., into the military service of the United States, \$23,277.34, (\$33,277.34).....	20-31
Extra paid by California to California volunteers in the military service of the United States during the war of the rebellion.....	23-26-31
Extra paid to troops of the regular Army of the United States serving in California, Nevada, and Oregon, etc. (note).....	26
Of all United States soldiers serving in the Department of the Pacific from latter part of 1862 to end of rebellion period was from 25 to 50 per cent. less than that of the pay received by United States soldiers serving in the East.....	25
<b>Payment:</b>	
Mode of, to officers of California volunteers.....	19
<b>Politics of California:</b>	
September 4, 1863, illustrated by a tabular statement thereof, etc.....	11
<b>Protest:</b>	
Of Maj. C. S. Drew, First Oregon Cavalry, against paying Oregon volunteers in greenbacks, reasons thereof, upon said volunteers, etc.....	25
<b>R.</b>	
<b>Recruitment:</b>	
Proof that entire amount appropriated by California for recruiting was actually paid by California satisfactorily established.....	18
Of certain California volunteers and matters in connection therewith cost the United States \$70,156.46, consisting of premium, subsistence, lodging, transporting, bounty, miscellaneous, advertising, printing, rent of recruiting offices, commutation of quarters and fuel.....	17-19-39
<b>Rebel element:</b>	
In California reported by General Sumner August 30, 1861, from about 25,000 to 40,000 (estimated).....	11
<b>Report proper:</b>	
Of Army Board, created under act of Congress, August 4, 1866, on California rebellion war claims.....	3-29
<b>Report:</b>	
Senate, 2014, Fiftieth Congress, first session, referred to.....	7
<b>Requirements:</b>	
Of Senate resolution of February 27, 1889, in regard to California rebellion war claims (epitomized).....	2-3
<b>Resolutions of California legislature:</b>	
March 10, 1863, telegraphed to Congress that the United States pay the United States troops serving on Pacific coast in gold and silver provided that gold and silver was paid in as revenue to the United States on the Pacific coast during period of the rebellion....	25
<b>Remarks:</b>	
General, preliminary to report.....	2-3
<b>Resolution of Senate:</b>	
February 27, 1889, authorizing Secretary of War and Army Board to examine and report on California rebellion war claims.....	1-2
<b>S.</b>	
<b>Seward, Secretary:</b>	
Letter of, October 14, 1861, to governor of California, etc.....	13-16
<b>Situation:</b>	
On the Pacific coast during the rebellion period, statement thereof.....	16-17
<b>Summary:</b>	
Of principal points relied upon to establish the justness of California's rebellion war claims, statement thereof.....	7-10
<b>T.</b>	
<b>Treasurer of California:</b>	
Affidavit of.....	41
<b>V.</b>	
<b>Volunteers of California:</b>	
Adjutant-general's office. Amount of money shown to have actually been paid by California to adjutant-general and for expenses of his office, \$38,083.17.....	21-30
Acts of legislature, April 24, 1862, April 25, 1863, authorizing same.....	72-84
<b>Bounty paid to:</b> Amount of money shown to have actually been paid by California as bounty to enlisted men in the military service of the United States, \$900,839.50.....	17-30
Acts of legislature, April 4, 1864, authorizing same.....	68
<b>Interest earned on money borrowed:</b> Amount of money shown to have actually been paid by California as interest earned on money borrowed by the issue of relief bonds, \$543,310.73, and as interest on money borrowed by issue of State bounty bonds, \$960,956.23.....	26-30
Acts of legislature, April 27, 1863, April 4, 1864, April 2, 1870, authorizing same.....	42-61-68
<b>Organizing:</b> Amount of money shown to have actually been paid by California for the organizing of, \$5,639.34.....	21-30
Acts of legislature, April 4, 1864, April 25, 1863, authorizing same.....	65-84
<b>Paying of:</b> Amount of money shown to have actually been paid by California for paying volunteer officers of the, \$33,277.34.....	19-30
Acts of legislature, April 4, 1864, authorizing same. (Exhibit 42; statement to Committee on Military Affairs).....	67

**Volunteers of California—Continued.**

Page.

<b>Pay, extra, of.</b> Amount of money shown to have actually been paid by California as extra pay to enlisted men in the military service of the United States, \$1,459,270.21.....	23-30
Acts of legislature, April 27, 1863, March 16, 1864, and March 31, 1866, authorizing same.....	61-64-71
<b>Recruiting of.</b> Amount of money shown to have actually been paid by California for the recruiting of the, \$24,260.....	17-30
Acts of legislature, April 10, 1863, authorizing same. (Exhibit 32, page 47; statement to Committee on Military Affairs).....	17-30
<b>Number of California volunteers in the military service of the United States during the war of the rebellion, 15,726. Number of organized militia in California in 1862 and 1863, 5,000 men; and in 1864, 8,250 men; aggregating a total of 23,975 men.....</b>	<b>28</b>
<b>Military services of California volunteers rendered during the war of the rebellion were valuable and important. They took the places of the regular troops of the United States Army in California who were withdrawn and sent east at an early period of the war. Without the California, Oregon, and Nevada volunteers the overland mail and emigrant routes, extending from the Missouri River via Salt Lake to California, Oregon, and Nevada, passing through an uninhabited country infested with hostile Indians and highwaymen, could not have been protected. Important to the United States to keep these overland routes open and safe, because rebel cruisers had made the sea routes hazardous and expensive. California volunteers, commanded by Generals Carlton and Connor, performed perilous and exhausting marches, through almost impassable countries, keeping a watchful eye on the uncertain and threatening attitude of the Mormons, besides doing military services in Arizona and New Mexico, and effectually holding said Territories in the interest of the United States during the rebellion period against both Indians and rebels, etc.....</b>	<b>28</b>

**W.**

<b>War:</b>	
Secretary of, letter of, December 4, 1889, transmitting to the Senate report on the California rebellion war claims.....	1
<b>Wright, General George:</b>	
Certain correspondence of, with Adjutant-General, U. S. Army, only recently discovered, etc. (Note, page 12).....	12-33-51



## CALIFORNIA, OREGON, AND NEVADA STATE WAR CLAIMS.

### STATEMENT OF THE CASE OF THE STATE WAR CLAIMS OF CALIFORNIA, OREGON, AND NEVADA.

By Mr. STEWART.

(Member Committee on Military Affairs.)

FOR THE INFORMATION OF THE COMMITTEE.

In support and explanation of bill (S. No. 3420) reported from the Senate Committee on Military Affairs August 10 1888.

The several bills (S. 36, S. 2440, S. 3119) heretofore introduced for the payment of the State war claims of California, Oregon, and Nevada have been reported adversely by the Committee on Military Affairs, and the accompanying substitute bill (S. 3420) has been introduced by Mr. Stewart in lieu thereof.

The objects of this bill (S. 3420) are—

(1) To ascertain the amount of all money actually paid by California, Oregon, and Nevada, and Nevada when a Territory, for the common defense in recruiting, enlisting, enrolling, organizing, arming, equipping, supplying, clothing, subsisting, drilling, furnishing, transporting, and paying their volunteers, militia, and home guards for the purposes of guarding the overland mail and emigrant routes, and for instructing in military affairs and preparing their volunteers, militia, and home guards in camp and field to perform military services for the United States in said States and for the improvement of the military organizations of said States to take the place of the regular troops in said States and in the adjoining States and Territories for the common defense, and for extra pay, bounty, and relief actually paid by California, Oregon, and Nevada to their volunteer troops while in the service of the United States, and for suppressing Indian hostilities and disturbances therein and upon the borders thereof, subsequent to April 15, 1861.

(2) To ascertain the amount of interest California, Oregon, and Nevada, and Nevada when a Territory, have each paid on the principal by them borrowed and expended for the common defense, up to the dates of the re-imbusement of the principal by the United States.

An intelligent understanding of the exact condition of the defenses of the Pacific Coast States and Territories and of the overland mail and emigrant routes leading thereto just anterior and during the war of the rebellion, and of all the circumstances under which it is alleged these particular claims of said States and of Nevada when a Territory against the United States, provided for in this bill, arose, is essential. Upon inquiry and examination it appears as follows, to wit:

That the legislature of California called the attention of Congress to the condition of affairs in that State in the form of a resolution, to wit,

California concurrent resolution No. 18, adopted January 30, 1860, copy of which is hereto attached and marked Exhibit No. 1 (Statutes of California, 1860, page 416), page 30; and California assembly concurrent resolutions No. 29, adopted May 17, 1861, copy of which is hereto attached and marked Exhibit No. 2, page 30 (Statutes of California, 1861, page 678).

#### LOYALTY OF CALIFORNIA TO THE CAUSE OF THE UNION.

That the loyalty of the State of California to the cause of the Union, and her readiness at all times to respond to all requisitions made upon her for the common defense, was made evident by the adoption by her legislature on May 16, 1861, of Senate concurrent resolution No. 18 (Statutes of California, 1861, page 686), copy of which is attached hereto, and marked Exhibit No. 3, page 30.

#### CONDITION OF AFFAIRS THAT RENDERED A CALL FOR CALIFORNIA VOLUNTEERS NECESSARY.

That in May and June, 1861, the overland mail and emigrant routes were attacked by Indians, and communication closed between the Atlantic States and the Pacific coast. These routes extended from the Missouri River to California via the Platte River, Salt Lake City, through Nevada to Sacramento, Cal., with branch lines extending to Oregon, and constituted the only means at that date of direct overland communication between the Missouri River and California. At this time gold discoveries in California continued to invite a large immigration, the interest in which was more or less intensified by continued extensive silver discoveries in Nevada and principally on the Comstock lode in the western part of that Territory. The routes via Cape Horn, and especially that via the Isthmus of Panama, were rendered extremely doubtful, dangerous, and expensive on account of Confederate privateer cruisers hovering around the West India Islands and along both these sea routes, and in anticipation of other Confederate cruisers infesting the waters of the Pacific (which soon thereafter became the theater of the operations and depredations of the Confederate privateer cruiser *Shenandoah*), the overland route, therefore, although in itself both dangerous and difficult, was yet considered the better and preferable route by which to reach the Pacific.

That on account of a general uprising of the Indians along the entire overland routes and branch lines, and especially that portion between Salt Lake City, in the Territory of Utah, and the Sierra Nevada Mountains, and extending east to Fort Laramie, and of the doubts as to the loyalty of the Mormons to the Government of the United States, the maintenance and protection of the overland mail and emigrant route through those sections of the country along the aforesaid lines was regarded by the Government as a military necessity. Nearly all the troops of the regular Army at this time had been withdrawn from service throughout this region of country and transferred to other fields of operations. This left the country between Fort Laramie and California, Oregon, and Nevada without adequate and efficient military protection. The United States thus having but few troops of its regular Army in that region, was therefore compelled to call upon California, Oregon, and Nevada to organize volunteer companies to suppress Indian disturbances which threatened the suspension of all mail facilities and immigration from the East to those States, as will be hereinafter shown.



That at the time of the calls by the United States upon California, Oregon, and Nevada for troops the prices of labor and supplies of all descriptions in the Pacific coast States and Territories were extremely high. There were not then any railroads in said States, and snow on the Sierra-Nevada and Cascade Mountains formed an almost impassable barrier against teams from about the 1st of December until about June. The average cost of freight from San Francisco, the main source of supply for western Nevada, was about \$80 a ton, and it was necessary to lay in supplies during the summer and fall for the remainder of the year. A great mining excitement prevailed at this time, occasioned by the marvelous development of the Comstock lode, and wages were from \$4 to \$10 a day in gold. People who had emigrated to the new gold and silver fields went there for the purpose of mining and prospecting for mines, and were generally reluctant to enter an irregular military service of guarding the overland mail and emigrant routes. Besides, the extraordinary high price of supplies of every description, and of wages and services of every kind, made it impossible for the citizens of these States at that time to maintain themselves and families without involving much more expense than any compensation which could be paid them as volunteers under the laws of the United States. The military authorities of the United States well knew at that time the exact condition of the country and of the roads across the mountains leading thereto and the cost of transportation, and the prices of labor and of supplies.

#### FIRST CALL BY THE UNITED STATES FOR CALIFORNIA VOLUNTEERS.

In view of the necessities of the situation, with all these facts fully known to the military authorities of the United States, the Secretary of War, on July 24, 1861, made a requisition upon Hon. John G. Downey, governor of California, for one regiment of infantry and five companies of cavalry to *guard the overland mail routes from Carson Valley to Salt Lake and to Fort Laramie*. See copy of telegram hereto attached and marked Exhibit No. 4, page 31.

#### SECOND CALL BY THE UNITED STATES FOR CALIFORNIA VOLUNTEERS.

On August 14, 1861, the Secretary of War made a further requisition by telegraph upon Hon. John G. Downey, governor of California, to organize, equip, and have mustered into the United States service four regiments of infantry and one regiment of cavalry, and to place same at the disposal of General Sumner, U. S. Army, commanding the Department of the Pacific. Copy of said telegraphic requisition is hereto attached and marked Exhibit No. 5, page 31.

On August 15, 1861, the Secretary of War sent a further telegraphic request to the governor of California to make D. D. Colton a colonel of a cavalry regiment, with authority to organize as promptly as possible. Copy thereof is hereto attached and marked Exhibit No. 6, page 31.

Whereupon Hon. John G. Downey, as governor of California, on August 12, 1861, and August 23, 1861, issued his proclamations to organize said volunteers, copies of which are hereto attached and marked Exhibits Nos. 7 and 8, pages 31 and 32.

Governor Downey, in his message to the legislature of California on January 8, 1862, refers to the foregoing subject in the manner set forth in an extract therefrom, hereto attached and marked Exhibit No. 9, page 32.

Not only were Indians at this time in open war along the overland mail routes, extending from California to the Missouri River and upon their branch lines, but in many localities they were also hostile, and particularly in northern California and southern Oregon and eastern Nevada, and to such an extent, indeed, in California that after important calls by Governor Downey upon General E. V. Sumner, then in the command of the Department of the Pacific, the former in August and September, 1861, was compelled to call out volunteers to suppress Indian hostilities in the northern portion of California. In his message to the legislature in January, 1862, Governor Downey refers to this subject in the manner set forth in an extract therefrom, hereto attached and marked Exhibit No. 10, page 33.

As late as June 15, 1888, Governor Downey, in a sworn statement, again sets forth the reasons that led him to the issuance of such orders and accompanied same with copies of the orders by him then issued, and all of which are hereto attached and marked Exhibit No. 11, page 34.

While hostile Indians in California, Oregon, and Nevada, and along the main overland mail and emigrant routes leading thereto, rendered the situation serious, and such as, in the absence of the troops of the Regular U. S. Army (which had been mostly withdrawn from the Pacific coast States and Territories) to render California, Oregon, and Nevada volunteers absolutely necessary for the common defense; yet there were other causes of a still more serious character that gave great concern to the General Government, and so great as to justify the issuance of an important State paper, to wit, a circular letter, in fact a quasi proclamation by President Lincoln, on October 14, 1861, to the governors of the loyal States, through his Secretary of State, Mr. Seward.

SECRETARY SEWARD'S CIRCULAR LETTER TO THE GOVERNORS OF THE LOYAL STATES TO PUT THEIR RESPECTIVE STATES IN A STATE OF DEFENSE AT THEIR OWN EXPENSE AND TO RELY UPON THE GENERAL GOVERNMENT FOR REIMBURSING THE COST THEREOF.

On October 14, 1861, by direction of President Lincoln, Hon. William H. Seward, Secretary of State, addressed a circular letter to the governors of the loyal States calling upon them for assistance for the General Government, and to improve and perfect the defenses of their several States.

A copy of this letter was, on June 14, 1888, transmitted to the Senate of the United States by President Cleveland, in compliance with a resolution submitted by Senator Dolph and adopted by the Senate June 11, 1888, and printed as Senate Ex. Doc. No. 193, first session, Fiftieth Congress, a copy of which is hereto attached and marked Exhibit No. 12, page 35.

The receipt of this letter was duly acknowledged by Governor Downey on November 12, 1861, a copy of which is hereto attached and marked Exhibit No. 13, page 36.

Secretary Seward's said circular letter was duly communicated to the legislatures of these States, which thereupon took such action in regard thereto as they deemed at the time best for the defense of the General Government, and all of which is more in detail hereinafter recited.

NATIONAL ANXIETY.

So great was the anxiety of the War Department at Washington to know the military situation on the Pacific coast at that time that the

Secretary of War requested the governor of California to make him tri-monthly reports thereon, to wit, on the 10th, 20th, and 30th of each month, and to regard any request from the Adjutant-General of the Army as a request coming direct from the Secretary of War, as will appear from a copy thereof hereto attached and marked Exhibit No. 14, page 37.

The fear of foreign complications, and in such an event the great probability that a foreign enemy might select our Pacific coast States and Territories as their first and main point of attack, gave the General Government very great concern, and these fears, amounting almost to a conviction, so entertained by the national Government were fully shared in by the authorities and loyal citizens of those States; the want of protection on our Pacific coast, the very great need thereof, the absolute necessity for the Pacific coast States to put themselves in a state of defense as perfect as possible, and that, too, at their own expense temporarily was very keenly felt by the General Government, especially by General George Wright, U. S. Army, then commanding the Department of the Pacific. This conviction is fully evidenced by letters of General Wright of January 11, 1862, and of Secretary Seward of April 2, 1862, to Hon. Leland Staufford, governor of California, copies of which are hereto attached, and marked Exhibits Nos. 15 and 16, page 37.

And well might the United States War Department have been apprehensive, because the loyalty of many of the people of the State of California was, at that time, considered by some so doubtful that the Confederate authorities in Arizona and Texas believed that California was on the eve of a revolution, and only required very slight inducements to enable the majority of the people of that State to espouse the cause of the Confederate States. This is evidenced by the letter of General Paul O. Herbert, commanding the Confederate army in Texas, of November 25, 1861, to General Samuel Cooper, adjutant and inspector-general of the Confederate States at Richmond, Va., inclosing a letter of November 2, 1861, from Col. John R. Baylor, from the headquarters of the Confederate army, at Doña Aña, in Arizona, and of General Wright to General Carlton of January 31, 1862, copies of which taken from vol. 4 of the rebellion record, page 149, are hereto attached, and marked Exhibit No. 17, page 38.

#### CONSTRUCTION OF THE FIRST OVERLAND TELEGRAPH LINE STIMULATED BY CALIFORNIA.

The isolated position at that time of California, Oregon, and Nevada, the long distance from the seat of Government, the great anxiety and desire to be in immediate communication with the proper authorities of the United States, the desire of security and national welfare as an additional precaution for the common defense, induced the State of California to authorize the payment of a bonus of \$100,000 to the company that first built an overland telegraph line, and provided for the same by its act of May 10, 1861 (State Statutes of 1861, page 344), and gave precedence to all dispatches between the United States and the State authorities.

#### LEGISLATIVE ENACTMENTS OF CALIFORNIA.

The legislature of California, which convened in January, 1862, received, on the 8th of January, 1862, a special message of Governor Downey relating to Secretary Seward's said circular letter of October 14,

1861; and on January 10, 1862, Hon. Leland Stanford, governor of California, delivering his inaugural address to the legislature of California, sitting in joint convention for that purpose, referred to the exceptional military status of California, and in the manner as contained in an extract therefrom, copy of which is hereto attached, and marked Exhibit No. 18, page 39.

Among the first subjects to which the legislature of California, in 1862, therefore addressed itself was to ascertain the measures which in its judgment were necessary to place the State of California along its extended coast and in the interior in a secure condition of military defense, and thereby carry out the intention of the aforesaid circular letter of Secretary Seward, as by it interpreted, and also to comply with the communications of the officers of the Government of the United States in relation to the subject of the common defense.

In the prosecution of these purposes the legislature of California, on February 6, 1862, adopted Senate concurrent resolution No. 23, and on February 24, 1862, adopted Senate resolution No. 24, copies of which are hereto attached and marked Exhibits Nos. 19 and 20, pages 39 and 40. (Statutes of California, 1862, page 607.)

Again, the legislature of California, with a view of ascertaining the means of adapting the militia system of that State to the exigencies of the crisis in the affairs of the nation as same existed on February 25, 1862, adopted, on that date, Senate concurrent resolution No. 36, copy of which is hereto attached, and marked Exhibit No. 21, page 40. (Statutes of California, 1862, page 608.)

As sequences following the adoption of this resolution, and of the reports made in connection therewith, the legislature of California, on April 24, 1862 (Statutes of California, 1862, pages 362-383), passed an act entitled "An act in relation to the militia of the State," section 43 of which, amended on April 25, 1863, *provided for special military instructions for her volunteer troops by establishing regular military camps for such instructions*; copies of which section 43, as originally enacted April 24, 1862, and as amended April 25, 1863, and again amended on April 4, 1864, are hereto attached and marked Exhibit No. 22, page 40.

The reasons alleged in behalf of this expense on the part of California at that time for such military encampments for military instruction were to put all her volunteers, militia, and home guards in a state of immediate readiness and fitness to respond to the calls of the United States, which theretofore had been made and which might thereafter be made upon her for troops, and in the end as a measure of efficiency and true economy for the United States. Nor can the propriety of this expenditure on the part of the State of California for the United States, for the military instruction of her troops for contemplated actual service in the Army of the United States, be seriously questioned when it is remembered that in the early days of the late civil war months were consumed in imparting military instruction in drilling and organizing a large army concentrated on the south bank of the Potomac River. In fact the camps then occupied by said Army were practically encampments for military instructions, and though entailing a very large expense upon the United States, yet it was held that they were not only absolutely necessary to prepare the contingents from the several States, assembled then for the first time as Federal troops, for the coming conflict, but in fact as true economy of life and expense on the part of the General Government.

Similar reasons are officially set forth in an official communication addressed to Governor Downey by Lieut. J. L. Browne, of the Auburn

Greys, Auburn, Placer County, Cal., and in the official reports of General W. C. Kibbe, adjutant-general of the State of California, copies of which are hereto attached and marked Exhibit No. 23, page 41.

On April 26, 1862, in order to sustain a mounted battery of artillery for the defense of the city of San Francisco, the legislature enacted a special act for that purpose; copy of which is hereto attached and marked Exhibit No. 24, page 44.

#### THIRD CALL BY THE UNITED STATES FOR CALIFORNIA VOLUNTEERS.

Again, on January 13, 1863, the Secretary of War directed four companies of California cavalry to be raised and mustered into the military service of the United States, and on January 20, 1863, that four companies of native California cavalry should be raised in the Los Angeles district, California; copies of these orders are attached hereto and marked Exhibits Nos. 25 and 26, page 44.

#### FOURTH CALL BY THE UNITED STATES FOR CALIFORNIA VOLUNTEERS.

Again, on January 21, 1863, General Wright called on Governor Stanford, of California, to organize four companies of California volunteers for service against the hostile Indians in that State. See copy of said requisition attached hereto and marked Exhibit No. 27, page 45.

#### FIFTH CALL BY THE UNITED STATES FOR CALIFORNIA VOLUNTEERS

Again, on February 5, 1863, General George Wright made a requisition upon Governor Stanford, of California, for one additional regiment of California infantry, and seven companies of cavalry the latter to complete the organization of the First Regiment of California Cavalry, and also four companies of native California cavalry; copy of said requisition is attached hereto and marked Exhibit No. 28, page 45.

Whereupon Governor Stanford, on February 5, 1863, issued his proclamation therefor; copy of which is hereto attached and marked Exhibit No. 29, page 45.

#### SIXTH CALL BY THE UNITED STATES FOR CALIFORNIA VOLUNTEERS.

Again, on February 7, 1863, General George Wright, commanding the Department of the Pacific, made a requisition on Governor Stanford, of California, for six companies of California troops for special service against the Indians in the Humboldt district, to wit, the counties of Humboldt, Mendocino, Trinity, Klamath, Siskiyou, and Del Norte in the State of California. Whereupon Governor Stanford, on February 7, 1863, issued his proclamation for the same; copy of which is hereto attached and marked Exhibit No. 30, page 46.

#### ADDITIONAL LEGISLATIVE ENACTMENTS BY CALIFORNIA FOR THE COMMON DEFENSE.

The legislature of California at the date of the last-named proclamation being in session, again addressed itself to the peculiar exigencies as the same then existed. Gold and silver were then the only circulating medium in California, Oregon, and Nevada, paper money being more of an article of merchandise, and so depreciated from the gold standard of value as to be worth only about 50 cents in gold on the dollar.

In this condition of affairs the legislature of California on March 10, 1863, adopted concurrent resolution No. 3, impressing upon the President of the United States the necessity of all officers and enlisted men of the Army, and officers, sailors, and marines of the Navy of the United States, serving west of the Rocky Mountains and on the Pacific coast, being paid their salaries in gold and silver; copy of which resolution is hereto attached and marked Exhibit No. 31, page 46.

Again, on April 10, 1863 (Statutes of California, 1863, page 246), the legislature of California passed an act to assist in filling up the aforesaid regiments of California volunteers, and to aid certain volunteer officers thereof for that purpose, and appropriated the sum of \$24,260 for recruiting of volunteers in that State for that purpose; copy of which is hereto attached and marked Exhibit No. 32, page 47.

Again, on April 25, 1863, the legislature of California passed an act entitled "An act to appropriate money for the defense of the State" (Statutes of California, 1863, page 477), and appropriated the sum of \$100,000 for such defenses; copy of which is hereto attached and marked Exhibit No. 33, page 47.

Again, on April 27, 1863, the legislature of California passed an act entitled "An act for the relief of the enlisted men of California volunteers in the service of the United States;" copy of which is hereto attached and marked Exhibit No. 34, page 49.

A brief summary of some of the results that flowed from the foregoing legislation by California, enacted in consequence of the aforesaid circular letter of Secretary Seward and of the several requisitions and calls made upon her State authorities and as hereinbefore recited, are set forth in the annual reports of the adjutant-general of California for the years 1862 and 1863, extracts whereof are hereto attached and marked Exhibit No. 35, page 51.

The legislature of California being in session in 1864, and a devastating and relentless Indian war raging in certain counties in the northern portion of said State, the extent of which it was officially stated by the State of California "had never been fully realized nor properly considered by those whose duty it was to afford protection at the time," on February 6, 1864, adopted assembly concurrent resolution No. 12 (Statutes of California, 1864, page 545); copy of which is hereto attached and marked Exhibit 36, page 64.

#### FURTHER LEGISLATIVE ENACTMENTS BY CALIFORNIA FOR THE COMMON DEFENSE.

Again, on March 15, 1864, the legislature of California passed an act entitled "An act amendatory of and supplemental to an act entitled an 'Act for the relief of the enlisted men of the California volunteers in the service of the United States,' approved April 27, 1863;" copy of which is hereto attached and marked Exhibit No. 37, page 64.

The civil war still raging and the paper money of the United States, in which the California volunteers were paid, still diminishing in value on the Pacific coast, and the costs of nearly everything to eat and to wear and to use in said State increasing as the value of the United States currency diminished, the legislature of California, on April 1, 1864, adopted assembly concurrent resolution No. 30, praying the passage of a law by Congress by which the pay of the officers and enlisted men of the Army serving on the Pacific coast might be increased 30 per cent.; copy of which resolution is hereto attached and marked Exhibit No. 38, page 65.

If it be urged that this proposition was extraordinary in character, the reply might well be that the exigencies of the times were also ex-



traordinary, for though the value of the paper money of the United States in the Atlantic States had not fallen to so low a figure as it had in the Pacific Coast States and Territories, yet the Hon. Gideon Welles, Secretary of the Navy, issued an order by which the pay of the officers of the Navy and Marine Corps became increased just about the per cent. asked for by the California legislature for her volunteer troops then serving in the Army. This was done without warrant of any existing law at the time, but Congress subsequently ratified said act. Copy of said order is hereto attached and marked Exhibit No. 39, page 66.

Strange as the fact may appear, yet it was not until after the war had ended did Congress undertake to increase the pay of any portion of the Army by 33½ per cent., and this it did on March 2, 1867, and stranger still that when such an increase of 33½ per cent. was made it was limited *exclusively* to the officers of the Army below the rank of major-general, including the professors at West Point (see U. S. Stat., vol. 14, page 422).

So that even this increase failed to benefit those volunteer officers who served in the Army in California, Oregon, and Nevada during the years 1861, 1862, 1863, 1864, 1865, and who had been mustered out of the military service of the United States prior to March 2, 1867, when military service was the most onerous, severe, and hazardous, for this act was passed after such volunteer officers had been mustered out of the United States service and without being made applicable to any of them.

Again, on April 4, 1864, the legislature of California appropriated the sum of \$3,000 with which to remount a battery of guns; copy of which is hereto attached and marked Exhibit No. 40, page 66.

Again, the legislature of California, on April 4, 1864, passed an act entitled "An act to extend the provisions of an act entitled 'An act to appropriate sums for the defense of the State, approved April 25, 1863,'" and for this purpose appropriated the sum of \$80,000. Copy of this law is hereto attached and marked Exhibit No. 41, page 67.

Again, the State of California, on April 4, 1864, passed an act entitled "An act for the relief of the line officers of the California volunteers in the service of the United States," and appropriated the sum of \$65,000 with which to pay said officers for their services between the date of their commission by the State of California, and the date of their being mustered into service of the United States; and the State issued its bonds to pay the same. Congress, recognizing the justice of this class of claims at a much later date, passed a law on June 3, 1884, covering the same subject, and, as will be found on page 34, vol. 23, U. S. Stats., copy of this law as passed by the legislature of California is hereto attached and marked Exhibit No. 42, page 67.

Again, on April 4, 1864, the State of California passed an act entitled "An act granting bounties to volunteers of this State enlisted in the service of the United States, for issuing bonds, to provide means for the payment of the same, and to levy a tax to pay such bonds," and for this purpose appropriated \$2,000,000. Copy of this law is hereto attached and marked Exhibit No. 43, page 69.

#### ADDITIONAL CAUSES THAT LED TO FURTHER CALLS AND REQUISITIONS BY THE UNITED STATES FOR CALIFORNIA VOLUNTEERS.

Congress having on July 1, 1862, chartered the Union Pacific Railroad Company, to which, and also to the Central Pacific Railroad Company, aid was given by the United States to build one continuous line of railroad from the Missouri River to the Pacific Ocean through this

region of country, did, on July 2, 1864, still further foster these enterprises by additional grants. These two Pacific railroad companies thereupon placed in the field numerous corps of surveyors, civil engineers, and employes of all classes to explore the country through which it was proposed to build such Pacific railroad in the effort to discover the most practicable and economical continuous railroad route from the Missouri River to California, and to run trial and other lines and definitely locate the fixed lines of the two grand subdivisions of said railroad route. In regard to these roads the Secretary of War, in his annual report for 1864-'65, page 144, said :

It is, in a military sense, of the utmost importance that the Pacific railroad should be pressed to the earliest possible completion.

And in view of the great cost to the United States of military supplies and of the transportation thereof, the Secretary of War also stated that—

The troops operating on the great western plains and in the mountain regions of New Mexico, Colorado, Utah, and Idaho are supplied principally by the trains of the Quartermaster's Department from depots established on the great routes of overland travel, to which depots supplies are conveyed by contract. \* \* \*

Travelers by the stage from Denver to Fort Leavenworth, a distance of 683 miles, in the month of July, 1865, were never out of sight of wagon trains belonging either to emigrants or to the merchants who transport supplies for the War Department, for the Indian Department, and for the miners and settlers of the central Territories.

The cost of transportation of a pound of corn, hay, clothing, subsistence, lumber, or any other necessary from Fort Leavenworth—

To Fort Riley is.....	\$0. 0244
To Fort Union, the depot for New Mexico.....	. 1425
To Santa Fé, N. Mex.....	. 1685
To Fort Kearny.....	. 0644
To Fort Laramie.....	. 1410
To Denver City, Colo.....	. 1542
To Salt Lake City, Utah.....	. 2784

The cost of a bushel of corn purchased at Fort Leavenworth and delivered at each of these points was as follows:

Fort Riley.....	\$2. 70
Fort Union.....	9. 44
Santa Fé.....	10. 84
Fort Kearny.....	5. 03
Fort Laramie.....	9. 26
Denver City.....	10. 05
Great Salt Lake City.....	17. 00

(Secretary of War's report, 1865-'66, part 1, pages 23 and 112; also see General Halleck to Adjutant-General, and General McDowell to Adjutant-General U. S. Army, report of Secretary of War, October 18, 1866, pages 31 and 32.)

#### SEVENTH CALL BY THE UNITED STATES FOR CALIFORNIA VOLUNTEERS.

The exploration and definite location for said Pacific Railroad Route through that region of country, then mostly uninhabited except by large tribes and roving bands of hostile Indians, called for additional military protection and rendered it necessary for the United States to again call upon California to raise additional troops; wherefore, on September 24, 1864, General Irwin McDowell, commanding the Department of the Pacific, made requisition upon Governor Low of California for an additional regiment of California infantry. Whereupon Governor Low, on September 24, 1864, issued his proclamation therefor, copy of which is hereto attached and marked Exhibit No. 44, page 72.

## EIGHTH CALL BY THE UNITED STATES FOR CALIFORNIA VOLUNTEERS.

Again, on November 16, 1864, General Irwin McDowell made a requisition upon Governor Low of California for an additional regiment of California infantry. Whereupon Governor Low, on November 16, 1864, issued his proclamation therefor. Copy of same is hereto attached and marked Exhibit No. 45, page 73.

## STILL FURTHER LEGISLATIVE ENACTMENTS BY CALIFORNIA FOR THE COMMON DEFENSE.

Again, on March 31, 1866, the legislature of California passed an act entitled "An act to appropriate money for the payment of the claims of the California volunteers," and appropriated the sum of \$550,000 for such purpose. Copy of said law is hereto attached and marked Exhibit No. 46, page 74.

The various operations of California's volunteers, so organized for the service of the United States and such of them as were subsequently enlisted and mustered into the service of the United States, are fully set forth in a special report of the adjutant-general of California to the governor thereof, on November 20, 1867; and the costs thereof are set forth in a special report of the controller of California, addressed to the Governor thereof, on November 4, 1867, copies of both of which are hereto attached and marked Exhibits No. 47 and 48, pages 75 and 79.

## CALIFORNIA'S VOLUNTEER ARMY AGGREGATES NEAR 10,000 MEN

Under the various calls, requisitions, and requests, as hereinbefore recited, a large California volunteer army was placed in a state of preparation and readiness for immediate service for the United States, and of these troops thus prepared there were duly enlisted and actually mustered into the service of the United States 8 regiments of infantry, 2 regiments of cavalry, 1 battalion of 6 companies of mountaineers, 1 native cavalry battalion of 4 companies, aggregating nearly 10,000 men, besides other independent companies called out, and which performed military service by special orders, as hereinbefore recited, and as is more particularly set forth in an extract from the Volunteer U. S. Army Register, 1861 to 1865, Part VII, pages 328 to 344, hereto attached and marked Exhibit No. 49, page 79.

## CALIFORNIA VOLUNTEERS—WHERE SERVING.

Some of the fields of active military operations occupied by these California volunteer troops will be found set forth *in extenso* in Volume IX, pages 554 to 683, inclusive, and Volume XV, pages 574 to 725, inclusive, series 1, "War of the Rebellion: Official Records of the Union and Confederate Armies."

## CALIFORNIA'S REBELLION STATE WAR CLAIM.

The total principal of the war claim of the State of California for actual expenditures made and paid by her in gold coin during the war of the rebellion, and as heretofore presented as her claim against the United States, and now of record in the War Department, aggregates the sum of \$2,938,623.72.

The character and extent of the war claims of the State of California, as far as the same had been paid by California up to January 17, 1866,

were set forth in a report made on that date by Hon. George Oulton, State controller, to Hon. F. F. Low, governor of California, when responding to an official letter of inquiry addressed to him relative thereto by Hon. James G. Blaine, when Speaker of the House of Representatives, copy of which report is hereto attached and marked Exhibit No. 50, page 81.

While in some respects many of the foregoing recitals are applicable alike to California, Oregon, and Nevada, they, however, relate more particularly to the war claims of the State of California, and those matters which more particularly relate to the similar claims of the State of Oregon and Nevada, and Nevada when a Territory, provided for in this bill, are now submitted as follows, to wit:

#### OREGON'S STATE WAR CLAIMS.

The threatening attitude of the Indians east of the Cascade Mountains in Oregon in 1861, and the withdrawal from Oregon of fourteen companies of the regular Army of the United States serving therein prior to September 12, 1861, thereby leaving the number of troops necessary for the protection against Indians of the settlements in Oregon inadequate, made it necessary for General Wright, commanding the military district of Oregon, on September 12, 1861, to address a letter to the governor of Oregon, making a requisition upon him for one company of Oregon mounted volunteers, who were to furnish their own horses and horse equipments, and who were to be paid by the United States for the use and risk of same, and such allowances as were then or that thereafter might be established by law for the same. A copy of this letter and requisition is hereto attached, and marked Exhibit No. 51, page 82.

Thereupon, on September 16, 1861, the governor of Oregon issued a proclamation for such Oregon volunteer company, and duly appointed A. P. Dennison recruiting officer, for the purpose of recruiting the same. Copy of this proclamation is hereto attached and marked Exhibit No. 52, page 83.

#### SECOND CALL OF THE UNITED STATES FOR OREGON VOLUNTEERS.

On October 23, 1861, the War Department having decided to raise a full regiment of cavalry for the United States service in the military district of Oregon, ordered the raising of the aforesaid Oregon volunteer company to be suspended and as will appear from copies of orders of General Wright, headquarters of the Pacific, October 23, 1861, and orders for Colonel Cady, headquarters District of Oregon, Fort Vancouver, W. T., of November 1, 1861, copies of which are hereto attached and marked Exhibits No. 53 and 54, page 83.

But in the mean time sundry expenses seem to have been necessarily incurred and necessary obligations assumed in the recruiting of said volunteer company, aggregating the sum of \$1,985.25, which have never been paid by the United States. An abstract of this expenditure is hereto attached and marked Exhibit No. 55, page 84.

The necessity for a separate and independent military department that would include Oregon and the adjoining Territories, so as to exercise a direct military control over that very important region of our farthest Northwest, seemed to the people of Oregon so great that on October 14, 1862, the legislature of Oregon adopted a memorial to Congress to that effect, a copy of which is hereto attached and marked Exhibit No. 56, page 85.

Again, in order to inform Congress of the protection needed from Indians in Oregon, the legislature of that State further memorialized Congress on October 17, 1862, and indicated by joint resolutions Nos. 6 and 17 the several special points in said State where such protection was most needed or where greater danger of attack was most imminent. Copies of this memorial and joint resolutions are hereto attached and marked Exhibits Nos. 57, 58, and 59, page 86.

The danger of internal commotion, foreign complications, if not foreign war, and trouble with the Indians in Oregon in 1861 and 1862 are clearly set forth by Hon. John Whiteaker and Hon. A. C. Gibbs, governors of Oregon, in their respective messages to the legislature of Oregon, extracts of which are hereto attached and marked Exhibit No. 60, page 86.

### THIRD CALL BY THE UNITED STATES FOR OREGON VOLUNTEERS.

On October 20, 1864, General Irwin McDowell, commanding the Division of the Pacific, made requisition upon the governor of Oregon for one regiment of Oregon infantry. Copy of said requisition is hereto attached and marked Exhibit No. 61, page 86.

The true condition of the military situation in Oregon at this time may be correctly gathered from the message of Governor Gibbs, of Oregon, to the legislature of that State on September 15, 1864, extract of which is hereto attached and marked Exhibit No. 62, page 87.

The faithful and gallant manner in which Oregon's volunteers served the United States is fully set forth in house joint resolution No. 23 of the legislature of that State, copy of which is hereto attached and marked Exhibit No. 63, page 87.

### LEGISLATIVE ENACTMENTS BY OREGON FOR THE COMMON DEFENSE.

In evidence of the character of some of the necessary expenses incurred by the State of Oregon in responding to the calls and requisitions made by the United States upon her State authorities for Oregon troops, and of the legislation made necessary to meet the military necessities as the same existed in Oregon at that time, copies of certain acts passed by the legislature of Oregon are hereto attached and marked Exhibits Nos. 64, 65, 66, 67, 68, and 69, pages 88 and 89.

### MILITARY SITUATION IN OREGON FROM APRIL, 1861, TO SEPTEMBER, 1866.

The military situation of affairs in Oregon from the beginning of the rebellion to September, 1866, is quite fully set forth in the annual reports of the adjutant-general of that State, made September, 1863, September, 1864, and September, 1865, extracts from which are hereto attached and marked Exhibits Nos. 70, 71, and 72, pages 93, 96, 99.

It will be here specially observed that the State of Oregon did not have prior to, and has not had since, the affairs growing out of the rebellion have been practically closed up in that State, any adjutant-general *eo nomine*; thus showing quite conclusively that the services of such an officer during the period of the rebellion were made necessary by virtue only of the exigencies of that particular period. And in the State of California her encampments for the military instruction of her volunteers, militia, and home guards never existed prior to the rebellion, and were dispensed with at the end of the rebellion, and have never

been maintained since that time for similar purposes, thus also showing quite conclusively that such encampments for military instructions during the period of the rebellion were made necessary by virtue only of the exigencies of that particular period.

The alacrity with which the citizens of the State of Oregon, who were never drafted, who never furnished military substitutes, responded to the calls and requisitions made upon her State authorities by the United States for troops for its service is fully set forth in the message of Governor Gibbs of Oregon to the legislature of that State, convened in special session on December 5, 1865, extracts from which message are hereto attached and marked Exhibit No. 73, page 102.

#### OREGON'S VOLUNTEER ARMY.

The Oregon volunteers thus raised for the United States service, as hereinbefore recited, consisted of one regiment of cavalry and one regiment of infantry and one independent company, and the nature of the services by them performed is partially set forth on pages 376-377, part VII, of the Volunteer Army Register, 1861 to 1865, extracts of which are hereto attached and marked Exhibit No. 74, page 102.

The manner in which the services of said Oregon volunteers were performed is amply set forth in the final report of the adjutant-general of Oregon at the end of the war made to Governor Gibbs on September 1, 1866, extracts of which are hereto attached and marked Exhibit No. 75, page 102.

#### FIELDS OF OPERATIONS OF OREGON'S VOLUNTEERS.

The posts, garrisons, camps, and other points where Oregon's said volunteers thus raised were stationed during the war are set forth in a report of the Adjutant-General of the United States Army addressed to the governor of Oregon on October 20, 1887, copy of which is hereto attached and marked Exhibit No. 76, page 109.

Other official information pertaining to this particular claim of the State of Oregon was called for by Hon. Sylvester Pennoyer, governor of Oregon, on September 30, 1887, but was not furnished to him because of the alleged voluminous nature of the records and the want of adequate clerical assistance, all of which will appear from the exhibit hereto attached and marked No. 77, page 114.

On June 11, 1888, this same information was therefore called for by a resolution introduced in the Senate by Senator Dolph, and to which resolution the Secretary of War responded, as will appear from Exhibit No. 78, hereto attached, page 114.

#### OREGON'S REBELLION STATE WAR CLAIM.

The total war claim of the State of Oregon for actual expenditures made and paid by her in gold coin during the war of the rebellion, and as heretofore presented as her claim against the United States, and now of record in the Treasury Department, aggregate the sum of \$390,820.10.

Some of the motives that influenced the legislature of Oregon during the war of the rebellion to enact the several laws hereinbefore recited and that dictated the manner in which the State officers deemed it best and wisest to execute the same are set forth in a sworn statement of General Cyrus A. Reed, the adjutant-general of Oregon during the whole war period, copy of which is hereto attached and marked Exhibit No. 78½, page 116.



## NEVADA'S REBELLION STATE WAR CLAIM.

The total war claim of the State of Nevada and Nevada when a Territory for actual expenditures made and paid by her during the war of the rebellion, and as heretofore presented as her claim against the United States and now of record in the Treasury Department, was fully set forth in Senate Report No. 1286, Fiftieth Congress, first session, made May 14, 1888, from the Senate Committee on Military Affairs and therefore need not be repeated in this report. Said claim amounts to the sum of \$341,137.88, and was paid by Nevada in gold coin. To avoid repetition said report is now, therefore, specially referred to and made a part of this statement in support and explanation of the State war claim of the State of Nevada and of Nevada when a Territory.

## INTEREST.

Interest paid by California, Oregon, and Nevada is in reality, in justice, in reason, and in law a proper part of the debt due them by the United States, the payment of which, together with that of the principal, is necessary to a complete indemnity. As to the reimbursement of interest, claimed in these cases to have been paid by the States of California, Oregon, and Nevada upon the principal by them borrowed with which to pay these claims and obligations, it is deemed unnecessary to here elaborate any of the reasons for recommending the allowance of this portion of said claims. It is sufficient to cite said Senate Report No. 1286, first session Fiftieth Congress, in behalf of a similar claim of the State of Nevada. In that report are set forth numerous reasons for this legislation and numerous authorities in support thereof are therein cited. The following pages in said Senate report are particularly referred to, to wit, pages 8, 11, 17, 18, 19, 83, 85, 86, 96, 98, 109, 112, 119, 120, 133, 134, 135, 137, 138, 144, and 145.

The following exhibits in said Senate Report No. 1286, first session, Fiftieth Congress, are specially referred to:

*Exhibit No. 7.*—Precedents of cases authorizing payment of claims of States and Territories and to State and Territorial troops for moneys by them expended for troops and arising out of invasion and Indian hostilities when doing military duty for the United States. Page 37.

Precedents of cases for the payment of claims to States for moneys by them expended for troops doing military service for the United States and arising out of the Revolutionary war. Page 42.

Precedents of cases authorizing re-imbursements to States and Territories for expenses by them incurred on account of the troops by them raised or doing service for the United States during the war of the rebellion. Page 43.

Precedents of cases authorizing payment of interest on principal expended by States for troops for the use and benefit of the United States during the war of 1812 where the principal had been already paid at prior dates. Page 110.

*Exhibit No. 18.*—Precedents of cases allowed by Congress to States for moneys by them expended for troops for the use and benefit of the United States after having been disallowed by accounting officers of the Treasury, and for interest on similar claims presented which were allowed without interest. Page 96.

*Exhibit No. 19.*—Senate report in support of the proposition that principal and interest are the two elements constituting one and the same unit of a complete indemnity of a claim. Page 98.

*Exhibit No. 20.*—Precedents of cases where interest was allowed in the same act allowing principal to States by them expended for troops doing military service for the United States. Page 100.

*Exhibit No. 21.*—Congressional reports citing authorities in support of claim for interest upon principal expended by States to furnish and pay troops doing military service for the United States.

AGGREGATE OF THE STATE WAR CLAIMS OF CALIFORNIA, OREGON,  
AND NEVADA.

All the State war claims of California, Oregon, and Nevada, and Nevada when a Territory, against the United States not heretofore reimbursed by the United States and provided for under this bill (S. 3420) aggregate as follows, to wit:

(1) Oregon's State war claim arising subsequent to April 15, 1861.....	\$390, 820. 10
(2) California's State war claim arising subsequent to April 15, 1861..	2, 938, 623. 72
(3) Nevada's State war claim arising subsequent to April 15, 1861.....	341, 137. 88

Aggregating a total of..... 3, 670, 581. 70

RESULTS OF THE LEGISLATION BY CALIFORNIA, OREGON, AND NE-  
VADA.

By the legislative enactments of California, Oregon, and Nevada substantial and effectual aid was given and guaranteed by them to the Government of the United States in opening and guarding its overland mail and emigrant routes, protecting the railroad surveys made for the location of the preliminary and fixed lines of the proposed transcontinental railroad; in furnishing troops to take the place of the regular United States Army during the war of the rebellion in field, garrison, camp, and fort; for suppressing Indian hostilities along an exposed, difficult, hostile Indian frontier then but sparsely populated; in maintaining peace in the country inhabited by the Mormons; and for the common defense as contemplated in said circular letter of Secretary Seward. The legislative enactments by which these national results for the common defense were secured were fully known to the proper authorities of the United States and to Congress; they have ever been acquiesced in and met with the sanction and practical indorsement of the United States, in whose interest and for whose benefit they were exclusively made.

These States allege that as an act of simple justice and as an equitable equivalent only for services rendered and to be rendered by their volunteers for an irregular, hazardous, exposed, and expensive service in mountains and on desert plains, and to assist them to some extent in maintaining families dependent upon them for support, they came to the aid of their own volunteers when they were in the actual active service of the United States only, and advanced to them additional pay, and under the language of their statutes "relief and bounty," but only to such an extent as was made in their judgment necessary by the exigencies of the times, believing that the United States would respond and willingly reimburse the same when so asked. The volunteers of California, Oregon, and Nevada who did military service for the United States were compelled in many cases to abandon employments in which their wages were lucrative and services continuous, so that nothing less than the individual patriotism of these volunteers enabled these States to promptly respond to every call and requisition made upon them for troops by the United States.

The foregoing therefore substantially constitutes the State war claims of the States of California, Oregon, and Nevada against the United States, and sets forth generally the circumstances under which said claims arose and for which this substitute bill (S. 3420) seeks to provide.

THE AUTHORITY OF AND PRECEDENTS FOR THE UNITED STATES TO PAY THE STATE WAR CLAIMS OF CALIFORNIA, OREGON, AND NEVADA AGAINST THE UNITED STATES.

The foregoing legislative enactments of California, Oregon, and Nevada, and the various executive acts done under them in the execution thereof, when complying, according to their own methods, with the various calls and requisitions of the United States for troops, have resulted in the expenditure of a large sum of money, which constitutes the present State war claims of Oregon, California, and Nevada against the United States. The authority upon which these State war claims rest is found in the fourth section of the fourth article of the Constitution of the United States, which provides that—

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature can not be convened), against domestic violence.

And upon the latter part of the tenth section of the first article of the Constitution, which is as follows:

No State shall, without the consent of Congress, lay any duty on tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded or in such imminent danger as will not admit of delay.

And also upon the act of July 28, 1795, chapter 36, section 1, page 424, now section No. 1642, U. S. Revised Statutes, which provides that—

Whenever the United States are invaded or are in imminent danger of invasion from any foreign nation or Indian tribe, or of rebellion against the authority of the Government of the United States, it shall be lawful for the President to call forth such number of the militia of the State or States most convenient to the place of danger or scene of action, as he may deem necessary to repel such invasion or to suppress such rebellion, and to issue his orders for that purpose to such officer of the militia as he may think proper.\*

In reference to the foregoing the courts have held that—

When a particular authority is confided to a public officer, to be exercised by him in his discretion, upon an examination of the facts of which he is made the appropriate judge, his decision upon the facts, in the absence of any controlling provision, is absolutely conclusive as to the existence of those facts (*Allen vs. Blunt*, 3 Story, U. S. Circuit Court Reports, 745).\*

And again the supreme court of the State of New York (Hon. Chancellor Kent presiding as chief justice) held in the case of *Vanderheyden vs. Young*, 11 Johnson's New York Reports, 157, that—

It is a general and sound principle that when the law vests any person with a power to do an act, and constitutes him a judge of the evidence on which that act may be done, and at the same time contemplates that the act is to be carried into effect through the instrumentality of agents, the person thus clothed with power is invested with discretion and is *quoad hoc* a judge.

His mandates to his legal agents on his declaring the event to have happened will be a protection to those agents, and it is not their duty or business to investigate the facts thus referred to their superior and to rejudge his determination.\*

The United States Supreme Court in *Martin vs. Mott*, 12 Wheaton, 19, unanimously held—

That the authority to decide upon what occasions and upon what emergencies Federal calls should be made and Federal assistance given "belongs exclusively to the President, and that his decision is conclusive upon all other persons."\*

\* NOTE.—The acts of heads of Departments of the Government are in law the acts of the President (*Wilcox vs. Jackson*, 13 Peters, 498).

And Chief Justice Taney, in *Luther vs. Borden* (7 Howard), referred approvingly to the opinion of the United States Supreme Court in *Martin vs. Mott*, as expressed in these words:

That whenever a statute gives a discretionary power to any person to be exercised by him upon his own opinion of certain facts, it is a sound rule of construction that the statute constitutes him the sole and exclusive judge of the existence of those facts.\*

The obligations arising under these provisions of the Constitution and laws and decisions have been recognized by the Government from its foundation as will fully appear from the authorities cited by Senator Dolph in a report made by him from the Senate Committee on Claims on February 25, 1885 (Forty-eighth Congress, second session), Report No. 1438. These authorities are printed in the appendix to Senate Report No. 1286, Fiftieth Congress, first session, marked Exhibit No. 7, page 37, *et sequiter*.

#### DILIGENCE OF CALIFORNIA, OREGON, AND NEVADA IN THESE PREMISES.

California, Oregon, and Nevada have not slept upon their rights in any of these premises, nor have they been guilty of any laches; on the contrary, at all proper times they have brought these claims to the attention of Congress by all appropriate methods; by acts, memorials, resolutions, petitions of their legislatures, and reports of their State authorities; through their Senators and Representatives in Congress, and by representations of their counsel and agent for several years last past, the evidence of all of which is fully set forth in the several exhibits attached hereto or referred to herein.

#### PROCEEDINGS IN CONGRESS IN 1881-'82 TO REDEEM SOME OF THE OBLIGATIONS OF THE UNITED STATES DUE TO CALIFORNIA, OREGON, AND NEVADA IN THIS CASE.

The circumstances under which the expenditures provided for in this bill were made by these States being exceptional, and their re-imbusement not being provided for by any existing law, general or special, prior to June 27, 1882, Senator Grover, of Oregon, on December 12, 1881, introduced Senate joint resolution No. 10, and Senator Fair, of Nevada, on December 13, 1881, introduced Senate joint resolution No. 13, providing for the equitable adjustment of the State war claims of Oregon and Nevada, which resolutions were referred to the Committee on Military Affairs. Copies of said resolutions are hereto attached and marked Exhibit No. 79, page 118.

That committee, instead of reporting back said joint resolutions, reported back in lieu thereof a substitute in the form of bill S. 1673, providing for the payment of certain war claims of Texas, Oregon, and Nevada, and the Territories of Idaho and Washington, and which bill, after having been amended in the Senate so as to include Colorado, Nebraska, and California, and amended in the House so as to include Kansas, finally resulted in the passage of the act approved June 27, 1882.

It was then no doubt the intention of Congress to equitably provide for the re-imbusement of all the money which California, Oregon, and Nevada, and Nevada when a Territory, had actually expended during and subsequent to the war of the rebellion, and on account of the sev-

\* NOTE.—The acts of heads of Departments of the Government are in law the acts of the President (*Wilcox vs. Jackson*, 13 Peters, 498).

eral matters recited in this substitute (S. bill 3420). This bill (S. 1673, Forty-seventh Congress, first session) was accompanied by a report (No. 575) made by Senator Grover May 12, 1882, from which the following is quoted:

OREGON.

It appears by the report of the Adjutant-General U. S. Army, of April 3, 1882, that one regiment of cavalry, one regiment of infantry, and one independent company of cavalry were raised in the State of Oregon during the late war of the rebellion, and that the expenses incident thereto have never been re-imbursed said State by the United States; and that the claims therefor have never been heretofore presented by said State for audit and payment by the United States, as per report of the Secretary of War of April 15, 1882, and of the Third Auditor of the Treasury of April 8, 1882. Under section 3489 of the Revised Statutes, the claim for expenditures so incurred by said State can not now be presented for audit and payment without legislation by Congress. In addition thereto there are some unadjusted claims of said State growing out of the Bannock and Umatilla Indian hostilities therein in 1877 and 1878, evidenced by a communication of the Secretary of War of date last aforesaid, and some unadjusted balances pertaining to the Modoc war, not presented for audit to General James A. Hardie, approximating the sum of \$5,000.

NEVADA.

It appears by the report of the Adjutant-General U. S. Army, of February 25, 1882, that one regiment of cavalry and one battalion of infantry were raised in the late Territory of Nevada during the late war of the rebellion, and that the expenses of raising, organizing, and placing in the field said forces were never paid by said Territory, but were assumed and paid by the State of Nevada, and that none of said expenses so incurred by said Territory, and assumed and paid by said State, have ever been re-imbursed the State of Nevada by the United States, and that no claims therefor have ever been heretofore presented by either said Territory or said State for audit and payment by the United States. Under section 3489 of the Revised Statutes, heretofore referred to, the payment of these claims is barred by limitation.

These forces were raised to guard the overland mail route and emigrant road to California, east of Carson City, and to do other military service in Nevada, and were called out by the governor of the late Territory of Nevada upon requisitions therefor by the commanding general of the Department of the Pacific, and under authority of the War Department, as appears by copies of official correspondence furnished to your committee by the Secretary of War and the general commanding the Division of the Pacific. \* \* \*

The Senate Committee on Military Affairs did not make any report in relation to the State war claims of the State of California, but when this substitute bill (S. 1673) reported from that committee, was under consideration in the Senate, Senator Miller, of California, called attention to the fact that California had war claims unprovided for, and on his motion this bill (S. 1673) was amended in the Senate so as to include California, but Senator Miller did not make any reference to the fact that the State of California had also Indian war claims which arose principally prior to April 15, 1861, the date named in said bill, prior to which date no provision was made for any State war claim of any of the States named therein. It is alleged by California, Oregon, and Nevada that this act, which they believed was intended at the date of its passage by Congress to be an act for their relief and benefit and as an equitable statute to be liberally construed, has been found to be an act "so well and carefully and closely guarded" by restrictions that when construed by those who have been called upon to execute it as to be completely inoperative as an equitable relief measure, and so much so as to amount to a practical denial of justice.

PRESENTATION BY CALIFORNIA, OREGON, AND NEVADA OF THEIR STATE WAR CLAIMS TO THE UNITED STATES.

The aforesaid bill (S. 1673) having become a law June 27, 1882, the State war claims of California, Oregon, and Nevada were thereafter duly prepared for presentation to the proper authorities of the United

States. Statements in relation to these State war claims were prepared with great care in every case, those of Oregon having been originally prepared by Hon. R. P. Earhart, secretary of state for Oregon and *ex-officio* adjutant-general. Those for Nevada were prepared by Hon. I. F. Hallock, controller of Nevada. Those for California were prepared by Hon. John Dunn, controller, assisted by his deputy, Hon. M. J. O'Reilly, and by Hon. D. I. Oullahan, treasurer, and General George B. Cosby, adjutant-general of California, aided therein by Hon. George Stoneman, governor of California, and his private secretary, Hon. W. W. Moreland.

The State war claims of these three States, accompanied with proper original vouchers and evidence in support thereof, were thereafter duly delivered to Capt. John Mullan, the duly appointed agent and special counsel for each of said three States, by whom they were put in abstracts and proper shape and duly presented by him to the Secretary of the Treasury and Secretary of War, as provided for in the act of Congress approved June 27, 1882.

#### DELAY OF THE UNITED STATES IN THE EXAMINATION OF CALIFORNIA, OREGON, AND NEVADA STATE WAR CLAIMS AND THE CAUSES THEREOF.

These State war claims, with said vouchers and evidence, so presented to the Secretary of the Treasury and Secretary of War for examination, remained of record unacted on up to and after August 4, 1886, because, as was stated to Congress by Hon. Robert T. Lincoln, Secretary of War, he required the aid of a board of at least three army officers to assist his Department in such examination, and he requested Congress to make an appropriation of \$25,000 to defray the expenses of such examination of the different State and Territorial claims presented and to be presented under the act of June 27, 1882. Congress delayed action upon the requests of the Secretary of War until August 4, 1886, on which date acts were passed providing for said board of army officers, as asked for, and also appropriating \$10,000 to defray the expenses of said examinations (see vol. 24, Stats. at Large, pages 217 and 249).

#### SECRETARY LINCOLN'S CONSTRUCTION OF THIS ACT OF JUNE 27, 1882, FOR THE RELIEF OF NEVADA, ETC.

Prior to any action by the War Department on these State war claims of the States of Oregon, California, and Nevada, and prior to any actions by Congress on the request of the Secretary of War for a board of army officers to examine said claims, a bill was introduced in Congress by Senator Jones, of Nevada, and referred to the Secretary of War for a report, providing for the payment of certain individual claims of citizens of Nevada on account of Indian hostilities in Nevada in 1860, upon which the Secretary of War reported as follows:

WAR DEPARTMENT,  
Washington City, January 26, 1884.

SIR: In response to so much of your communication of the 22d ultimo as requests information concerning Senate bill 657, "to authorize the Secretary of the Treasury to adjust and settle the expenses of Indian wars in Nevada," I have the honor to invite your attention to the following report of the Third Auditor of the Treasury, to whom your request was duly referred:

"The State of Nevada has filed in the office abstracts and vouchers for expenses incurred on account of raising volunteers for the United States to aid in suppressing the late rebellion amounting to \$349,697.49, and for expenses on account of her militia in the 'White Pine Indian war' of 1875, \$17,650.98. Also, expenses of her militia in the



'Elko Indian war' of 1878, amounting to \$4,654.64; presented under act of Congress approved June 27, 1882 (22 Statutes, 111, 112).

"These abstracts and vouchers will be sent to your Department for examination and report as soon as they can be stamped, as that statute requires a report from the Secretary of War as to the necessity and reasonableness of the expenses incurred. This statute is deemed sufficiently broad enough to embrace all proper claims of said State and Territory of Nevada."

Very respectfully, your obedient servant,

ROBERT T. LINCOLN,  
*Secretary of War.*

Hon. S. B. MAXEY,  
*Of Committee on Military Affairs, United States Senate.*

In accordance with this letter the Committee on Military Affairs reported back the bill referred to (S. 657), and asked that it be indefinitely postponed, and because of the explanation made by said committee, as follows, to wit:

It will be observed that it is deemed by the Department that the act approved June 27, 1882, is sufficiently broad to embrace all proper claims of Nevada, whether as State or Territory.

For convenience of reference the above act accompanies this report, and an examination thereof, and of the construction thereon, satisfies the committee that no additional legislation is necessary.

The State of Kansas presented her claim to Secretary Lincoln under this act, which claim was by him examined, audited, and allowed for almost exactly the sum that Kansas had actually expended for the use and benefit of the United States, and all of which allowance has since been paid to Kansas by the United States, and aggregating the sum of \$322,308.13 (23 U. S. Stats., 474) as allowed and paid to said State by the United States.

AFTER OVER FOUR YEARS DELAY, SUBSEQUENT TO THE PASSAGE OF THE ACT OF JUNE 27, 1882, THE UNITED STATES TAKES UP NEVADA'S STATE WAR CLAIM FOR EXAMINATION, WHEN THE VERY FIRST QUESTION RAISED IS ONE OF JURISDICTION, AND WHICH IS DECIDED AGAINST NEVADA.

After the passage of said act of August 4, 1886, the War Department detailed a board of three Army officers under Special Orders No. 232, dated October 6, 1886, to proceed to examine the claims arising under the act of June 27, 1882, and in the manner contemplated and as provided for in said acts. The State war claim of the State of Nevada was the first claim examined by said board. This board being in doubt whether, under the terms of said act of June 27, 1882, they could allow a reimbursement to Nevada of the amount by her expended for interest and extra pay to her troops while in the military service of the United States, referred these two questions to the Secretary of War for his decision. On February 8, 1887, after argument was submitted to said Secretary in support of these two elements of Nevada's State war claim against the United States, that officer decided "that after a careful consideration of the subject" he was "of opinion that neither the extra pay nor the interest can, under the provisions of the act, be allowed," meaning the act of June 27, 1882, and refused the same, as appears from the correspondence following, to wit:

DECISION OF THE SECRETARY OF WAR DISALLOWING THE STATE WAR CLAIM OF NEVADA FOR INTEREST AND EXTRA PAY TO NEVADA VOLUNTEERS.

WAR DEPARTMENT,  
*Washington City, February 8, 1887.*

SIR: The Department has received your communications of December 31, 1886, and January 28, 1887, submitting arguments in the claim of the State of Nevada, under

the act of June 27, 1882, for re-imbusement of amounts paid by the State for "extra pay" and for interest. Also, your communication of the 2d instant, inclosing a resolution of the senate and assembly of Nevada, requesting favorable and early action on said claim.

In reply, I have the honor to inform you that after a careful consideration of the subject, I am of opinion that neither the extra pay nor the interest can, under the provisions of the act, be allowed.

Very respectfully,

WILLIAM C. ENDICOTT,  
*Secretary of War.*

JOHN MULLAN, Esq.,  
*Agent of the State of Nevada, 1101 G Street N. W., City.*

It will be borne in mind that on January 26, 1884, Secretary Lincoln was of opinion that said act of June 27, 1882, was sufficiently broad to embrace all proper claims of the State of Nevada, and the Committee on Military Affairs, in consequence thereof, reported to the Senate that that committee was satisfied that no additional legislation was necessary in regard thereto, while Secretary Endicott, on February 8, 1887, decided that the claims of the States and Territories named in said act for expenditure for interest and extra pay to their troops while in the service of the United States could not be allowed by him under said act.

This decision of Secretary Endicott in the case of the State of Nevada, to the effect that "under the provisions of the act of June 27, 1882, he had no jurisdiction to allow interest paid by that State upon the principal by her expended, nor the extra pay made by her to her State troops while they were in the service of the United States," became practically a decision *a priori* in the case of the State war claims of the State of California, and effectually disposed of these two similar items in the claims of that State. In addition thereto the Secretary of War, on November 8, 1887, upon a statement made to him by the chief of the board of war claims examiners, also decided that he had no jurisdiction to adjudicate Oregon's State war claim, which claim also contained similar items for interest and extra pay, and thus the Secretary's aforesaid decision in the Nevada case also practically disposed of these two similar items in Oregon's claim, so far as his Department was concerned. This fully appears in the letter of the Secretary of War of November 8, 1887, to Col. James Biddle, chief examiner of said board, copy of which letter is hereto attached and marked Exhibit No. 80, page 119.

Oregon's State war claim was in consequence of the foregoing action of the Secretary of War transmitted by the Secretary of War to the Treasury Department for adjudication on November 9, 1887, under the act of July 27, 1861, but the Third Auditor, on March 10, 1888, disallowed the whole of said claim, not allowing a single cent of any portion of the total amount so presented, which claim aggregated, as hereinbefore set forth, the sum of \$390,820.10 (this Oregon war claim being the identical one as herein discussed by your committee). This disallowance of the Third Auditor was based upon an alleged want of jurisdiction to allow any portion whatsoever of this claim under any existing law of Congress, as is set forth in a report, copy of which is hereto attached and marked Exhibit No. 81, page 120.

Oregon's State war claim and all matters relating thereto was thereafter transmitted to the Second Comptroller of the Treasury, in whose office it now remains a matter of record, and who has been requested by the agent and counsel for the State of Oregon to suspend all action thereon for the present.

## ADDITIONAL LEGISLATION BY CONGRESS MADE NECESSARY.

These proceedings in reference to the State war claim of the State of Oregon had by the War and Treasury Departments, render additional legislation by Congress necessary as to Oregon's said State war claim and such as is contemplated by this bill.\*

California's State war claim, provided for in this substitute bill S. 3420, with all the original vouchers, correspondence, and other evidence pertaining thereto, is now on file in the War Department, in the immediate custody of the board of war claim examiners; but that board is without authority or jurisdiction to examine all portions of same under the existing laws of Congress under which it is acting, which fact, together with the foregoing recitals, render additional legislation by Congress necessary as to California's State war claims and such as is provided for in this bill S. 3420. The bills, for which S. 3420 is a substitute, were submitted to the Treasury and War Departments. Copies of their views thereon are hereto attached, and marked Exhibit No. 82, page 123.

The Secretary of the Treasury, Hon. C. S. Fairchild, submitted the views of the Third Auditor, to the effect that the Third Auditor did not consider it within the province of his office to express an opinion or to advise Congress as to what policy it should pursue in any of these premises.

The Secretary of War, Hon. W. C. Endicott, submitted the views of the chiefs of two of the divisions of his office, to wit, of the board of State and Territorial war claim examiners and of the (Acting) Judge-Advocate-General's office.

Attention is called to the fact that said board of State and Territorial war claim examiners, the chief of which favorably recommends the passage of a bill paying these State war claims of California, Oregon, and Nevada, was created by Congress to pass judgment upon the State war claims of these States among others arising subsequent to April 15, 1861. This board has had immediate custody for a long time of all the accounts, papers, and evidence relating to these identical war claims of the States of California, Oregon, and Nevada, and necessarily have had great and specific information upon which to base a proper recommendation as to the measures appropriate to be taken by Congress; and in view of such facts the opinion and recommendation of the chief of said board of war claim examiners are entitled to very great consideration, and should be adopted, provided Congress is to be guided by the opinion and recommendation of any other department of the Government in regard to these State war claims of California, Oregon, and Nevada.

The chief of the board of war claim examiners, addressing the Secretary of War, stated as follows:

In my opinion the restrictions imposed by existing laws are not equitable ones to apply to the adjustment of the claims of Oregon and California, for reason that the cost to those States of organizing and maintaining troops was greater than it was in other sections of the United States, and the prices of labor and material on the Pacific coast under the then existing laws of supply and demand were, of necessity, greatly in excess of the amount allowed and paid by the United States to her army serving in that locality. Senate bill No. 3119 includes the Indian war claims of California of date prior to April 15, 1861, which are unadjusted for want of a statute under which they can be settled, the provisions of the act of June 27, 1882, being limited to claims arising subsequent to April 15, 1861.

\*The action heretofore had by both the War and Treasury Departments in regard to Nevada's State war claims, and as set forth in Senate Report No. 1286, Fiftieth Congress, first session, renders additional legislation necessary in Nevada's State war claims.

The evidence is ample that the States referred to incurred the expenses for which they claim re-imbursement, and the bill (S. 3119) under consideration would afford them ample relief for the class of claims they present.

Again, that officer, further addressing the Secretary of War, stated:

The fact is, that neither the act of 1861 nor that of 1882 is exactly suited to that class of claims presented by Oregon, California, and Nevada. The explanation of this is as follows: These States put troops in the field, or in garrison, to enable the General Government to relieve its regular force from Indian service and to employ it to aid in suppressing the rebellion. The service of a portion of the State troops of these States was for defense against Indians, while some of the force was used against rebels and Indians in New Mexico; so that it is almost impossible to separate the kinds of service performed.

In both cases the exigencies for such service arose on account of the war of the rebellion.

From the fact of the withdrawal of the regular Army the duty devolved upon these States to raise troops for the common defense, and it is for expenses incident to such action that re-imbursement is claimed.

The Acting Judge-Advocate-General, having cited or referred to a limited number only of the statutes of California and Oregon enacted by their legislatures subsequent to April 15, 1861, for maintaining the proper military status of those States, and not having made a citation of or a reference to a single statute or resolution passed by the legislature of the State of California prior to April 15, 1861, in regard to California Indian-war claims and obligations, therefore extracts from or reference to every act and resolution passed by the legislatures of these States subsequent to April 15, 1861, and those of California prior to said date, and which had for their object the perfection of the defenses of and maintenance of a proper military status in those States during such period, have been made (if any have been omitted it is only because they accidentally have been overlooked) in order to a complete, satisfactory, and impartial understanding of the subject-matters to which said legislation related. The citations of and reference to the statutes and resolutions enacted by the legislature of California prior to April 15, 1861, will fully appear in the statement submitted to accompany Senate substitute bill No. 3439, in relation to the Indian war claims of the State of California.

The Acting Judge-Advocate-General states that "it is believed" that the appropriation of money by the legislatures of Oregon and California subsequent to April 15, 1861, to pay bounty and extra pay to their troops in the service of the United States were "voluntary contributions or donations, not constituting a charge against the United States," and that other States incurred similar expenses, but that California and Oregon are the only States which charge the United States with such expenditure.

At this time no report is called for by the Senate or from its Committee on Military Affairs as to what other States have not done, but due consideration is asked for that which California, Oregon, and Nevada have actually done to maintain the common defense, as they allege, and in considering what is alleged in said words, "it is believed," it is also reasonable to believe that if other States had similar claims they would have long since presented them, and from the fact that no such claims have ever been presented, it is also reasonable to conclude that no such claims by other States actually exist.

California, Oregon, and Nevada are now, *in a time of peace*, respectful petitioners before Congress, reciting the numerous public acts by them performed for the common defense *in a time of war*, and they support said recitals by citing the enactments of their respective legislatures, and all of which seem to have been appropriate, timely, and necessary.

## PECULIAR CONDITION OF AFFAIRS ON PACIFIC COAST DURING THE REBELLION.

California, Oregon, and Nevada, and Nevada when a Territory, were not engaged in "voluntary contribution and donation" enterprises during the eventful period of the Rebellion, when these large expenditures of money were made by them; on the contrary, from a high national necessity, and in consequence of their thorough loyalty to the Union, these States, and Nevada when a Territory, were wrestling with a military condition of things such as this country had never before known. California, Oregon, and Nevada did not enact laws during this war period to amuse their people, or to give occupation to their able-bodied male citizens between the ages of eighteen and forty-five years, all of whom at said dates were industriously and profitably engaged in every busy walk of life; nor did they, through motives of generosity, make appropriations of public money for private charity from any surplus they then had on hand; on the contrary, their treasuries were nearly empty, and to such an extent that they were compelled to pledge their public faith and public credit in the markets of the world in order to borrow money with which to pay the appropriations made in their several statutes as herein recited, and which in their judgment seemed necessary to meet the peculiar exigencies of the times, and to an extent which even exceeded their constitutional limits of expenditure, and the exceeding of which limits under their constitution were justified only by the extraordinary crisis of affairs by which they were then so suddenly confronted and called upon to meet, and all of which go to show the practical part that California, Oregon, and Nevada took to maintain the common defense in the Pacific Coast States and Territories during such an important period in the country's history.

In view of the amounts of these State war claims, the important factors that enter therein, and the dignity of the claimants, serious consideration has been given to all the propositions contained in this bill (S. 3420), and the particularly isolated position and defenseless condition of the Pacific Coast States and Territories during the periods during which these claims arose has not been overlooked.

Due cognizance also has been taken of the public fact that the flag of the French Republic floated over the Mexican Pacific coast south of and adjoining California during an important portion of this period; that a French army, under Maximilian, held exclusive control of a large portion of Mexican soil; that an effective French navy exclusively occupied nearly all Mexican sea-ports on the Pacific coast, especially Acapulco, where American ships between New York and San Francisco, carrying passengers, bullion, and coin had to enter to water, coal, and provision. This was prior to the acquisition by the United States of the district of Alaska, at a time when English rule dominated largely the Northwest Pacific, where an English army and an effective English navy, ever ready and vigilant, gave the United States great anxiety as to possible troubles arising in our Pacific Coast States and Territories in the event of any foreign complications arising, thought then more likely to arise with England than with any other foreign power.

England's possessions on the Northwest Pacific, including her right to navigate the Columbia River from its mouth to its source in British Columbia, free from toll or tax or hindrance from the United States, as guaranteed to her by the terms of the second article of the United States treaty with Great Britain of August 5, 1846 (Buchanan-Pakenham treaty, 9 U. S. Stats., 869), constituting then, as now, so important a key



to the military and naval situation on that coast (in the language of Senator Morgan, "her fortress at Gibraltar is not so important as her possessions on Vancouver's Island"), even at that early date justified English interests, moving therein with all the regularity of time and certainty of fate, to take those public measures that have finally resulted in the consolidation of British Columbia and the Canadas under one and the same general government, and to the ultimate construction of a Canadian Pacific Railroad.

Between April 15, 1861, and May 18, 1865 (on which last date hostilities had actually terminated), the only available United States Navy for the Pacific coast consisted of:

Three side-wheel steamers, *Saginaw*, *Wateree*, and *Saranac*; two screw sloops, *Wyoming* and *Narragansett*; one steam sloop, *Lancaster*; two sailing sloops, *Cyane* and *St. Marys*, carrying, all told, only one hundred and five smooth-bore guns of old style and pattern and small caliber. See letters of Secretary of the Navy, July 13, 1888, hereto attached, made a part hereof, and marked Exhibit No. 83, page 128.

The governors of California, Oregon, and Nevada, thus sandwiched as a unit between the English flag on the north and the French flag on the south, and practically detached from the other States of the Union, so far as Federal aid and relief for the common defense were concerned, had to rely very largely upon their own judgments, guided therein by the wisdom of their own legislatures, and upon the patriotism of their own people, to maintain the common defense. Under these circumstances the responsibilities of the authorities of California, Oregon, and Nevada were not light; but on the contrary, their duties were difficult and delicate to perform in order to avoid complications with either of these two or other foreign powers on the one hand, and to preserve order and maintain a proper military status within their borders on the other, when executing the legislative will of their respective States.

It was under circumstances such as these, when the money with which the United States paid their volunteer soldiers and sailors had depreciated 33 to 50 per cent., that the officers of the United States Navy had their pay increased 33 per cent.; but no similar provision, in fact no special provision at all, seems to have been made by Congress in behalf of the gallant sailors of the Navy and private soldiers of the Army of the United States then in their service on the Pacific coast States and Territories, except that which California, Oregon, and Nevada advanced from their own State treasuries in behalf of their own volunteers when they were in the actual service of the United States.

CONGRESS AUTHORIZES EXTRA PAY AND BOUNTY TO UNITED STATES TROOPS IN TIMES OF PEACE SERVING IN CALIFORNIA, OREGON, AND NEVADA.

Attention is called to the fact that Congress, recognizing the great cost of living and the exceptionally difficult and hazardous service of the United States regular Army serving in California, Oregon, and Nevada, and in the Rocky Mountain region, in a time of peace, has heretofore made special provision for an increase of the pay of the officers and enlisted men thereof by providing that each officer of the regular Army so serving in said localities should receive the sum of \$2 per day in addition to his ordinary pay, and that the enlisted men of the regular Army should receive double their ordinary monthly pay; and all of which acts are set forth in extracts from the United States statutes hereto attached and marked Exhibit No. 84, page 129.



Attention is also called to a practice of the United States as the same formerly existed in those regions of country, and that too in a time of peace, to wit, that, when volunteer enlistments were made in California, Oregon, and Nevada, for the U. S. Army, the United States paid such volunteers a bounty equal in amount to the actual cost to the United States of transporting and subsisting a volunteer soldier from the principal recruiting depot of the United States in the harbor of New York to the place of the enlistment of such volunteer in said States; which fact is set forth in an extract from the act of Congress approved June 17, 1850 (9 U. S. Stat., 439), attached hereto and marked Exhibit No. 85, page 130, so that it abundantly appears that the extra pay and bounty paid by California, Oregon, and Nevada to their volunteers when they were in the actual and active service of the United States in a time of war is in perfect harmony with the policy heretofore adopted and so long and so frequently executed by the United States in the case of its regular Army serving in a time of peace in the same localities, and paid by the United States whenever in the opinion of Congress the public exigencies equitably demanded that the same should be so paid for military service. It also appears that the exigencies under which California, Oregon, and Nevada paid said extra pay and bounty to their volunteers who enlisted in said States, and who performed military service for the United States in a time of war, are similar in all respects as to character to those under which the United States did the same thing in a time of peace, and differing only in this, that the sums so paid by California, Oregon, and Nevada were less in amount, in a time of war, while the exigencies exceeded in degree those under which the United States have heretofore paid a much larger sum to its own regular Army serving in said States in a time of peace.

#### ADDITIONAL LEGISLATION BY CALIFORNIA AND OREGON.

The manner in which it has been alleged California's volunteers who were serving the United States in Utah, Arizona, and New Mexico were treated at the end of their said military service is set forth in California concurrent resolutions No. 25, adopted March 17, 1866, copy of which is hereto attached and marked Exhibit No. 86, page 131.

The manner in which it has been alleged certain California volunteers, when serving the United States in California, were discriminated against, is set forth in California concurrent resolution No. 4, adopted February 19, 1868, copy of which is hereto attached and marked Exhibit No. 87, page 131.

The want of ample protection in California in 1861, 1862, 1863, 1864 from the violence of hostile Indians therein is set forth in California memorial adopted March 27, 1868, copy of which is hereto attached and marked Exhibit No. 88, page 132.

The costs incurred by California to replace the arms issued to her by the United States during the war of the rebellion, alleged to have been inferior both in pattern and quality, is set forth in California concurrent resolution No. 27, adopted February 3, 1872, copy of which is hereto attached and marked Exhibit No. 89, page 132.

The hostile attitude of the Indians towards the whites living in the counties in Oregon east of the Cascade Mountains, as late as October 9, 1866, is shown by Oregon house resolution No. 11, adopted October 9, 1866, copy of which is hereto attached and marked Exhibit No. 90, page 132.

On March 11, 1872, the legislature of California appropriated the sum of \$2,000 with which to pay expenses necessarily incurred in

suppressing Indian hostilities in Humboldt and Trinity Counties in 1868 and 1869 in an act, copy of which is hereto attached and marked Exhibit No. 91, page 133.

WAR MEASURES OF CALIFORNIA, OREGON, AND NEVADA, AND NEVADA WHEN A TERRITORY, REVIEWED.

In view of the foregoing recitals, it is believed that the military war measures taken by California, Oregon, and Nevada during a very important period of the nation's existence, in providing for camp, field, and garrison service, and the instructive preparations made in "military encampment of instruction" for further military service inland and on the coast for their volunteers, militia, and home guards, were appropriate and necessary, and effectively secured the common defense for the Pacific coast States and Territories. The present is not the time to dispute the "necessity and propriety" of the expenditures made by said States during said war period. Congress should exercise directly its own constitutional prerogative in cases so important as the present State war claims of these States are, and, as suggested in the correspondence of the Secretary of the Treasury hereinbefore referred to, it is recommended that Congress itself formulate the policy which in its wisdom, judgment, and discretion should be equitably exercised as to the necessity and propriety of these war expenditures made by California, Oregon, and Nevada for the common defense of the United States during a period of war, rather than to substitute therefor the views or opinions of any other Department of the Government, and thereby avoid whatever intention Congress may finally declare in these cases being thereafter refined away by construction or by the possible substitution of a different judgment in regard thereto.

The United States should re-imburse California, Oregon, and Nevada the moneys they have actually paid, and should redeem the obligations they have actually assumed to secure the common defense and the perpetuation of the integrity of the Government.

CONCLUSIONS AND RECOMMENDATIONS.

California, Oregon, and Nevada have not presented petitions for the re-imbursement by the United States of any State war-claim expenditure they did not actually make, nor for the redemption of any war obligations which they did not in good faith assume for the benefit of the United States during a period of war. The greater portion of these expenditures were made subsequent to the aforesaid appeals of Secretary Seward to the governors of said States to put their States in a condition of proper defense, and made partly in consequence of said appeals and partly in response to other and frequent calls and requisitions made by the United States upon their resources and population, and wherein the good faith of the United States was to be relied upon to make them a full re-imbursement whenever the United States found themselves in a pecuniary condition to redeem all their obligations.

California, Oregon, and Nevada have been diligent in making their State war claims known to Congress, and have waited long and patiently, believing that the obligations of the United States due them were as sacred as if they had originally taken the form of a 4 per cent. United States bond, now being redeemed by the United States before maturity at \$1.28.

California, Oregon, and Nevada, by numerous petitions and memorials, have frequently represented to Congress valid reasons why the

taxes heretofore levied upon their people and paid out of their State treasuries to their own volunteer troops in gold and silver, while they were in the actual and active service of the United States, to aid the United States to maintain the common defense, should be returned to them by the General Government.

Congress can not forget that during the war period the citizens of California, Oregon, and Nevada (who never furnished substitutes to perform military service for them) not only helped to guard the principal gold and silver mines of the country then discovered west of the Rocky Mountains, and prevented them from falling into the hands of any enemy, but that they also worked them so profitably as to enable the United States to resume specie payment at the date when they did, and to redeem their unmatured interest-bearing bonds at 28 per cent. above par, to repay all their money-lenders at a high rate of interest, and that too not in the depreciated currency with which they paid the volunteer troops of California, Oregon, and Nevada, but in gold coin of standard value.

As all these expenditures were made by these States and Nevada, when a Territory, to maintain the common defense, it is thought that, under the peculiar and exceptional circumstances of these cases, the action of the States of California, Oregon, and Nevada should not be hewn too nicely or too hypercritically by the United States at this late date. These expenditures were made by these States and by Nevada when a Territory for patriotic purposes, and gave effectual aid to the United States in securing great national results which otherwise could not have been obtained without a much larger expenditure. Said States and Territory in good faith assumed and paid large pecuniary obligations to aid the United States, and to do so even went beyond the extreme limitations of their constitutions in regard to public debts, by issuing and selling their own bonds, and guarantying their public faith and pledging their public credit for their redemption, and upon some of which bonds they are paying interest even at the present time.

The real question therefore now for consideration is, shall Congress in good faith, under all the circumstances herein recited, relieve the States of California, Oregon, and Nevada from these obligations, and have the same borne equally by all the States as a common burden incurred for the common defense, or shall it require the same to be paid exclusively by the people of those States? These claims constitute a valid charge against the United States and should be paid by the United States, and wherefore the passage of the bill (S. 3420) to ascertain the total amount of all of said State war claims in the manner therein recited and now herewith reported is recommended.

# CALIFORNIA, OREGON, AND NEVADA STATE WAR CLAIMS.

---

## APPENDIX.

### EXHIBITS TO CALIFORNIA, OREGON, AND NEVADA STATE WAR CLAIMS.

#### EXHIBIT No. 1.

##### No. XVIII.—*Concurrent resolution.*

[Passed January 30, 1860.]

Whereas, from our isolated position in the Confederacy, it is actually necessary for the common defense and general welfare of the people of the State of California that we should be properly supplied with arms and munitions of war sufficient for self-protection; and

Whereas in the event of a war with, or foreign invasion by, any of the great powers of Europe, California, from her detached and exposed condition, would in her defenseless situation become a prey to the enemy: Therefore

*Be it resolved by the assembly (the senate concurring),* That our Senators be instructed, and Representatives in Congress requested, to exert their influence with the Federal Government to procure twenty thousand stand of arms and four batteries of light and four batteries of heavy artillery for the use of California.

*Resolved,* That his excellency the governor be requested to transmit a copy of the above preamble and resolutions to our Senators and Representatives in Congress.

---

#### EXHIBIT No. 2.

##### No. XXIX.—*Concurrent resolution concerning the overland mail and telegraph route.*

[Approved May 17, 1861.]

Whereas the daily overland mail is about to be carried and the overland telegraph to be constructed between California and Missouri, over a route traversed by numerous bands of Indians; and

Whereas some of them are exhibiting hostile intentions, and said mail and telegraph are liable to interruption from this cause: Therefore,

*Be it resolved by the assembly (the senate concurring),* That our Senators in Congress are requested to procure from the General Government such military protection as may be necessary to secure said route against Indian hostilities and to afford a safe transit over the same for the United States mails and for all emigrants or passengers traveling said route.

---

#### EXHIBIT No. 3.

##### No. XVIII.—*Concurrent resolution.*

[Adopted May 17, 1861.]

*Resolved by the senate (the assembly concurring),* That the people of California are devoted to the Constitution and Union of the United States, and will not fail in fidelity and

fealty to that Constitution and Union now in the hour of trial and peril. That California is ready to maintain the rights and honor of the National Government at home and abroad, and at all times to respond to any requisition that may be made upon her to defend the Republic against foreign or domestic foes.

EXHIBIT No. 4.

[By telegram to farthest point West and thence by Pony Express to California.]

WAR DEPARTMENT,  
July 24, 1861—8.30 p. m.

To the governor of California:

The War Department accepts for three years one regiment of infantry and five companies of cavalry to guard the overland mail route from Carson Valley to Salt Lake and Fort Laramie.

Colonel Waite will be put in command of department at Salt Lake City. General Sumner will detail mustering officers to muster in the men.

SIMON CAMERON,  
Secretary of War.

True copy.

L. THOMAS,  
Adjutant-General.

EXHIBIT No. 5.

[California State Telegraph Company.]

WASHINGTON, August 14, 1861.

To JOHN G. DOWNEY,  
Governor of California:

Please organize, equip, and have mustered into service at the earliest date possible four regiments of infantry and one regiment of cavalry, to be placed at the disposal of General Sumner.

SIMON CAMERON,  
Secretary of War.

EXHIBIT No. 6.

WAR DEPARTMENT,  
Washington, D. C., August 15, 1861.

To His Excellency, JOHN G. DOWNEY,  
Governor of State of California, Sacramento City, Cal.:

SIR: I have this day forwarded to your address a dispatch by telegraph and by Pony Express, to the effect that in filling the requisition given you August 14 for five regiments you will please make General D. D. Colton, of San Francisco, colonel of a cavalry regiment, and give him the proper authority to organize as promptly as possible.

Very respectfully, your obedient servant,

SIMON CAMERON,  
Secretary of War.

EXHIBIT No. 7.

Proclamations.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, August 12, 1861.

In pursuance of a communication from the Secretary of War, dated July 24, A. D. 1861, "accepting for three years one regiment of infantry and five companies of cavalry to guard the overland mail route from Carson Valley to Salt Lake and Fort Laramie," I, John G. Downey, governor of the State of California, do hereby call for volunteers

for the above-mentioned service. The forces will be organized in accordance with the laws and regulations of the United States, and will be mustered into service at such times and places as may be directed by the commanding officer of the United States on this coast.

JOHN G. DOWNEY,  
Governor.

---

EXHIBIT No. 8.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, August 23, 1861.

Whereas by an additional communication from the Secretary of War, bearing date August 14, A. D. 1861, to the executive of this State directed, the President of the United States has called for four regiments of infantry and one of cavalry, to be placed at the disposal of Brig. Gen. E. V. Sumner, U. S. Army, "organized, equipped, and mustered into service by the State of California, such call being made in pursuance of the act of Congress passed July 19, 1861, entitled 'An act to authorize the employment of volunteers to aid in enforcing the laws and protecting the public property.'"

Now, therefore, I, John G. Downey, governor of the State of California and commander-in-chief of the militia, etc., of the same, do hereby authorize and call upon the citizens, as many as shall be necessary to fill up the preceding requisition, to immediately form and organize themselves into "volunteer companies" in accordance with the directions and requirements stated in sections 17, 18, and 19 of the statutes of this State, entitled "An act in relation to the militia of this State," approved May 9, 1861.

Said companies will be accepted and mustered into service according to the reception, by the adjutant-general of the State, of the certificate of organization mentioned in section 18 of said act, and reported by that officer to the commander-in-chief, the infantry companies to consist of any number between eighty-three and one hundred and one, and the cavalry companies of any number between seventy-nine and ninety-five, officers inclusive; the commissioned officers of each company to consist of one captain, one first lieutenant, and one second lieutenant.

The commander-in-chief will proceed forthwith to organize the regiments aforesaid out of said companies according to their priority and in conformity to law. While the act of Congress aforesaid requires the "governors of States furnishing volunteers to commission the field, staff, and company officers, requisite," the commander-in-chief will in all cases give preference to the officers elected by the respective companies, provided that they are competent and pass examination before the military board already appointed by the United States officer commanding Pacific Division, San Francisco.

Volunteer companies already organized and commissioned are expected to report forthwith to the adjutant-general, tendering their services to meet the requirements of this proclamation. Companies tendering their services will expressly state whether they are infantry or cavalry.

In witness whereof I have set my hand and caused the great seal of the State to be affixed.

Done at Sacramento, Cal., this 23d day of August, in the year of our Lord 1861.

JOHN G. DOWNEY,  
Governor.

Attest:

JOHNSON PRICE,  
Secretary of State.

Under the foregoing proclamations of your excellency calling for troops for the service of the United States, the requisite number of regiments called for, designated as the First, Second, Third, Fourth, and Fifth Infantry, California Volunteers, and the First and Second Cavalry, California Volunteers, have been duly organized and officered as follows.

---

EXHIBIT No. 9.

*The State's contingent.*

Two requisitions were made upon me by the Secretary of War for troops for the service of the General Government, the first bearing date of July 24, 1861, for one regiment



of infantry and five companies of cavalry, and the other dated August 24, 1861, for four regiments of infantry and one regiment of cavalry.

The legislature having adjourned without placing any funds at the disposal of the executive to meet such contingency, and the language of these requisitions urging all possible dispatch, I at once issued my proclamation calling out the required force. It entailed much labor upon this department, for which it feels fully compensated by the character of the officers selected and the soldierly bearing and character of the men who compose the rank and file.

The whole contingent as organized is composed of our best citizens—men of character and means from all ranks and pursuits of life—and will achieve an honorable fame for our State and render good service to the nation when called into active duty. In organizing this force commissions were conferred upon officers in the regular Army of the United States as colonels in order to give efficiency and discipline to our raw recruits. By an order from the War Department I was notified that these officers could not be permitted to retain position in the volunteer service as they were ordered to the scene of hostilities to join their respective regiments. Two of these officers, Colonels Kellogg and Judah, rendered much aid in raising and organizing the Fourth and Fifth Regiments of Volunteers, at great expense and trouble to themselves, without being permitted to enjoy the honors or emoluments arising therefrom.

The cavalry regiment was raised before Colonel Smith arrived to take command of the volunteers, and has now charge of the troops of the State along our southern frontier. I would recommend that appropriations be made to compensate the officers mentioned for the personal expenses necessarily incurred by them and the important services they have rendered the State—say \$2,500.

A large amount of business has been entailed upon the adjutant-general in clerical labor and services attendant upon the extraordinary duty connected with and occasioned by the raising of our contingent; and I would recommend an appropriation of \$1,500 as a just compensation therefor.

The militia law of last year is found to work well, and meets the expectation of its advocates. It declares that all necessary expenses arising under its operation shall be defrayed out of the general fund; but the legislature failed to make any appropriation. It is hoped that a small appropriation will be made to meet the inconsiderable amounts already audited, as well as the future contingent expenses for the year. Too much importance can not be placed upon the organization of our militia, in order that efficiency may be attained, and that a military spirit may be infused into our citizens. It can not be expected that volunteers will drill and parade without arms. For these reasons I recommended last year a military tax for rent of armories, and the purchase of arms. We should, therefore, have at least a hundred thousand stands of arms distributed among our militia; instead of this there are not three thousand, and many of these are of antique style and character, of but little use for modern warfare.

---

#### EXHIBIT No. 10.

##### *Indian hostilities.*

The employment of State troops for the suppression of Indian hostilities has, with one exception, been avoided during my administration, the officers in command of the United States forces on this coast having, when the same was practicable, rendered timely assistance when called for by me. In the month of August last I received from the citizens of Humboldt County petitions, accompanied by proper and satisfactory affidavits, setting forth that the lives and property of the citizens were being sacrificed by hostile Indians. I applied repeatedly, in person and by letter, to Brig. Gen. E. V. Sumner, then in command of the United States Army on this coast, and requested him to move forward troops into the disturbed districts: After some delay he informed me that he had no men at his disposal for this purpose. This refusal involved the necessity of rendering State aid, and a company of mounted men was called out, and remained in service some ninety days, or until Brigadier-General Wright, who had succeeded to the command on the Pacific coast, gave me assurance that he would send into these districts a sufficient force to insure the protection of the inhabitants and their property.

The expedition, in accordance with the orders and instructions given, was conducted humanely, and met the objects for which it was called into service. A proper and praiseworthy economy has been pursued by the officers having charge of it, and an appropriation to meet the expenses incurred is recommended. Sixteen thousand dollars will cover the whole outlay for subsistence, pay of men, and horses, with transportation.

This amount will, as it were, be only advanced to the General Government, as it will be promptly recognized; and when such claims are so recognized, they by law become proper offsets against our quota of the Federal tax to an equal amount.

## EXHIBIT No. 11.

STATE OF CALIFORNIA,

*County of Los Angeles, ss:*

John G. Downey, upon being first duly sworn on oath, deposes and says: That he is the identical John G. Downey who was governor of the State of California on August 20, 1861, and on September 30, 1861; that he has read the papers attached hereto and made part hereof, and marked A and B respectively, and which papers purport to be copies of the orders, instructions, or directions by him issued as governor of California on the two above-named dates, and that to the best of his recollection and belief said two papers A and B are full, true, and correct copies of the original by him issued to Brig. Gen. James T. Ryan on the two aforesaid dates; that he is advised by Capt. John Mullan, now agent and counsel for the State of California, that diligent search has been made among the archives of the State of California in order to find either the original or copy of said two orders, and that the originals can not now be found, nor any copy thereof except those marked herein as A and B respectively; that he makes this affidavit at the request of Capt. John Mullan, agent and counsel for the State of California, in order to perfect and complete the proof required by the proper officers of the United States to support and establish the claim of the State of California against the United States to be reimbursed the moneys paid by her on account of the issuance and execution of the two aforesaid orders; that he has no interest in the subject-matter of this claim against the United States.

JOHN G. DOWNEY.

Witness to signature:

1. P. S. O'REILLY.
2. R. A. BROWN.

Sworn and subscribed before me this 15th day of June, A. D. 1888.

[SEAL.]

T. E. ROWAN,  
*Notary Public.*

[Inclosure with Exhibit No. 11.]

A.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
*Sacramento, August 20, 1861.*

SIR: Information having been received at this office from sources entitled to credit of repeated outrages having been committed by hostile Indians upon the settlers in the vicinity of Eel River, the same having been communicated to General E. V. Sumner, commanding Pacific Division U. S. Army, with request that he might furnish the desired relief. It not being convenient for said general commanding to render the aid required, and in order to protect the lives and property of the citizens of Humboldt County, you will at once proceed to enroll and muster into service, for the space of three months, forty mounted volunteers to be used in subduing the Indians committing said depredations.

In organizing this company you will follow as strictly as possible the military law of the State and be careful in protecting the lives and property of the citizens; that no inhumanity be practiced towards the Indians; that only those in actual hostility must be molested, and in no case must the lives of women and children be taken, and a departure from these instructions will subject the parties offending to severe penalties and reprimand.

You will report to this office as soon as the company is organized, sending copy of muster-roll and list of officers, that the latter may be commissioned.

Very respectfully, etc.,

JOHN G. DOWNEY,  
*Governor.*JAMES T. RYAN,  
*Brigadier-General, Sixth Division, C. M.*

(Indorsements:) Voucher. S. B. No. 18. Order of Gov. J. G. Downey. Calling company of troops into service against the Indians, Humboldt County, August 20, 1861. Filed before committee on claims, House of Assembly, 6th February, 1862. W. B. May, clerk.

[Inclosure with Exhibit No. 11.]

B.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
*Sacramento, September 30, 1861.*

GENERAL: Representations having been made to me that the force heretofore called out by me for the suppression of Indian hostilities in the county of Humboldt, is inadequate to perform the required service; and that additional depredations have occurred since the force was called out, you are hereby authorized to increase said force to sixty men, and to instruct them to extend their field of operations over the adjoining counties, so as to effectually terminate the depredations in that portion of the State.

Very respectfully, your obedient servant,

JOHN G. DOWNEY,  
*Governor.*Brig. Gen. JAMES G. RYAN,  
*San Francisco.*

(Indorsements:) Voucher. S. B. No. 18. Order of Gov. J. G. Downey. Calling for an additional number of troops against the Indians, Humboldt County, September 30, 1861. Filed before the committee on claims, House of Assembly, 6th February, 1862. W. B. May, clerk.

## EXHIBIT No. 12.

[Senate Ex. Doc. No. 193, Fiftieth Congress, first session.]

*Message from the President of the United States, transmitting a report of the Secretary of State relative to the subject of State defenses in 1861.*

[June 14, 1888.—Read and laid upon the table and ordered to be printed.]

*To the Senate of the United States:*

I transmit herewith, in response to a resolution of the Senate of the 11th instant, a report of the Secretary of State, to whom said resolution was addressed, together with a copy of the letter addressed by William H. Seward, Secretary of State, to the governors of certain States of the Union, under date of October 14, 1861, as described in said resolution.

GROVER CLEVELAND.

EXECUTIVE MANSION,  
*Washington, June 14, 1888.*

[Inclosure with Exhibit No. 12.]

The PRESIDENT:

The undersigned, Secretary of State of the United States, having received a resolution of the Senate of the United States, adopted on the 11th day of June instant, in the following words:

“Resolved, That the Secretary of State be, and he is hereby, requested to furnish the Senate with a copy of the circular letter of the late Hon. William H. Seward, Secretary of State, addressed, by direction of President Lincoln, under date of October 14, 1861, to the governors of the several States, inviting their consideration to the subject of the improvement and perfection of the defenses of said States, for the general defense, with the request that the subject-matter of said letter be submitted to the consideration of the legislatures of the respective States when they should assemble next after the date of said letter;”

has the honor to lay before the President a copy of the letter described, to the end that, if in the opinion of the President not incompatible with the public interests, it may be communicated to the Senate in response to the aforesaid resolution.

Respectfully submitted.

T. F. BAYARD.

DEPARTMENT OF STATE,  
*Washington, June 14, 1888.*

[Inclosure with Exhibit No. 12.]

DEPARTMENT OF STATE, *Washington, October 14, 1861.*

SIR: The present insurrection had not even revealed itself in arms when disloyal citizens hastened to foreign countries to invoke their intervention for the overthrow of the

Government and the destruction of the Federal Union. These agents are known to have made their appeals to some of the more important states without success. It is not likely, however, that they will remain content with such refusals. Indeed, it is understood that they are industriously endeavoring to accomplish their disloyal purposes by degrees and by indirection. Taking advantage of the embarrassments of agriculture, manufacture, and commerce in foreign countries, resulting from the insurrection they have inaugurated at home, they seek to involve our common country in controversies with states with which every public interest and every interest of mankind require that it shall remain in relations of peace, amity, and friendship. I am able to state for your satisfaction that the prospect of any such disturbance is now less serious than it has been at any previous period during the course of the insurrection. It is nevertheless necessary now, as it has hitherto been, to take every precaution that is possible to avert the evils of foreign war to be superinduced upon those of civil commotion which we are endeavoring to cure. One of the most obvious of such precautions is, that our ports and harbors on the seas and lakes should be put in a condition of complete defense, for any nation may be said to voluntarily incur danger in tempestuous seasons when it fails to show that it has sheltered itself on every side from which the storm might possibly come.

The measures which the Executive can adopt in this emergency are such only as Congress has sanctioned, and for which it has provided. The President is putting forth the most diligent efforts to execute these measures, and we have the great satisfaction of seeing that these efforts, seconded by the favor, aid, and support of a loyal, patriotic, and self-sacrificing people, are rapidly bringing the military and naval forces of the United States into the highest state of efficiency. But Congress was chiefly absorbed during its recent extra session with those measures, and did not provide as amply as could be wished for the fortification of our sea and lake coasts. In previous wars loyal States have applied themselves by independent and separate activity to support and aid the Federal Government in its arduous responsibilities. The same disposition has been manifested in a degree eminently honorable by all the loyal States during the present insurrection. In view of this fact, and relying upon the increase and continuance of the same disposition on the part of the loyal States, the President has directed me to invite your consideration to the subject of the improvement and perfection of the defenses of the State over which you preside, and to ask you to submit the subject to the consideration of the legislature when it shall have assembled. Such proceedings by the State would require only a temporary use of its means.

The expenditures ought to be made the subject of conference with the Federal authorities. Being thus made with the concurrence of the Government for general defense, there is every reason to believe that Congress would sanction what the State should do, and would provide for its reimbursement. Should these suggestions be accepted, the President will direct proper agents of the Federal Government to confer with you, and to superintend, direct, and conduct the prosecution of the system of defense of your State.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

His Excellency THOMAS H. HICKS,  
*Governor of the State of Maryland.*

(The same to the governors of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Ohio, Illinois, Michigan, Wisconsin, Minnesota, California, and Oregon.)

#### EXHIBIT No. 13.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
*Sacramento, November 12, 1861.*

SIR: I have the honor to acknowledge the receipt of your communication of the 14th ultimo, inviting my attention to the subject of perfecting the defenses of this State, and requesting me to submit the subject to the consideration of the legislature when it shall be assembled. The request shall be faithfully complied with, and the subject will undoubtedly command, to the extent its magnitude requires, the attention of the next legislature, which convenes on the first Monday of January, 1862. At this time our defenses are wholly inadequate to the protection of the coast and interior of California. The value of our Pacific interests to the Union will justify all the outlay necessary to render their seizure and appropriation by foreign powers impossible. For it is not dealing in hyperbole to affirm that the present and prospective commercial value of our Pa-

ific empire renders its security as important as one-half the Union; and I may add that the topography of the country is such that its safety can be secured beyond all contingencies against the attack of any military power that can be brought against it by a complete system of coast defenses. The interior will require but little outlay to assure its protection.

I have the honor to be, with great respect, your obedient servant,

JOHN G. DOWNEY,  
*Governor of California.*

His Excellency WILLIAM H. SEWARD,  
*Secretary of State, Washington City*

EXHIBIT No. 14.

CALIFORNIA STATE TELEGRAPH COMPANY,  
*Washington, November 18, 1861.*

To His Excellency Governor DOWNEY:

I have the honor to request that you forward on the 10th, 20th, and last day of each month to the Adjutant-General of the Army, for the information of this Department, a full report of the condition of the volunteer recruiting service in your State, setting forth the number of complete recruits for duty, the number nearly completed, the number in process of organization. The names of the commanders of the arm of the service will be specified for each regiment. You are further desired to comply with any request from the Adjutant-General of the Army regarding the movements of troops from your State to army in the field, and to regard the same as coming from the Secretary of War.

SIMON CAMERON,  
*Secretary of War.*

EXHIBIT No. 15.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
*San Francisco, January 11, 1862.*

SIR: In view of the possibilities of our becoming engaged in a war with a foreign nation, I have called on Colonel De Russy, chief engineer of the United States Army on this coast, to prepare and submit to these headquarters a plan for defensive field-works to guard the approaches by land to this city. As soon as Colonel De Russy completes his reconnaissances and fixes upon the points for the execution of the works, I shall take great pleasure in submitting the whole subject to the consideration of your excellency. In case of a war with a maritime nation the immediate attention of the enemy would most certainly be directed to this city, the great entrepôt of our possessions on the Pacific coast.

To prevent the ingress of ships of war we have the forts at Fort Point and Alcatraz Island with 140 heavy guns now in position. Batteries can be readily thrown up, and with such naval force as can be concentrated in the harbor it is believed that this city would be safe. The General Government has but a small amount of funds at present available for defensive works on this coast; but I apprehend no embarrassment on this account, not for a moment doubting that the loyal and Union-loving people of California will most cheerfully respond to any call which may be made on them, whether for men or money, to defend their State from foes without or traitors within.

With great respect, I have the honor to be

Your excellency's most obedient servant,

G. WEIGET,  
*Brigadier-General, U. S. Army, commanding.*

His Excellency LELAND STANFORD,  
*Governor of California.*

EXHIBIT No. 16.

CALIFORNIA STATE TELEGRAPH COMPANY,  
*Washington, April 2, 1862—12.30 p. m.*

LELAND STANFORD,  
*Governor of California:*

The present aspect of our foreign relations is pacific, but the President remains of the opinion, heretofore so often expressed, that while this civil war actually continues may

foreign aggressions: No important port or portion of the United States ought to be left exposed. One or two iron-clad steamers at San Francisco would assure its safety at small expense.

W. H. SEWARD.

EXHIBIT No. 17.

HEADQUARTERS DEPARTMENT OF TEXAS,  
Galveston, November 25, 1861.

General S. COOPER,

*Adjutant and Inspector General, C. S. A., Richmond, Va.:*

SIR: I have the honor to inclose herewith, for the information of the Secretary of War, a communication from Lieut. Col. John R. Baylor, First Regiment Texas Mounted Rifles, informing that California is on the eve of a revolution, and recommending that the Southerners in that State be induced to join the Confederate States Army.

I have the honor to be,

Very respectfully, your obedient servant,

P. O. HEBERT,

*Brigadier-General, P. A., Commanding Department of Texas.*

[Inclosure with Exhibit No. 17.]

HEADQUARTERS, DOÑA AÑA, ARIZ.,  
November 2, 1861.

Maj. S. B. DAVIS:

SIR: I beg to call your attention to some matter of information that may be of service to the Government at this time. California is on the eve of a revolution. There are many Southern men there who would cheerfully join us if they could get to us, and they could come well armed and mounted. I would ask permission to get all such men as choose to join us, and would further ask that some arrangement for the purchase of horses in California be made. I could now buy the best of horses there for less than \$50 per head, and there are many Southern men who would sell them for Confederate bonds.

Another thing I take the liberty of suggesting is, that a force be placed in western Arizona, to watch the landing of United States troops at Guaymas, that they may not pass through Sonora to invade us. A party of Californians have just arrived, and report that there are no troops on the road at this time, but that the United States Government was trying to raise them for the purpose of invasion, and I am reliably informed that the Government of Mexico has sent orders to the governor of Sonora to allow the passage of United States troops through that State, and agents are in Sonora buying corn and supplies for United States troops. I have thought proper to furnish you with this information and leave you to act upon it.

Respectfully,

JOHN R. BAYLOR,

*Lieutenant-Colonel, Commanding T. M. R.*

[Inclosure with Exhibit No. 17.]

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., January 31, 1862.

Col. JAMES H. CARLETON,

*Colonel First Regiment of Infantry, California Volunteers:*

COLONEL: My proposition to the general-in-chief to organize an expedition under your command, to consist of your own regiment, the First Cavalry Regiment, and a light battery, to move from southeastern frontier of this State, was immediately approved at headquarters. The object of the expedition you are fully aware of—the recapture of all of our forts in Arizona and New Mexico, driving the rebel forces out of that country or capturing them, and opening the southern mail route. Every exertion has been and is still being made to provide your command with everything necessary to insure success, and had it not been for the unprecedented continuance of the rain, which made it impossible for the troops or wagons to move, an advance could have been made before this time.

The light artillery battery, Company A, Third Artillery, commanded by First Lieutenant Shinn, is now at the Presidio, and will be sent to you as soon as the roads are passable. Four companies of the cavalry and seven companies of the Fifth Infantry



have already been sent to your district. The remainder of the Fifth will be sent down soon.

I desire that you dispose of these troops in the manner you may deem best calculated to preserve the peace and quiet of the district. When you finally advance, the command of the district of southern California will be devolved upon Colonel Bowie or the senior officer then present.

I do not consider it necessary to be more minute in regard to the object to be accomplished or the mode of effecting it. With the first you are well acquainted, and as for the second, I take great pleasure in assuring you that I confide everything to your well-known skill, zeal, and gallantry. I shall take occasion to write to you again before you commence your march and give you all the information possible.

Wishing you success, I am, colonel, yours, most truly,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

---

EXHIBIT No. 18.

California has nobly and wisely pronounced in favor of the cause of the people. Let her prove her devotion to the Union and to civil liberty by doing all in her power to maintain both. Let her part of the national tax be cheerfully assumed and provision be made for its payment out of the State treasury. Every one of us should feel that we are but guardians, holding our lives and our fortunes in trust for the protection of the Government, around which cluster the anxious hopes and fears of millions who have grown with its growth and strengthened with its strength.

Our Government is emphatically one of the people, possessing the power of the people for their protection and defense, but powerless for their oppression. It is not only the best, but it is the strongest form of government the world has ever known. Let it remain unchanged.

The citizens of California are by birth the representatives of all parts of the Union, and are naturally imbued with more or less of local sympathies.

Let us be as tolerant and charitable of opinion as possible, but none should ever forget that California is one of the United States; that she is loyal to the Union; that her citizens have quite recently unmistakably declared their devotion to our national unity, their recognition of the supremacy of the National Government, and their determination to maintain both inviolate.

Every citizen of California must remember his duty, and, remembering, discharge it faithfully. His fellow-citizens are now in the field, armed against traitors and treason, and for the preservation of the Union and the National Government. The whole power of the State should, if necessary, be wielded to encourage, support, and sustain these patriotic citizens and their compatriots. Let treason meet a just and speedy punishment, and may we soon, as I doubt not we shall, see peace restored to our beloved Union, our institutions more firmly implanted than ever, and sustained by a national sentiment that shall pervade every section of our country. The new administration enters upon the discharge of its duties at a momentous period of our nation's history. I confidently trust there will be concert of action in all the departments of our State government to strengthen the arm of the Federal power, and also in whatever will tend to advance the interest of our State.

---

EXHIBIT No. 19.

No. XXIII.—*Concurrent Resolution.*

[Adopted February 6, 1862.]

*Resolved by the senate, the assembly concurring,* That the committee on military affairs be, and they are hereby, instructed to inquire into and report to their respective houses, what additional sea-coast and harbor fortifications, if any, are necessary for the proper and complete defense of the State, and to make recommendations in connection therewith, that will insure the speedy and efficient construction of any batteries that it may be deemed necessary for the State to erect.

## EXHIBIT No. 20.

No. XXIV.—*Concurrent Resolution.*

[Adopted February 24, 1862.]

*Resolved by the senate, the assembly concurring,* That the board of war examiners, consisting of the adjutant-general, treasurer, and controller of state be, and are hereby requested to communicate to this legislature as soon as possible the proceedings of said board, and all facts showing the condition of claims for services in the Indian wars of this State, so far as those matters have been under the control of said board.

## EXHIBIT No. 21.

No. XXXVI.—*Concurrent Resolution.*

[Adopted February 25, 1862.]

*Resolved by the senate, the assembly concurring,* That the military committees of the two houses, acting jointly, inquire into the present condition of the militia of this State, and, if deemed necessary, report such amendments to the present law as will adapt the system to the exigencies of the present crisis in the affairs of our country.

## EXHIBIT No. 22.

SEC. 43. The commander-in-chief shall order a public parade of all the organized militia of the State on at least two days of each year; such parades to be held within the limits of the brigade to which such troops respectively belong; and such public parades shall be reviewed by the commander-in-chief, or, in his absence, by the major-general, or by the officer of the brigade of the highest rank present. Immediately after such troops have been reviewed, they shall be inspected by the inspector-general, or, in his absence, by the division or brigade inspector, and such inspecting officer, after a minute inspection of dress and military bearing of the field officers and commissioned staff, and the officers of companies, and arms, accouterments and dress of each soldier, will report the result of such inspection to his commanding officer: *Provided,* That in the city and county of San Francisco the organized militia shall parade at least six times during the year; two parades as hereinbefore provided, two by regiments or battalions, and two parades by company, one of which company parades shall be for target practice, the result of which target practice shall be reported to the commanding officer of the brigade: *And provided further,* That upon occasions of reception, or upon the celebration of any event of public importance, the commanding officer of the brigade shall have authority to order out the organized militia, to join such parade, and the parade so ordered is hereby constituted a legal parade: *And provided further,* That each and every company of the organized militia of the city and county of San Francisco shall assemble at least once in each week for military instruction. In other parts of the State, such companies shall assemble at least once a month for such instruction, and all members who absent themselves from such meetings for instruction, during four consecutive meetings, unless properly excused by the commanding officer of such company, or through absence from the county, or bodily disability, shall be debarred from the exemption of jury duty and poll and road tax, and subject to expulsion from their company.

\* \* \* \* \*

SEC. 9. Section forty-three of the above recited act is hereby amended so as to read as follows:

Section 43. The commander-in-chief shall order a camp of military instruction, to continue for ten days, at some central point in this State, in the month of April or May of each year, which shall be attended by all of the commissioned officers, non-commissioned officers, and non-commissioned staff of the militia of this State, the same to be commanded by the major-general, or, in his absence, by the senior brigadier-general present. The commander-in-chief shall also order, annually, an encampment, to continue not more than ten days, of the organized militia of this State, to be held in the month of September or October of each year, within the limits of the brigade to which such

troops respectively belong; the troops attending each camp of instruction and State encampment shall be deemed to be in active service, and shall be reviewed by the commander-in-chief, and in addition to such inspections as may be ordered by the officer in command, shall be inspected by the inspector-general of the State, on the second and last days of such camp of instruction and encampment: *Provided*, That in the city and county of San Francisco, the organized militia shall parade at least four times during the year: once by brigade, twice by regiments or battalions, and once by company, which last shall be for target practice; the result of such target practice shall be reported to the commanding officer of the brigade; *And provided further*, That upon occasions of reception, or upon the celebration of any event of public importance, the commanding officer of the brigade shall have authority to order out the organized militia to join such parade, and the parade so ordered is hereby constituted a legal parade: *Provided, further*, That each and every company of the organized militia of the city and county of San Francisco shall assemble at least once in each week for military instruction. In other parts of the State such companies shall assemble at least once a month for such instruction, and all members who absent themselves from such meetings for instruction during three consecutive meetings, unless excused by the commanding officer of such company, shall be debarred from the exemption of jury duty, and poll and road tax, and subject to expulsion from their company: *Provided*, At any other legal parade, that any officer, non-commissioned officer, or private who shall neglect to attend a camp of instruction, or military encampment, as above provided, when legally required to do so, shall be subject to a fine of three dollars for each day's absence from such camp of instruction or military encampment, unless excused in consequence of sickness or absence from the State; such fines may be sued for and recovered in the name of the people, before any justice of the peace of the township in which such delinquent resides.

[Exhibit No. 22—Continued.]

CHAP. CCCLIII.—*An act supplementary to an act entitled An act amendatory of and supplementary to an act entitled An act in relation to the Militia of this State, approved April twenty-fourth, one thousand eight hundred and sixty-two, approved April twenty-fifth, one thousand eight hundred and sixty-three.*

[Approved April 4, 1864.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. It shall not be necessary for the commander-in-chief to order the encampment of military instruction or the encampment of the organized militia of this State, as required by the provisions of the act to which this is supplementary, unless in his discretion the same be necessary.

SEC. 2. This act shall take effect immediately.

#### EXHIBIT NO. 23.

##### *Encampments and camps of instruction.*

In relation to these subjects I can not do better than to call your attention to recommendations in my former reports relative to annual brigade encampments of the organized militia of this State, and to camps of instruction, to refer your excellency to correspondence upon the subject between Lieut. J. L. Browne, of the Auburn Greys, and myself, which is herewith annexed:

AUBURN, PLACER COUNTY,  
September 22, 1861.

Hon. J. G. DOWNEY:

SIR: Mr. Bullock and myself called at your office one day last week, wishing to have some conversation with you relative to a camp of instruction for the benefit of the volunteer militia and such other patriotic citizens of the State as would, were they satisfied of their competency, enlist in the service of their country.

Like many other patriotic citizens you are undoubtedly somewhat disappointed at the backwardness of Californians in filling up the various companies and regiments now under requisition. From my own observation I am satisfied that the principal cause can be explained in a very few words, and in doing so I do not design to reflect on patriotic men, but to assert a general reason.

Many of the men who were in a situation to enable them to do so, on the requisition being made, immediately opened recruiting stations and formed their plans to

fill up companies, were men in whom the community in general had not much confidence; some would doubt their competency, others their fitness, more, their known lack of experience or military education of any kind. Consequently, after picking up the floating population, whom any one could enlist, they find that their efforts have come to a stand; and when they appeal to that part of the community who are fixed and have something to leave, their work is slow, and the closing up of their work does not keep pace with the promise of the commencement. In various and many instances, such men, starting companies in various localities or communities, deter others who have first to look to their business matters and satisfy their own minds that the call of their country demands the sacrifices necessary for them to make to give up their occupations and enlist for their country's sake. These men, coming slower to the conclusion, would find the field already occupied, and could easily persuade themselves that the time for them was not yet. In every case such men would have filled up companies and called around them a reliable and substantial class of the community much quicker than mere adventurers can, and the reputation of the State be increased in a proportionate ratio.

Another thing which I feel has kept many good men from the field at this time, is their doubt of passing the necessary examination before the military board, even after they had abandoned their business or lucrative situations and gone to the expense and trouble of filling up companies. I know many who hesitate thus to lose good business and valuable situations for the risk and mortification of being finally thrown out. They would and could find time to spend weeks or months in a camp of instruction, from which they could go with a confidence and knowledge of what would be required of them. They would go out in the confidence that should they succeed in forming companies, and by their action be placed in responsible positions, they possessed the requisite knowledge to perform their duties in a creditable manner; and in case of another requisition, companies would be formed more expeditiously and more to the credit and honor of the State than at present. The present movement in almost every town in the State to form companies of home guards is proof of this. There is not at present a prospective organization of home guards but would furnish more or less candidates for instruction if the facility was extended to them; and then men returning to their homes, imbued with the proper military knowledge and confidence, would impart more or less of it to their organizations, and thus would be accomplished just the result sought, to the great honor and reputation of the State—"a thorough and correct organization of the volunteer militia of the State." Accompanying this, I give a rough and crude outline of my ideas of such a camp. No doubt those experienced would find but little difficulty in maturing a plan.

This fall the people of Placer County deemed me more fit to stay at home than represent them in the legislature; but when I am satisfied the country needs my services I shall not hesitate, and I will endeavor to be prepared.

Respectfully, yours,

J. L. BROWNE.

[Exhibit No. 23—Continued.]

*Memorandum—Camp of instruction.*

That there be established at some suitable place, under competent instructors, an encampment, to be termed "A camp of instruction," for the practice and instruction of such part of the volunteer militia of the State as may desire it; where skeleton companies, or such members of the various volunteer and home-guard organizations as may be detailed by the several companies with the advice and consent of the commander-in-chief, shall be put on a course of drill and instruction, by companies and regiments, and all the details of the camp necessary to be known by officers in active service. Parties so detailed, and availing themselves of the benefits of this instruction, pledging themselves to promptly respond to any requisition that may be made on the State. Those who acquit themselves to the satisfaction of the commandant, to receive from the commander-in-chief or adjutant-general proper certificates of competency.

[Exhibit No. 23—Continued.]

STATE OF CALIFORNIA, HEADQUARTERS MILITIA,  
OFFICE ADJUTANT-GENERAL,  
Sacramento, October 9, 1861.

SIR: Yours of the 22d ultimo, addressed to his excellency the commander-in-chief, relative to the necessity of establishing camps of military instruction has just been handed me for reply. I fully concur with you in the premises laid down, and in your conclusions of result. The plan suggested is a desideratum for which I have been laboring for years past, having almost annually called the attention of our legislators to this subject. I have repeatedly recommended annual encampments of our

militia, and attempted to set forth some of the benefits to be derived therefrom. I have shown, by actual returns, that out of the 25,000, the estimate of our losses in the Mexican war, only 5,000 actually fell in battle, and upon the authority of official papers of the Mexican Government, out of 50,000 lost only 10,000 fell in battle; thus proving that, even in one of the most equable and temperate climates on the globe, and in the absence of any devastating epidemic, the most frightful cause of disease and death, in both armies, arose from a want of knowledge of camp duties. The army troops, being under regular and systematic discipline, protected by a knowledge of the economy of camp life, became gradually inured to the absence of conventional comforts, and are prepared to do good service in the field, and retain health. On the other hand, the ranks of the volunteers engaged in that war, although they had the same equipage, were greatly thinned by fell disease before they had an opportunity of conflict with the opposing foe. What was to the regular troops only a change of habitation, simply requiring care and attention, was to the other a fruitful source of distress and inconvenience. Cleanliness, a suitable health police, and a thousand matters of good order, essential to the preservation of health, are the result of mere theory, but must be acquired by experience in service. Take a citizen from his fireside and place him in the active field, without previous instruction, and he will make a sad contrast with the well-disciplined soldier. Take a citizen-soldier, and accustom him, by an easy and pleasing transition, to the duties on the field, and, should his services be suddenly required in a more extended military sphere, his experience will enable him to contend with exposure and hardship, which otherwise would operate as a serious drawback.

Let us, then, habituate our citizen soldiers, by a system of instruction, to their duties in this respect, and give them an anticipation of, and, to a great extent, a safeguard against the vicissitudes of actual service, and the result must be highly beneficial.

Look at many of the volunteers as they returned from the battle-fields of Mexico, (men, for the most part, in the very prime of life) with emaciated forms and shattered constitutions, borne down under the influence of an inexorable conquerer, and know, at the same time, that they unflinchingly and fearlessly encountered all the dangers which assailed them, and say if this is not an appeal to our sympathies, and if it does not add to the testimony that lack of experience and a knowledge of the duties of camp life have greatly contributed to bring about this result? If, then, such are the results of our experience in warfare, can we not be taught by that experience lessons of real utility, and make an effort to remove at once this most fruitful of all sources of the casualties of war, by fitting our officers, at least, or those who may be called upon to command, for service, by actual duties in camp?

If these camps of instruction could be established under proper auspices, the amount of benefit that would arise therefrom cannot be computed. But I regret to say, that no provision has been made to pay any portion of the expenses which would be incurred, and unless the means are at hand, or can be derived from other than the State sources, the matter will have to be deferred until the meeting of our legislature.

The commander-in-chief will unite with me in the proper recommendation to that body, and wishes me to assure you of his full indorsement of your views, and his co-operation in all things which shall tend to prepare his fellow-citizens to sustain the flag of our country with credit to themselves and honor to our State.

I am, sir, your obedient servant,

WM. C. KIBBE,  
*Adjutant-General.*

To Lieut. J. L. BROWN,  
*Auburn, Placer County.*

[Exhibit No. 23—Continued.]

The faults of discipline and organization among our troops, developed in the present war, demonstrate the necessity of important improvement of our military establishment, in order to place it on the footing which the power and position of our country demand. The case cited above, and the losses and sufferings experienced in men during the early part of the Crimean campaign among the British troops, which were so painfully exhibited in the reports of the commissioners appointed to inquire into them, afford an argument conclusive as to the necessity of the establishment of these camps.

Encampments and camps of instruction should be formed, in which officers and men may be exercised in maneuvers of large bodies of troops. As at present organized, there are few opportunities for our officers or soldiers to acquire practical knowledge of the conduct of field operations on a large scale or the various resources of preserving their individual efficiency in campaign. A liberal appropriation should be made for these purposes, and the law so amended as to require the establishment of annual encampments upon a proper basis in at least a portion, if not all, of the brigades of this State, and camps of instruction in every brigade.

The companies of organized troops of the Second Brigade, Second Division, should also be required to encamp in battalions of three or more companies, or in such force as can be made available, for instruction at the forts in the harbor of San Francisco, for artillery practice, under competent instructors (if permission can be obtained of the Federal authorities, of which no doubt exists) for at least one week each. The reason for this recommendation is obvious. The Federal troops have been principally ordered from this coast, and we should at all times have in readiness at least a full regiment of men ready to command or serve the guns upon our fortifications. This is highly important, and our brave troops in San Francisco would gladly fit themselves for this service, and be ready to supply the necessity which an emergency might require.

---

EXHIBIT No. 24.

CHAP. CCCXXXII.—*An act to appropriate money to sustain a mounted battery of artillery in the city and county of San Francisco.*

[Approved April 26, 1862.]

*The people of the State of California, represented in senate and assembly, do enact as follows :*

SECTION 1. The sum of two hundred and fifty dollars per month is hereby appropriated, out of the general fund of the State of California, not otherwise appropriated, for the support and maintenance of Company A, First California Guard, First Regiment, Second Brigade, Second Division, California State Militia.

SEC. 2. It shall be the duty of the captain of said company to furnish, to the adjutant-general of the State, a monthly statement, accompanied with proper proofs, of the amount actually expended by said company during the month, in drill and practice in the field, and for no other purpose. The adjutant-general, upon the receipt of such proofs, shall furnish to the captain of said company a certificate, setting forth the facts, together with a statement of the amount due said company under the provisions of this act, which amount shall not, in any one month, exceed the sum of two hundred and fifty dollars. On presentation of the certificate of the adjutant-general to the controller of state, he shall draw his warrant for the amount specified therein, in favor of the captain of said company, and the treasurer of state is hereby directed to pay the same.

SEC. 3. This act shall take effect and be in force from and after its passage.

---

EXHIBIT No. 25.

WASHINGTON, January 13, 1863.

To General GEORGE WRIGHT :

Secretary of War directs Thompson's four cavalry companies be mustered into service with from sixty to seventy-eight privates each. Clothe and subsist them. State Massachusetts will transport to Boston, where they will be armed and equipped.

W. SCOTT KETCHUM,  
*Brigadier General and Assistant Adjutant-General.*

Official copy.

G. WRIGHT,  
*Brigadier-General of Army.*

---

EXHIBIT No. 26.

WASHINGTON, January 20, 1863.

To General WRIGHT :

Secretary of War gives authority to raise four companies native cavalry in Los Angeles district.

THOMAS M. VINCENT,  
*Assistant Adjutant-General.*

Official copy.

G. WRIGHT,  
*Brigadier-General of Army.*



## EXHIBIT No. 27.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, January 21, 1863.*

His Excellency LELAND STANFORD,  
*Governor of California, Sacramento:*

SIR: After a careful consideration of the Indian difficulties in the district of Humboldt, comprising the northwestern counties of this State, and deeming it for the best interests of the Government that volunteer troops raised within the district should be employed against the hostile Indians, I have, by virtue of authority vested in me by the War Department, respectfully to request that your excellency may be pleased to organize within said district four companies of infantry to be mustered into the service of the United States.

My design is to retain three companies in service only so long as our difficulties in the district may render necessary. Should your excellency respond favorably to this request, I will designate an officer of the regular Army to muster in the companies at such points as may be convenient for their organization.

Each company will consist of one captain, one first lieutenant, one second lieutenant, four sergeants, eight corporals, two musicians and sixty-four to eighty privates.

Very respectfully, I have the honor to be, your excellency's obedient servant,  
 GEO. WRIGHT,  
*Brigadier-General of Army.*  
 P.

## EXHIBIT No. 28.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*Sacramento, February 5, 1863.*

SIR: Having received authority from the Secretary of War, under date of December 2, 1862, to raise in this State a regiment of infantry and seven companies of cavalry, and at a later date authority from the same source to raise four companies of native cavalry, which authority I have previously communicated to your excellency, I have to request that the troops called for may be organized and officered as soon as practicable, when an officer of the regular Army will be appointed to muster them into service.

With great respect, I have the honor to be, your excellency's obedient servant,  
 G. WRIGHT,  
*Brigadier-General U. S. Army.*

His Excellency LELAND STANFORD,  
*Governor of California, Sacramento.*

## EXHIBIT No. 29.

*Proclamation.*

EXECUTIVE DEPARTMENT,  
*Sacramento, February 5, 1863.*

Whereas I have this day received a requisition from Brig.-Gen. George Wright, commanding the Department of the Pacific of the U. S. Army (the same having been made by the authority of the War Department), for one regiment of infantry additional, and seven companies of cavalry to fill the First Cavalry to the maximum standard of a regiment of cavalry; also, four companies of native California Cavalry, all to serve for a period of three years, unless sooner discharged the service, to aid in the enforcement of the laws and the suppression of insurrection: Therefore, the following is promulgated:

The plan of the organization of the above force will be as follows:

The field, staff, and line officers required will be commissioned by the governor.

One-third of the company officers to be raised under this requisition will be commissioned at the commencement of the organization of the regiment of infantry and the additional companies and battalion of cavalry, and the remainder when the interests of the service may require.

The additional regiment of infantry will be denominated the Sixth Infantry California Volunteers.

The seven cavalry companies first mentioned will be attached to the First Cavalry California Volunteers.

The four companies of native cavalry will be organized as a battalion, and be designated as the First Battalion Native California Cavalry.

The minimum and maximum strength of a regiment of infantry and of a company of infantry and cavalry is hereunto appended.

Now, therefore, I, Leland Stanford, governor of the State of California, do hereby authorize and call upon citizens of this State, as many as shall be necessary to fill up the preceding requisition, to immediately organize themselves into companies as required hereby.

In witness whereof I have set my hand and caused the great seal of the State to be affixed. Done at Sacramento, California, this fifth day of February, in the year of our Lord one thousand eight hundred and sixty-three.

[SEAL.]

LELAND STANFORD,  
Governor.

Attest:

WILLIAM H. WEEKS, *Secretary of State.*  
By A. A. H. TUTTLE, *Deputy.*

### EXHIBIT No. 30.

#### *Proclamation.*

EXECUTIVE DEPARTMENT,  
*Sacramento, February 7, 1863.*

Whereas Brig. Gen. George Wright, of the United States Army, commanding the Department of the Pacific, has called upon me for a battalion of six companies of troops (infantry) for special service against the Indians in the Humboldt district, in this State, to serve until discharged by him:

Now, therefore, I, Leland Stanford, governor of the State of California and commander-in-chief of the militia thereof, do call upon the citizens of the frontier counties of Humboldt, Mendocino, Trinity, Klamath, Siskiyou, and Del Norte, of this State, as many as shall be necessary to fill up the foregoing requisition, to organize themselves into companies to be mustered into the service of the United States as hereby required.

The requisite officers of this force will be commissioned by the governor.

Done at Sacramento, Cal., this seventh day of February, in the year of our Lord one thousand eight hundred and sixty-three.

[SEAL.]

LELAND STANFORD,  
Governor.

Attest:

WM. H. WEEKS, *Secretary of State.*  
By A. A. H. TUTTLE, *Deputy.*

### EXHIBIT No. 31.

#### No. III.—*Concurrent resolution.*

[Adopted March 10, 1863.]

*Be it resolved by the senate, the assembly concurring,* That our Senators in Congress be instructed and our Representatives requested to impress upon the Executive the necessity which exists of having officers and soldiers of the U. S. Army, officers, seamen, and marines of the U. S. Navy, and all citizens employes in the service of the Government of the United States, serving west of the Rocky Mountains and on the Pacific coast, paid their salaries and pay in gold and silver currency of the United States: *Provided,* The same be paid in as revenue on this coast.

*Be it resolved,* That these resolution be, without delay, telegraphed by the governor of this State to our delegation in Congress, in order that immediate action may be had upon the same.

## EXHIBIT No. 32.

CHAP. CLXXXVII.—*An act to assist in filling up the regiments of California Volunteers, and to aid certain officers for that purpose.*

[Approved April 10, 1863.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. The sum of twenty-four thousand two hundred and sixty dollars of the moneys now in the State treasury arising from the exchange of gold for legal-tender notes in the payment by the State treasurer of Federal war tax assessed against the State of California, be, and the same are hereby, placed in the treasury as a "military recruiting fund."

SEC. 2. The following sums are hereby appropriated to the recruiting of volunteers in this State, in the following proportion, viz: The sum of six thousand two hundred and eighty-nine dollars and sixty cents is appropriated to the seven companies of the First Cavalry California Volunteers; the sum of eight thousand nine hundred and eighty-five dollars and fifteen cents is appropriated to the Sixth Regiment of Infantry, California Volunteers; the sum of five thousand three hundred and ninety-one dollars and nine cents is appropriated to the First Battalion Mountaineers, California Volunteers; and the sum of three thousand five hundred and ninety-four dollars and sixteen cents is appropriated to the four companies Native California Cavalry.

SEC. 3. The said sum of money shall be applied exclusively to defray the expenses of recruiting, and the traveling and other necessary expenses of the recruiting officers of the companies of said volunteers, in the following proportion, to wit: to each company, the sum of \$898.51.

SEC. 4. The controller is hereby directed to draw his warrants on the State treasurer for the amounts herein specified, in favor of the colonel or other commanding officer of the regiment or battalion, for the amounts above specified, on the special fund herein designated, and the treasurer of State is hereby authorized and required to pay said warrants to the said colonel or other commanding officer of the regiment or battalion, who is hereby constituted the disbursing officer of said funds.

SEC. 5. The said disbursing officers will distribute the funds in their hands in the proportion of \$898.51 to the commissioned officers in each company, in the following proportion, to wit: the sum of \$498.51 to each captain, and the sum of \$200 to each lieutenant, at the time and in the manner designated in the next section of this act.

SEC. 6. The said recruiting officers shall produce duplicate vouchers, duly sworn to, of the necessary traveling expenses and subsistence of their recruits previous to being forwarded to the general rendezvous, and all necessary incidental expenses, and forward the same to the said disbursing officer, together with his certificate that the same is true and correct, and that the items of expenses therein stated have been necessarily incurred; and the said disbursing officer, if he finds the same to be correct, and that the items for expenses therein stated have been necessarily incurred, shall forward one copy of said voucher to the adjutant-general of the State of California, and shall retain the other as his receipt or voucher for the amount allowed, and shall pay over to said recruiting officers the amount so allowed.

SEC. 7. This act shall take effect from and after its passage.

---

EXHIBIT No. 33.

CHAP. CCCXVIII.—*An act to appropriate funds for the defense of the State.*

[Approved April 25, 1863.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. For the purpose of placing this State in a more efficient state of defense against foreign or internal foes, the sum of \$100,000 is hereby appropriated from any funds in the State treasury not otherwise appropriated, to be disposed of as follows;

To each regiment existing in the Second Brigade, California State Militia, the sum of \$10,000.

To the light battery of the Second Brigade, California State Militia, the sum of \$3,000.

To the three cavalry companies of the Second Brigade, California State Militia, the sum of \$2,000 each.

To each company of infantry now organized, or which shall be organized within sixty days after the passage of this act, consisting of fifty rank and file, and in the same ratio to a greater or smaller number of the First, Third, Fourth, Fifth, and Sixth Brigades, and to each company unattached to regiments of the Second Brigade, and not above enumerated, the sum of \$1,000.

To each cavalry company of the First, Third, Fourth, Fifth, and Sixth Brigades, now organized, or which shall be organized within sixty days after the passage of this act, and to each additional cavalry company which may be organized in the Second Brigade within sixty days after the passage of this act, \$2,000.

SEC. 2. The moneys hereby appropriated shall be expended in equipping for service the men comprising or which may hereafter comprise the said regiment batteries, and companies of the organized militia of this State, under the direction and superintendence of the following officers, viz:

For the three regiments, light battery, cavalry companies, and companies unattached, of the Second Brigade, the governor, and major-general of this State, and the brigadier-general of the Second Brigade.

For each company of the First Brigade, the governor, and adjutant-general of this State, and the brigadier-general of the First Brigade.

For the companies of the Third Brigade, the governor, and adjutant-general of this State, and the brigadier-general of the Third Brigade.

For the companies of the Fourth Brigade, the governor, and the adjutant-general of the State, and the brigadier-general of the Fourth Brigade.

For the Fifth Brigade, the governor, and adjutant-general of the State, and the brigadier-general of the Fifth Brigade.

For the Sixth Brigade, the governor, and adjutant-general of the State, and the brigadier-general of the Sixth Brigade.

SEC. 3. All articles for military purposes purchased under the provisions of this act shall be receipted for and held as the property of the State of California, and shall be subject, at all times, to the inspection of the legislature, the governor, and the adjutant-general, and may, upon the order of the governor, be withdrawn from the use and custody of the troops whenever misapplied, or whenever the same shall not be kept in proper order for military uses. Such bonds as shall be required by the governor of this state for the safe-keeping and return of the military property purchased under the provisions of this act, shall be given by officers receiving the same, to be approved by the governor, and filed in the office of the adjutant-general of this State.

SEC. 4. The controller of State is hereby authorized and required to draw his warrants for the sum of money herein appropriated to each Brigade, in favor of the officers named in this act, to disburse the same under the provisions of this act, upon the written certificate of the adjutant-general that the same is due and payable out of the moneys herein appropriated, and the treasurer of State is hereby required to pay the same, when there is money in the treasury for that purpose.

SEC. 5. The board of supervisors of the city and county of San Francisco are hereby authorized and empowered to advance, out of the general fund of said city and county of San Francisco, the sum of money herein appropriated for the three regiments, light battery, and three cavalry companies, and also for any other companies which may be organized in said city and county of San Francisco, and be entitled to the benefits of this act, and to receive the warrants of the controller, hereinbefore provided, for the troops named in this section; and in case the said board of supervisors shall advance said sum of money, then the governor, major-general, and brigadier-general of the Second Brigade shall indorse and deliver to the auditor of said city and county the said controller's warrants, and upon receiving the same he shall draw his warrant on the treasurer of the city and county of San Francisco for the said sum of money, in favor of the governor, major-general, and brigadier-general of the Second Brigade, and the treasurer is authorized to pay the same out of the said general fund for the purposes herein provided for.

SEC. 6. The controller of State shall draw his warrants as provided in this act, whether there is or is not money in the State treasury for the payment thereof.

SEC. 7. The disbursing officers herein appointed for the various brigades shall report the amount of money expended under this act, and how the same has been expended, and the condition of the property purchased, to the legislature at its next session.

SEC. 8. This act shall take effect and be in force from and after its passage.

CHAP. CCCCXIV.—*An act for the relief of the enlisted men of the California Volunteers in the service of the United States.*

[Approved April 27, 1863.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. A sum not exceeding \$600,000 is hereby appropriated and set aside to constitute a separate fund, to be known as the "Soldiers' Relief Fund," for the purpose of paying a compensation to the soldiers of the companies of California Volunteers raised in this State for the service of the United States, to aid in repelling invasion, suppressing insurrection, enforcing the laws, and protecting the public property, in addition to the pay allowed them by the United States. All liabilities created by this act shall be paid out of said fund.

SEC. 2. There shall be paid out of the fund created and set apart by the first section of this act to each and every enlisted soldier of the companies of California Volunteers raised, or hereafter to be raised in this State for the service of the United States to aid in repelling invasion, suppressing insurrection, enforcing the laws, and preserving and protecting the public property, from the time of their enlistment to the time of their discharge, the sum of \$5 per month; *Provided*, That this provision shall not apply to any soldier who may be drafted or enlisted as a substitute for any person drafted into the service of the United States.

SEC. 3. No money shall be drawn out of the "Soldiers' Relief Fund," herein provided for, except as is provided for in section 4 of this act.

SEC. 4. The captains or commanding officers of companies of California Volunteers shall, after each and every muster, file in the office of the adjutant-general of this State a complete muster-roll (duly certified) of their companies, from the date of their enlistment, noting desertions, discharges, and dismissals, and stating the causes of such discharges and dismissals from the service. No non-commissioned officer or private shall be entitled to the benefit of this act who shall not obtain an honorable discharge from the service, and no money shall be drawn from the fund hereby authorized and set apart until he has been honorably discharged the service: *Provided, however*, That the monthly amount hereby appropriated may be drawn by such enlisted married men as have families depending upon them for support, who shall have power to allot the whole or a portion of the same for the support of their families. The amount of pay thus allotted shall be paid to the person to whom the same is legally allotted, upon the following certificate of the adjutant-general of the State (with seal of office attached) being indorsed thereon, namely: "I hereby certify that \_\_\_\_\_ is a \_\_\_\_\_ in Company \_\_\_\_\_, \_\_\_\_\_ Regiment California Volunteers, \_\_\_\_\_ and that he is entitled to the benefit of the act entitled 'An act for the relief of the enlisted men of the California Volunteers in the service of the United States,' approved April \_\_\_\_\_, 1863, and that this allotment is made according to law." After the term of enlistment shall have been served, or an honorable discharge granted to any enlisted man, a certified copy of his final statement shall be transmitted to the adjutant-general of this state, who shall certify on the back of the same the amount due under this act to the person discharged, and the comptroller shall draw his warrant upon the treasurer of state for the amount so certified, payable out of the fund hereby created: *Provided*, That in case a volunteer be discharged for disability that existed at the time of his enlistment he shall not be entitled to the benefit of this act.

SEC. 5. To enable all concerned to avail themselves of the benefits of this act, muster-out rolls of the respective companies of California Volunteers shall be duly filed in the adjutant-general's office of this State, and a certified copy thereof filed in the office of the comptroller of state.

SEC. 6. For the purpose of carrying into effect the provisions of this act, and providing for the fund created by section 1 of this act, the treasurer of the State of California shall cause to be prepared bonds of the State, to the amount of \$600,000, in sums of \$500 each, redeemable at the office of the treasurer of the State, on the 1st day of July, 1883. The said bonds shall bear interest, payable semi-annually, at the rate of 7 per cent. per year from the date of their issue, which interest shall be due and payable at the office of the treasurer of state on the 1st days of January and July of each year: *Provided*, That the first payment of interest shall not be made sooner than the 1st day of January, 1864. The said bonds shall be signed by the governor, and countersigned by the comptroller, and indorsed by the treasurer of state, and shall have the seal of State affixed thereto. And such bonds shall be issued from time to time as they may be required for use. The expense of preparing such bonds shall be audited as a claim against the "soldiers' relief fund," created by this act.

SEC. 7. Coupons for the interest shall be attached to each bond, consecutively numbered, and signed by the treasurer of state, and it shall be the duty of the comptroller and treasurer of the State, each, to keep a separate record of all such bonds as may be issued, showing the number, date, and amount of each bond, and to whom the same was issued.

SEC. 8. All demands against the soldiers' relief fund shall be audited by the board of State examiners, in like manner as other claims against the State are or may be directed to be audited.

SEC. 9. The treasurer of state shall sell and dispose of said bonds for gold and silver coin of the United States, from time to time, as may be necessary to provide for the payment of liabilities against the said soldiers' relief fund, in the following manner: He shall publish notice for thirty days in two daily papers of the city of Sacramento, and in two daily papers of the city of San Francisco, inviting sealed proposals for the purchase of said bonds; the notice to state the time and place of receiving bids, the amount of bonds to be disposed of, and that no bids will be received for the purchase of a less sum than \$2,000, nor for a greater rate of discount than 15 cents on the dollar of the par value thereof, and that the payments for the same must be made in gold and silver coin of the United States. Parties proposing to purchase bonds offered as aforesaid must state, in writing, the amount they propose to purchase, and the rate per cent. they are willing to pay in gold and silver coin as aforesaid; each proposal to be accompanied with a responsible guaranty that the bidder will take the amount of bonds proposed and pay for the same on delivery of the bonds, if his bid is accepted, in accordance with the terms of his bid. No bids shall be received for a less sum than \$2,000, nor for any fractional part thereof, and the said bonds shall not be sold or negotiated by the treasurer at a greater discount than 15 cents on the dollar of the par value thereof. The treasurer shall, immediately upon the closing of said bids, or as soon thereafter as convenient, open the whole of the bids or proposals in the presence of the governor and comptroller, and the governor, comptroller, and treasurer shall proceed to consider such proposals, and shall accept such as propose to purchase the said bonds for the smallest discount, such discount not, in any case, to be greater than hereinbefore limited. Upon the acceptance of any bid, and notification by the treasurer to the bidder, such bidder shall forthwith pay to the treasurer to the amount of the purchase money for the bonds proposed to be purchased, in gold and silver coin of the United States; upon receiving the same the treasurer shall deliver to such purchaser the bonds so purchased. All moneys received by the treasurer from the sale of bonds as herein proposed shall be placed by the treasurer to the credit of the said soldiers' relief fund.

SEC. 10. If any bidder whose bid shall be accepted shall fail to pay the money and accept the bonds, as provided in the last preceding section, he shall forfeit all right to his bid, and shall, with his guaranties, be liable to an action by the treasurer of state for the benefit of said fund, for any damages resulting from such failure to comply with the conditions of his bid in accepting the bonds and paying over the purchase money.

SEC. 11. For the payment of the principal and interest of the bonds issued under this act there shall be levied and collected annually, until the final payment or redemption of the same, and in the same manner as other State revenue is or may be directed by law to be levied and collected, a tax of 2 cents for the year A. D. 1863, and annually thereafter, 4 cents on each \$100 of taxable property in the State, in addition to the taxes for general State purposes, and the fund derived from this tax shall be set apart and applied to the payment of the interest accruing on the bonds herein provided for, and the final redemption of the principal of said bonds; and the faith of the State of California is hereby pledged for the payment of the bonds issued by virtue of this act, and the interest thereon, and if necessary, to provide other and ample means for the payment thereof.

SEC. 12. Whenever, on the 1st day of January or July, 1864, or upon the 1st day of January or July in any subsequent year, there shall remain a surplus, after the payment of the interest as hereinbefore provided, of \$10,000 or more, in the fund created by the eleventh section of this act, it shall be the duty of the treasurer to advertise in two daily newspapers published in English in each of the cities of San Francisco and Sacramento, for sealed proposals for the surrender of bonds issued under the provisions of this act. He shall state in such advertisement the amount of money on hand applicable to the redemption of bonds, and he shall accept such proposals, at rates not exceeding par value, as may redeem the greatest number of bonds, until the amount of cash on hand for redemption is exhausted.

SEC. 13. Full and particular account and record shall be kept by the treasurer of the condition of the funds collected in accordance with the provisions of this act, open at all times to the inspection of the governor and controller, and of any committee appointed by the legislature, or either branch thereof.

SEC. 14. It shall be the duty of the treasurer of this State to make arrangements



for the payment of the interest of the said bonds when the same falls due; and in the event that the said interest fund shall be insufficient, the said treasurer shall make up the deficiency from the general fund; and in the event of the insufficiency of the general fund, the said treasurer is authorized and required to make such contracts and arrangements as may be necessary for the payment of said interest, and the protection of the credit of the State; and in case there should at any time be in the fund created by this act for the payment of said interest, and the redemption of said bonds, any surplus moneys not needed for the payment of said interest or the redemption of any bonds, it shall be the duty of the treasurer of State to transfer such surplus moneys to the general fund of this State. Said bonds shall be redeemed and the interest paid in the gold and silver coin of the United States.

SEC. 15. This act shall take effect and be in force from and after its passage.

EXHIBIT No. 35.

*Annual report.*

ADJUTANT-GENERAL'S OFFICE,  
Sacramento, December 16, 1862.

To His Excellency LELAND STANFORD,  
*Governor of California:*

SIR: I have the honor to transmit herewith the annual report of this department for the year 1862. Hoping that the manner in which the subjects referred to herein have been treated will convince your excellency of an earnestness of purpose worthy of their importance, I subscribe myself,

Your most obedient servant,

WM. C. KIBBE,  
*Adjutant-General.*

[Exhibit No. 35—Continued.]

REPORT.

STATE OF CALIFORNIA, ADJUTANT-GENERAL'S OFFICE,  
Sacramento, December 15, 1862.

To His Excellency LELAND STANFORD,  
*Governor of the State of California:*

SIR: Pursuant to the requirements of the laws of this State, and the laws of Congress, requiring the establishment of a uniform militia throughout the United States, I have the honor to submit to your excellency the annual report of this department for the year A. D. 1862.

It is indeed gratifying to me in submitting this report to be able to congratulate your excellency and the people of California upon the patriotism and military zeal of our citizens as evinced in the organization of new military companies within the past year, and the unusual effort of officers and men to bring the force up to a standard of proficiency required for active service in the field. In the organized militia, officers and men have vied with each other in their efforts to be in readiness to subserve the public interests of California by furnishing a force of well-drilled men, and have thus materially aided in maintaining the integrity of our State by their laudable efforts for the public weal.

The wisdom of the founders of our Government, who recognized the great importance of a well-organized militia as the national arm of our defense, is fully appreciated by the good citizens of California. The progress of the present war has developed the fact that thorough drill and discipline are of the utmost importance to the efficiency of troops, and there is an earnest determination in this State to have no more holiday soldiering, even although we are permitted to enjoy the blessings of peace.

During the eighteen months just past our beloved country has been the theater of one of the most formidable rebellions the world ever saw. The manner in which that rebellion has been met by the spontaneous uprising of a million and a half of loyal people, finds no parallel in the history of nations. From the moment that the blood-thirsty traitors struck their first blow at the nation's heart, the whole country east of the Pacific States has been resounding with the clash of arms, and has been rocking to and fro beneath the tread of the mightiest armies the world ever saw. Since the revolution that gave us independence, nothing has transpired to mark the page of history with occurrences so patriotic. It is our second war for freedom — war for our salvation—our nationality—a contest forced upon us by treason, and one which is to be waged to its triumphant issue, for the conservation of the

highest interests and hopes of humanity. The sublime spectacle of the uprising of a million and a half of loyal men, offering their lives upon the altar of their country, to throttle an insurrection designed to subvert the Constitution and destroy the Union, has had its effect. The fact that at least among a fourth of our people this wicked rebellion finds a smothered sympathy, which would promptly unbosom itself if circumstances favorable to its exposure should present themselves, and the tender thread upon which our relations with England and France seem to hang, has aroused the fears of our people and created the almost universal impression that *military* preparation is necessary here. The sentiment that our Government shall not be destroyed pervades the hearts of our citizens to-day more fully than it did at the outbreak of this war. Young and old are looking with anxious eyes toward the scene of strife and blood, and thousands of strong hearts are ready at an hour's notice to rally around its noble banners and aid in bearing aloft the standard of civil and religious liberty—the beacon light of the oppressed of the world. They are appealing by thousands to the State to be assigned a place in the ranks of our militia force, in order to prepare themselves for active service.

Company organizations are being daily reported, and requisitions for arms and equipments are daily being made. The reverses of our armies, and the entanglements of our foreign alliances, only seem to strengthen the ardor of patriotism in California. How shall this sentiment, which has shown itself as yet only as a simple indication of duty upon the part of those for whom the Government was instituted, and who are its natural defenders, be met, fostered, and made available for the present and prospective needs of the State and nation? I answer, by putting into the hands of our loyal citizens the requisite munitions of war, and by encouraging the citizen soldier in every possible manner. Camps of instruction and brigade encampments should be authorized at once, and the necessary equipage supplied at the expense of the State. California should be promptly placed upon a war footing, namely, the organization of a force of at least 30,000 men under the militia law of our State should be effected for drill and military instruction, and the entire necessary expenses paid by the State. An appropriation should be made annually of at least \$8,000 to each regiment of organized and equipped militia, consisting of eight companies, and a corresponding amount to battalions and companies unattached, to be applied, one half to the payment of expenses necessarily incurred in parades and encampments authorized and directed by law, and the balance to the purchase of uniform, etc. It is useless to expect to keep up an efficient military organization, the burdens of which are to be saddled upon its members. The necessary expenses *must* be paid, and the time has come when the organization of this branch of the service should be fully sustained. The exigencies of our State and country demand of us that we should perfect a military organization worthy the patriotism and enterprise of our people, commensurate with the necessities of our exposed condition, and the part we may have to act in this unholy and fratricidal war. The niggardly policy of the State heretofore practiced towards this, the right arm of protection, by imposing all the burdens upon those of our citizens who have volunteered to supply a nucleus of a military force around which the hosts of the State could rally in case of danger, must be discontinued.

The fostering aid of the public Treasury *must* be invoked to meet all the actual expenses of our military force, if we would make it what it should be, or keep it what it now is. I beg of your excellency to call the attention of the legislature to this insuperable barrier to the complete efficiency of the troops of this State and the necessity of immediate and substantial relief. If these good men and true who meet not less than twice a week to learn the art of war, to become proficient in the use of arms, to acquire habits of command and obedience, subject themselves to the discipline of the soldier, and quietly fit themselves for active service, give their time to the State, I insist that to impose in addition the burdens of expense of the organization is rank injustice, and an outrage upon the liberal citizens of California; certainly a people who have contributed their means by the hundreds of thousands to the noble object of ameliorating the sufferings of the sick and wounded soldiers of the armies of the Union would scorn to have it go down to history that they withheld the meager amount required to fit their fellow-citizens for efficient service in the same field upon which they may sooner or later be called upon to act. Let the liberal and patriotic spirit be appealed to, and I doubt not but that speedy and needed support will be cheerfully voted by the representatives of the people of this commonwealth, and justice finally be done to the deserving and self-sacrificing soldier.

When we realize the fact that California has no defense under its own control but its militia, with a sea-coast of 800 miles (at many points of which an invader could land troops with impunity) entirely unfortified, with the exception of the harbor of San Francisco, and no monitors or ships of war of any description—no troops at our command excepting the uniformed militia, now consisting of less than 5,000 men, our condition must indeed appear alarming. The militia includes all able-bodied white male citizens between the ages of eighteen and forty-five, of whom there are in this State 150,000; and out of all these only about 5,000 are armed and disciplined and ready

for service. We have but a single battery of artillery, and but few muskets or small-arms of any description, excepting those in the hands of the organized militia. This brief sketch exhibits a condition of the defenses of this State, which should not be allowed to continue a single day longer than it is necessary to remedy it. California is one of the most opulent States of the Union, and has a territory larger than many of the countries of the Old World, or than any three States of the Union, and should provide a system of defense adequate to her great political and commercial interests. That we should longer remain in this exposed condition, pending a war which may disturb the friendly relations heretofore existing between our Government and the two great maritime powers of Europe, when we could have a force of 30,000 to 50,000 well-drilled men, capable of defending it against attack from any and every quarter, is, in the highest degree, reprehensible. Our system of government contemplates the militia as our chief defense against foreign invasion or internal rebellion. Our early statesmen and patriots had a dread of standing armies in times of peace, and they relied upon the strong arm of our citizen soldiers as our security against domestic commotions and foreign abuses. The Constitution of the United States and of the several States provided for it; our greatest statesmen have ever recommended it; Washington, in his first annual address to Congress, said:

“Among the interesting objects which will engage your attention, that of providing for the common defense of the country, will merit particular regard. To be prepared for war is one of the most effectual means of preserving peace. A free people might not only be armed, but disciplined, to which end a well-digested plan is requisite.”

The Articles of Confederation of the United States contained the following:

“Every State shall always keep up a well-regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and have constantly ready for use, in public stores, a due number of field-pieces and tents, and a proper quantity of arms, ammunition, and camp equipage.”

And the present Constitution of the United States declares that “the Congress shall have the power to provide for the calling forth of the militia to execute the laws of the Union, suppress insurrection, and repel invasion;” and also, “to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.”

Why this military force, so necessary to our political system, has been to such an extent ignored and neglected by the loyal States can only be accounted for by the lax political morality into which we have been groping, and the forgetfulness of those useful lessons of experience which have brought our country into so many national troubles, and into the present, the chiefest of them all.

Inquiry has often been made why it was that Massachusetts was able to send forward the well-drilled troops, which first took part in the present struggle for the maintenance of the Government with such promptness? The answer is, the excellent system for the organization and discipline of her military force, which had for years not only received the encouragement of judicious legislation, but at the same time substantial aid in means amounting to an annual appropriation of from \$60,000 to \$80,000 for its support. To use the words of that distinguished soldier and statesman, Maj. Gen. N. P. Banks:

“Massachusetts could never have done what she did without long preparation—preparation in time of peace; preparation at a moment when none supposed there was to be war; when the great mass of the people were wild enough to believe that a war anywhere that could entangle us in its meshes was impossible; preparations made when everything connected with the military name and organization and military spirit was looked upon as the spirit of dissipation, to be discouraged and discountenanced, and not regarded as part of the conduct or duty of an honorable or reputable man.”

California should profit by this example, and make proper preparation. The organization of our citizens into companies, the expansion of every company now organized into a battalion, and every regiment into a brigade, filled to their minimum standard, completely equipped for service, should be the subject of early legislation, and authority given to organize and discipline an adequate militia force. Let the exposed and defenseless condition of our State be appreciated, and the proper means and encouragements given, and our enterprising and patriotic citizens will speedily organize the best drilled and appointed army ever called into action from any State or country in the world.

We owe this preparation to our State; we owe it to our national compact; we owe it to the memory of those who handed the liberties we enjoy down to us; we owe it to ourselves; we owe it to posterity, and we owe it to the down-trodden millions of the world.

I do most earnestly again entreat your excellency, therefore, to commend this subject particularly to the legislature about to convene, that prompt measures may be taken for the better protection of California; that the wisdom of experience may be the guiding element in all deliberations upon this important subject, and that our exposed Commonwealth may soon possess the means and appliances for perfect defense. Our organized militia is composed of high-spirited and well-disciplined men, and if it is regarded as important and necessary to increase their number to a war footing, the present organization affords an easy and good means. New regiments of infantry, new battalions of riflemen, new companies of artillery and cavalry, could be formed, and increase our present brigades to five thousand men strong, with proper apportionment of the several military arms. Then if the worst fears of our people should be realized, the evidence will soon be afforded by the gallant sons of California, that this State has been true to her own and the nation's interests, and we shall hand down to history a fame worthy the patriotism, courage, and enterprise of this community, and at the same time discharge the most sacred obligations ever imposed upon a free people.

#### *Arms.*

California is sadly deficient in arms, and yet the many applications to the General Government at Washington, made by your excellency and from this department, for an additional supply, have thus far failed to meet with a favorable response. The requisitions, however, made upon Brigadier-General Wright, commanding the Department of the Pacific, have, to the extent of his ability, been promptly met, and I am informed will continue to be filled, so far as the public interests and the means at his command will permit. This officer is entitled to the thanks of the people of this State for his active co-operation with the State authorities in an attempt to build up and equip our State troops. But we need artillery and cavalry arms, and improved arms for our infantry—of which there are none on this coast. The State should be supplied at once with at least 15,000 muskets and rifles, 8 or 10 full batteries field artillery, cavalry arms sufficient to equip at least 20 squadrons, and camp equipage sufficient for at least 10,000 troops.

One of the most efficient arms of the service is artillery. We see its efficacy everywhere. It has gained most of our brilliant victories in the present war, and in all the wars of modern times. We have but a single battery of artillery, consisting of 6 field-guns—4 6-pounders, and 2 12-pound howitzers. (Two of these guns are now in use at the State prison.) This State should have at least a full and complete battery of light artillery for each brigade. A manned battery is composed of 1 captain, 3 lieutenants, 6 sergeants, 8 corporals, 2 musicians, 2 artificers, and 125 privates. Besides the 6 field-pieces, there are 6 caissons, 2 ammunition wagons, and 1 traveling forge. Each battery requires for active service 72 horses. If artillery arms could be supplied, the citizens of our large cities and towns would promptly organize a proper force.

There are in the organized militia but 3 cavalry companies, only partially armed and equipped. One of the causes of our military failures in the present war has been the want of a good cavalry force. When the war broke out the Government determined to have little or no cavalry, but its necessities soon made it requisite to organize a large cavalry force, which was found invaluable in checking the raids of the enemy, wherever they were to be attempted, and for the most effective field service. So in California, if an invading force should be landed upon our soil, a well-organized and well-mounted cavalry would be indispensable. California has ever been noted for her horsemen and for the vigor, strength, and endurance of her horses; but between mere horsemen and well-drilled cavalry there is much difference; the latter we might have if proper measures were taken.

Let us, then, provide for the organization of at least one squadron of cavalry in each brigade, and mount our best men on the best trained horses, and we shall soon have a cavalry force superior to any in the world. The organization and drill of cavalry and artillery is expensive, but we should not neglect to have a due apportionment of each arm of the service. I therefore most respectfully urge your excellency to commend the subject of our poverty in arms and munitions of war to the legislature, and recommend means for providing the same. Adequate preparation oftentimes averts war, and saves to a nation oceans of blood and millions of treasure. Had the loyal States heeded the wise counsels of the patriots of our early history, the present rebellion would never have shown its hydra head. Had the spirit of '76 been heeded and lived up to in the now loyal States, as declared by the convention which framed the constitution of the State of New York, which provided that, "Whereas, it is of the utmost importance to the safety of every State that it should be always in a condition of defense, and it is the duty of every man who enjoys the protection of society to be prepared and willing to defend it, this convention, therefore, by authority of the good people of this State, doth ordain, determine, and declare that the

militia of this State, at all times hereafter, as well in peace as in war, shall be armed and disciplined, and ready for service, and that a proper magazine of warlike stores, proportionate to the number of inhabitants, be forever hereafter, at the expense of this State, and by the acts of the legislature, established, maintained, and continued in every county of this State," this war had never existed. Let California, then, benefit by the experience of the past and do her duty to herself and the nation by promptly providing means for arming and equipping her troops.

#### *Appointments.*

I congratulate the people of the State, and particularly those connected with the militia, upon the appointment of general officers made during the past year by your excellency. Great care has been taken in the exercise of this prerogative to confer military appointments upon none but those who were most loyal to the Government, and at the same time to select, as far as possible, men distinguished for their military acquirements and high standing and respectability in the communities in which they reside, ignoring in all cases every other consideration. California, though greatly honored by the high and responsible positions held in the Army of the United States by several of her distinguished citizens, has been equally honored at home by the militia appointments made. The results of these wise selections and proper promotions are plainly seen in the incentive given to the military organizations of the State, and the greatly increased confidence manifested by our people in this arm of the service. We now have a major-general and several brigadier-generals, fitted to command the troops of California upon the battle-field with credit to themselves and honor to the State. Permit me, then, on behalf of the citizen-soldiers, to congratulate your excellency upon the manner in which this important duty has been discharged.

\* \* \* \* \*

#### *Camps of instruction.*

A camp of instruction should be established by law, to continue for ten days at least, in the month of April or May of each year, which should be attended by all the commissioned and non-commissioned officers of the organized militia and a detail from each company in the State; and in the month of September or October, annually, the whole force should be brought into camp, either by brigades or in one grand encampment, for a similar length of time. The above is a desideratum for which I have been laboring for years. I have attempted to set forth some of the benefits to be derived therefrom, showing by actual returns that out of the twenty-five thousand, the estimate of our losses in the Mexican-war, only five thousand actually fell in battle, and upon the authority of official papers of the Mexican Government out of fifty thousand lost only ten thousand fell in battle; thus proving that even in one of the most equable and temperate climates on the globe, and in the absence of any devastating epidemic, the most frightful cause of disease and death in both armies arose from a want of knowledge of camp duties.

The same results will be shown in a greater or less degree when the history of the present war is written. The army troops being under regular and systematic discipline, protected by a knowledge of the economy of camp life, became gradually injured to the absence of conventional customs, and were prepared to do good service in the field and retain their health. On the other hand, the ranks of the volunteers engaged in that war, although they had the same equipage, were greatly thinned by fell disease before they had an opportunity of conflict with the opposing foe. What was to the regular troops only a change of habitation, simply requiring care and attention, was to the other a frightful source of distress and inconvenience. Cleanliness, a suitable health policy, and a thousand matters of good order, essential to the preservation of health, are the results of theory, but must be acquired by experience in service. Take a citizen from his fireside and place him in the active field without previous instruction, and he will make a sad contrast with the well-disciplined soldier. Take a citizen-soldier and accustom him by an easy and pleasing transition to the duties on the field, and should his services be suddenly required in a more extended military sphere, his experience will enable him to contend with exposure and hardship, which otherwise would operate as a serious drawback. Let us, then, habituate our citizen soldiers, by a system of instruction, to their duties in this respect, and give them an anticipation of, and to a great extent a safeguard against, the vicissitudes of active service, and the result must be highly beneficial.

The faults of discipline and organization among our troops developed in the present war demonstrate the necessity of important improvement in our military establishment, in order to place it on the footing which the power and position of our country demand. The case cited above, and the losses and sufferings experienced in men



during the early part of the Crimean war among the British troops, which were so painfully exhibited in the reports of the commissioners appointed to inquire into them, afford an argument conclusive as to the establishment of these camps. Encampments and camps of instruction should therefore be formed, in which officers and men may be exercised in maneuvers of large bodies of troops. As at present organized there are few opportunities for our officers and soldiers to acquire practical knowledge of the conduct of field operations on a large scale or the various resources of preserving their individual efficiency in campaign. A liberal appropriation should be made for these purposes, and the law so amended as to require the establishment of annual encampments and camps of instruction upon a proper basis.

#### Coast defenses.

The necessity of rendering the harbor of San Francisco defensible against vessels of war of every description is keenly felt by the people of the whole State. A single vessel of war, once within range of that city, would hold it at its mercy. No matter how strong its forts may be garrisoned or how many troops it may contain, it is absolutely helpless.

The first gun-boat which, passing Forts Saint Philip and Jackson, lay off the levee at New Orleans virtually captured that city. A single war steamer, therefore, which should run the gauntlets of Forts Point and Alcatraz, this metropolis of our State must surrender or be destroyed. The capture of New Orleans shows how little power our fortresses have to obstruct the passage of even ordinary steamers of war. The range of stationary guns is so small, and their aim so uncertain, that it is a matter almost of chance if a passing steamer is hit at all; at most the danger lasts but a short time. If the attack should be made, however, by iron clad steamers, the peril of the city would be almost certain. I am sure that the *Passaic* or the *Ironsides*, and perhaps the *Alabama*, could enter the harbor of San Francisco unharmed, in spite of the fortifications which defend it. Some new mode of defense, answering to the increased powers of offense recently created, is clearly demanded.

The new ironclad now being constructed for this coast would be wholly insufficient for defense of the harbor of the principal seaport and gold-exporting city of this State. The Golden Gate is the real point of defense. The passage here is about 1 mile in width. The mode of perfect defense is, I believe, to be found in the revolving tower or turret patented by Mr. J. R. Timby, of New York, in October, 1862. The plan suggested to completely fortify the city of San Francisco is to construct a tower at Point Bonito and Point Lobos, and, if necessary, one in the middle of the passage.

This turret consists of an iron-plated tower with a dome-shaped roof, resting upon a foundation of masonry, and pierced for two tiers of guns. The foundation provided with casemated guns. The tower to be 100 feet in diameter, and to mount sixty guns, thirty in each tier. The walls may be of any required thickness, of from 2 to 5 feet. The increase of weight for a land fortress is of no practical consequence. The tower revolves upon friction-rollers, by means of a steam-engine below and beyond the foundation of the fort. As the tower revolves, each gun in its turn is brought to bear upon the object direct, and the revolution is made in one minute, if desired. The whole on the principle of the turrets used in the new iron-clads *Monitor* and others. Guns of any size can be used. Across the throat of the harbor from fort to fort, if they were built, could be placed a series of massive chains, attached to windlasses moved by the steam-engines in the forts. These chains to be drawn up by the windlass, when required, to such a deflection as to prevent the passage of vessels. This would check the momentum of the vessel, and it would be at point-blank range under the fire of two forts, each capable of delivering a shot every second. The essential idea of a revolving tower is, that every gun commands every point in the circle. In our present land fortifications only a fifth of the guns can be used with effect at any one time. If, then, towers could be built at the Golden Gate, and the other approaches to the city fortified, upon the plan already adopted by the Government, the navies of the world could be kept out of that harbor. I would, therefore, most respectfully recommend that Congress should be memorialized upon this subject, that prompt steps be taken for the complete defense of our principal harbor.

The greatly increased duties imposed upon this department, owing to the formation of the regiments raised in this State for the service of the United States, made it necessary to employ an additional clerk, and Mr. R. H. Daly was thus employed on the 12th day of July last, and has been constantly engaged since that time, thereby nearly exhausting the appropriation for clerk-hire made for this department for the fourteenth fiscal year. The additional expenses of this office, thus incurred, and a large proportion of the printing done for this department during the past year is properly chargeable to the General Government. The War Department requires



monthly detailed returns of the troops in the service of the United States raised in California to be made up in this office, properly certified and transmitted: These returns, and many others specially called for, have been promptly made up and forwarded. There have been issued during the year five hundred and sixty commissions from this office, and over five thousand five hundred official letters have been written and copies made by my clerks. Twenty-six companies, three battalions, and one regiment have been organized during the year.

The provisions of the law of April 24, 1862, like the law of May 9, 1861, contemplates the opening of the general fund of the Treasury to the drafts of the board of military auditors, for the payment of the necessary expenses of the organized militia, and of this department, but as no appropriation was made, no money could be drawn, and accounts to the amount of several hundred dollars have been incurred for transporting arms and traveling expenses, which should be promptly paid. As many of the accounts for transportation of arms have not as yet been filed in this office, I am compelled to defer the exact statement of the same until they are received. As no appropriation was made for the rent of office of the adjutant-general in the deficiency law for the thirteenth fiscal year, and an excess of appropriation having been made in that law for rent of arsenal, I have applied the excess to the payment of the rent of office. No appropriation has been made for postage or portage for this fiscal year; \$250 will be required, also an appropriation for desk and carpet for office, \$130.

A statement of all arms and military property received, issued, and expended—the present condition of such property—the number, strength, and condition of the organized militia, and the strength of the enrolled militia, and a roster of the officers of the California Volunteers, will be found in the appendix hereunto attached.

I have expended, out of my own private funds, on account of the State, for expressage, traveling expenses in inspecting troops and arms, the sum of \$317.25, a schedule of which is herewith appended.

In conclusion of this report, I may add, that it is to be hoped that the militia may hereafter have no reason to complain of legislative neglect, and that your excellency will recommend that every proper means may be taken to encourage and foster the military spirit with which its members are imbued, and that the representatives of the people shall not be unmindful of their just needs.

All of which is most respectfully submitted.

I am, sir, your excellency's obedient servant,

WILLIAM C. KIBBE,  
Adjutant-General State of California.

#### CALIFORNIA VOLUNTEERS.

Appended will be found a roster of the officers of the several regiments of California Volunteers in the service of the United States. Tri-monthly returns of these regiments, as required by the War Department, have been made and transmitted from this office, as promptly as received, during the past year. The roster will show many changes of officers during the year. The most important duty imposed by the act of Congress of July 22, 1861, upon the governors of States is that of commissioning officers of troops called into service. This duty, responsible under any circumstances, is rendered doubly so from the nature of a volunteer force; the difficulty, and oftentimes the impossibility of applying to its performance the well-defined rules of the regular service. In the exercise of this prerogative, promotions, if they could be made in the regular order of seniority, would be an easy task; but when men without any previous knowledge of military matters are commissioned and sent into the field, it is not at all surprising to find that the subaltern officer, in service, frequently shows a proficiency in the performance of his duties of which his superiors are wholly deficient. In such cases the interests of the service require that the ordinary rules of promotion should be suspended, and that merit should have its proper recognition and reward. As a general rule, it is doubtless well to promote regularly, but a departure from it is sometimes required by strict justice and the interests of the service. No officer should be permitted to rest his claim for promotion solely upon his right by seniority, and it should be promulgated in all regiments that *meritorious conduct may overbalance the accidental advantage of position*. This would encourage a spirit of emulation which could not fail to elevate the character of the volunteer officer, and to inspire the rank and file with a worthy ambition.

Promotions should generally be made to field officers regimentally, and line officers by companies. Each regiment and company should generally be considered, with reference to promotion, a distinct body, and all vacancies filled, as far as practicable, from within the organization. This would remove the apprehension with which outside appointments are regarded, and hold out an incentive to the rank and file for such preferment as the chances of the service might offer as a reward for soldierly conduct. To open the door of promotion to the soldier, and keep it open before him,

can not but have a salutary effect; he feels that he is no longer doomed to an endless routine of duties, from which there is no relief, and to a position from which there is no escape; his ambition is aroused by the hope of promotion, and his resolution strengthened to deserve it. The course pursued by your excellency in filling vacancies in the volunteer service, chiefly upon the recommendation of colonels of regiments, is expected to carry into effect the suggestions herein made, and holds out a fitting encouragement to officers and men, *so long as regimental commanders will properly act upon it*, and use the responsibility for the best interests of their commands and of the service, and it is to this end, chiefly, that these remarks are made, with the hope that those officers who have hitherto been at fault in this respect may be convinced of its great utility.

I have never been an advocate of applying the elective principle to military organizations for active service, and am now fully confirmed in the opinion that it is injudicious. I believe that the perfection of any military system depends upon the *absolute* authority by which it is controlled. Few officers who owe their position to the votes of those constituting their command will act with that paramount regard to the interests of the service which is necessary to promote its highest success. I regard the elective principle, also, as prejudicial to the soldier. In the choice of officers he is frequently governed more by personal preferences than by any real merit or proficiency of his candidate. Experience has proved this in many cases in the first organizations of the companies in the service from this State, the officers elected having been found to be totally incapacitated not only to command, but to exercise a proper *care* for their men, to the great detriment of their companies and the service. I would, therefore, recommend that in case new regiments should be organized for the service of the United States that no elections for line officers should be authorized, but that the members of companies should simply be permitted to recommend for appointment to the consideration of the governor.

I am pleased to state that many of the officers in the service are very proficient and will do honor to the State and country, whenever and wherever duty may call them, and especially that those who have hitherto been connected with the militia of the State have labored arduously and successfully for the interests of the service.

#### *Rank and file.*

The rank and file of the California Contingent is made up of material of which any State or nation might be proud, and the sacrifices they have made should be duly appreciated, and their services rewarded by the State. I do most earnestly recommend, therefore, that the precedent established by many of the Atlantic States—of paying their troops in the service of the United States an additional amount monthly—should be adopted by California, and that a bill appropriating, say, \$10 per month to each enlisted man of the troops raised, or to be raised, in this State, be passed; to be paid upon muster rolls to be filed in this office after each and every muster. The amount to single men, to be paid at the end of their term of enlistment, or of the war, and to men of families, to be paid upon allotment rolls made up by the soldier, under proper restrictions. This would be a most tangible method of recognizing the patriotic efforts of our soldiers, relieve many of their families from actual destitution and want, and hold out a fitting encouragement for honorable service.

While our troops have been organized and sent forth to duty, I have given much care and attention to the descriptive rolls of companies and regiments, causing them to be made out carefully and deposited in this office. We have, therefore, the name, residence at the time of enlistment, age, place of nativity, and name and residence of nearest friend, of nearly every every man from this State in the volunteer service.

I have had the duty of an obituary correspondence with the relatives of deceased soldiers almost weekly during the past year. To the brave men who have gone forth to endure the hardships of military service, and, if necessary, to meet the ordeal of death in defense of law and liberty, the State will ever be grateful.

#### *Calling for volunteers.*

Under section 8 of the Constitution Congress has power "to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress;" also "to provide for calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasion."

The act of Congress of July 22, 1861, calling out five hundred thousand volunteers, is in accordance with this section of the Constitution, and has, in all cases, been so conceded.

A strict and uniform recognition of these functions on the part of the Government would prevent perplexity and promote the public service. It should be insisted upon, therefore, in future that for all levies of volunteers from this State formal requisition be made on the governor. If this rule is not observed it may tend to create a suspicion and jealousy of the Federal power. Such a result should be guarded against, for it might impair that feeling of mutual confidence which has enabled the Government to draw from the loyal States nearly a million and a half of volunteers.

A plan which has been so successful should not be changed on light grounds, and a disposition to ignore the State authorities, of which there have been some indications in late orders, should be met by a respectful protest, and, if necessary, by positive legislation.

California stands prepared in the future, as in the past, to support the Government to the fullest extent of her resources, in men and means; but if her efforts are to be rendered effective in the greatest degree, the well defined rules heretofore practiced in the raising of troops by voluntary enlistment should be applied in this State, in all cases.

The act of Congress referred to requires the President to issue his proclamation, or make requisition for the troops required, noting the States from which the same are to be furnished, according to the Federal population.

To the Government, then, clearly belongs the right of determining the number of volunteers to be organized in each State. But the duty of organizing such troops as may be called for by requisition of the President, of appointing their officers, and of turning them over to the Government service, properly rests with the authorities of the several States.

If troops should be required from this State for active service at the seat of war, they can be promptly raised, to the number of twenty thousand or more, but they should go as California regiments, and California should have the honor and the credit of their services upon the field of battle, for they will become distinguished for soldierly bearing and gallantry wherever they meet the common foe. We can easily spare the regiments already organized for the seat of war, and promptly fill their places, if required, with the most effective troops, and it would seem a matter of justice that this course should be pursued. Certainly the men who so promptly volunteered to make up the California Contingent, regardless of personal sacrifices, or the fact that it was a matter of doubt whether they would ever have an opportunity for service beyond the limits of California, are entitled to go to the seat of war, if any troops should be called for from this State.

It is to be hoped, therefore, that no more organizations, to be attached to troops of other States, will be permitted to be made up here.

---

EXHIBIT 35.

*Annual report of the adjutant-general of the State of California for the year 1863.*

ANNUAL REPORT.

GENERAL HEADQUARTERS, ADJUTANT-GENERAL'S OFFICE,  
*Sacramento, December 3, 1863.*

To his excellency, LELAND STANFORD,  
*Governor of California:*

SIR: I have the honor to transmit herewith the annual report of this department for 1863.

I am, sir, very respectfully, your obedient servant,

WM. C. KIBBE,  
*Adjutant-General.*

[Exhibit No. 35—continued.]

REPORT.

STATE OF CALIFORNIA, ADJUTANT-GENERAL'S OFFICE,  
*Sacramento, December 3, 1863.*

To his excellency, LELAND STANFORD,  
*Governor of the State of California:*

SIR: In accordance with the requirements of the laws of the State and of Congress, I have the honor to submit the following report of the organization, strength, and

condition of the militia of the State of California and of her volunteers now in the service of the United States :

The time and the occasion seem proper, in complying with the law which requires me to submit an annual report, to accompany it with a few remarks, such as are suggested by the disturbed nature of home relations.

It has heretofore been the policy of our National Government not only to cultivate terms of amity with all foreign powers, but to secure to the States respectively a tranquillity so profound and healthful that it gave promise of being perpetual. The sciences, agriculture, commerce, and the mechanic arts were our boast and chief pursuit. They were nurtured as the grand basis upon which an intellectual people hoped to erect an empire of future permanent greatness. There was "neither war nor rumors of war," and the tide of affairs floated on as peacefully as if no obstacle could impede its course, until it mingled its waters in a vast ocean of human happiness. In the midst of this imagined security, discord hurled the apple of contention, States became refractory, and the Government embroiled. Our firesides were invaded by tales of bloodshed, where formerly had entered only the boasts of fraternal affection; and with these stories came a warning voice, also, which admonished us to look to our own immediate condition, and prepare against the hour of calamity. Our attention then was for the first time aroused; and now, on looking around us, we are not only alarmed at the comparative helplessness of our condition, but surprised that we had not previously discovered and provided against it.

It were useless to conceal the fact that as a State we are yet almost powerless against any suddenly precipitated danger. California not only deeply deplores and condemns the wicked rebellion of a portion of the Southern States, toward the suppression of which she has thus far not been backward in furnishing material aid, but she is compelled to notice, in addition, that those foreign relations of the General Government which were formerly of so encouraging and pacific a nature, if they are not actually disturbed, are seemingly each day becoming more complicated, involving a network of collateral issues, admonitory in character, and which, unless intrusted to the most careful and adroit of diplomatic management, may at any time lead to a conflict, not only of opinion, but of arms. We can make the assertion with truthfulness and pride that the policy of the National Government, in its treatment of the nations with which it is in correspondence, has undergone no change. It has ever been forbearing, dignified, and respectful. Can as much be said of *all* the powers of Europe? Has not more than one pretext been sought for a quarrel, growing out of alleged encroachments upon some of their maritime interests? And has not the exposed condition of California, with reference to foreign invasion, stimulated the impertinence, to use no harsher term, which has characterized the utterances of foreign official agents, residents in the United States?

The intermeddling with the affairs of the American continent and the introduction of a form of government among some of its people obnoxious to their wishes and contrary to their historical established customs and laws is only another proof in the testimony accumulating for our benefit and instruction. The present Government has bestowed some attention upon our sea-coast and harbor defenses, perhaps as much as could be expected under the circumstances; but we have a work of our own to perform, and it becomes us to consider well how and in what manner that work can best be accomplished. (The subject of harbor defenses has been noticed in my two former reports.)

Until within a recent period, the State of California has been without arms, munitions, or soldiers, commensurate with her enrollable population and her requirements for a condition of successful defense. Indeed, it can not be said that our condition is even now very greatly improved. Although it is evident to the most casual observer that a spirit of military enthusiasm has been awakened and the latent chord of patriotism in the hearts of our citizens touched, from which cheerful event we are led to hope for greater results in the future, the record of sanguinary deeds in which our noble countrymen have bravely given their lives to preserve the happiness and secure the liberties of their posterity, and the brilliant achievement of our arms on many a well fought field have contributed much to this end. The demands made upon our State for volunteers have been nobly responded to by our patriotic young men, many of whom have already repaired to the scenes of conflict. Others are preparing for the encounter, and still others may be relied upon when the urgent necessity requires their services.

But California must not be neglectful of her home interests. We have among us all the elements to supply both branches of the service, national and State. The militia, upon whom we are to rely chiefly, embraces as much genuine patriotism, heroic bravery, and sterling worth as any of our contemporary armies in the field. All they require is organization, drill, discipline, military education. The national and local laws demand as much, and the local defenses, when imminent, will assuredly evoke it. The advantage of having at least one-fifth of our adult male population rendered subject to a regular military organization can not well be overestimated. The moral

effect is—to stimulate a love of country and promote a desire to defend that country; the physical—to strengthen the muscles and harden the body for a greater power of endurance.

To the mind of the novice soldier a motive is presented in the formula of the drill, which not only fixes its intention, but enlarges its ambition, and produces a spirit of emulation which is carried into the ranks and which eventually develops the true veteran. If we would profit by the lessons of history in securing success to our armies in the field we must not omit to obey their teachings, and in order to be instructed we need not extend our research beyond our own national borders. The militia of the Revolution, enrolled to suit the exigencies of some particular occasion, seldom proved reliable in their first fields of battle. It was only after they had been trained to the profession of arms, too often amid the privations and severities of active duty, when the opportunities were decreased in proportion to the greater demand upon their services, that they could be led up in solid phalanx to face a foe and receive his fire without exhibiting confusion or a break in the column.

It may be asserted, with many notable instances of confirmation, that the timidity manifested by raw troops in the first shock of battle, when ably commanded, was wholly and almost invariably ascribable to a want of military education and training. Panics have been the result of the same cause. The soldier who is naturally brave requires to feel that his companion in arms is equally so. Valor begets valor. With this conviction on his mind, derived from an exhibition of manly and courageous bearing, he forms one of a serried column to which bravery is a fixed principle, kept alive and stimulated by a noble pride that would lead it, if occasion required, directly into the jaws of destruction. This, however, is not the courage of hopelessness, but of almost certain victory. He who feels it and acts it out in the hour of battle becomes the admired hero for whose brow the wreaths of glory are woven, and who, among men, lives to be honored and pointed at as one deserving well of his kind and his country.

No fact is better established in physiology than that the mind and body have an intimate and indissoluble connection. While it may not always be true that the latter is invigorated and strengthened by the assiduous labor of the former, it is invariably the case that the former derives health, power of concentration, enlargement, and activity from a vigorous development of the latter. In this view, if there were no reason for apprehending any immediate need of California troops in the field, the drill necessary to prepare our young men for usefulness in the military department could not be otherwise than highly beneficial. While the complete drill imparts to the movements of a soldier all the grace peculiar to calisthenics, it inures him to tenacious endurance, and endows him with a great portion of the athletic power of the skillful and dexterous gymnast. The outward form derives symmetry from its practice, and the vital organs force, from its numerous rapid changes, invigorating marches, and inspiring convolutions. It is based on the rules of health, and can never, under any circumstances, be practiced without in some degree promoting the several objects for which it was devised and established.

The measure of popular prosperity has perhaps been greater in California than in any State of the Union. Wealth has flowed in upon many of her young men without much apparent exertion on their part. Indulgence, too often of an enervating, demoralizing, and emasculating character, followed in its train, by which their spinal column has become affected, their wish and will to perform enfeebled, their ambition (at the cost of personal effort held in subjection) to achieve noble deeds, and their manhood generally so much impaired that nothing short of severe discipline, coupled with a proper restraint upon their indulgences, can ever restore them to that health and self-respect which they should enjoy, and which is absolutely necessary to fit them for general usefulness. To this class the ranks of the military organizations are invitingly open. The fresh air of the camp, the coarse food of the soldier, the privations of the march, are healing and restorative. The demand upon the time of such, as contemplated by our military law and encampment system, is comparatively trifling. It amounts to only a few days in the year, and a few hours of the month. Who that is ambitious of military fame can not spare as much? Who that loves his country, and is ready to defend it, would hesitate to sacrifice, not only his time, but his life, to secure its grandeur and its glory. The maxim may be trite, but time has given it proof, that "he who would command must first learn to obey." Too many of our general officers on active duty have failed to fill the measure of public expectation because of a want of military training.

In order to "set a command in the field," and with it accomplish the duty assigned, the officer must not only have thorough confidence in his own abilities, but possess also the talents to inspire confidence and valor in his troops. When the troops are equally sanguine, this mutual fervor is nearly always attended with victorious results.

The spirit of our national and State laws is averse to the maintenance of standing armies in times of peace. In this fact consists the wide difference between a republic



lic and a monarchy. The former is founded upon the love of the people, who constitute it, in authority and detail. All that is beautiful and benificent in their organic and statutory institutions is the offspring of their own choice and creation. There is no war between the law and the law-making power. They are homogeneous in character and sentiment.

The law was enacted by and for the people. Its tenure rests entirely upon their tolerance. When it fails to answer the objects of its enactment, the same genius which molded it into form and substance can alter, destroy, or amend it. The latter is arbitrary, and, consequently, oppressive. Its power rests upon its absolute enforcement. The monarchy is one thing—the people another. The interests of one may or may not be identical with those of the other. Where there is a conflict of opinion the Government becomes despotic. It yields nothing, but prepares to enforce all its demands. In order to do this successfully, it must be provided with standing armies. These are constantly surrounding and at the beck of the throne. They are not only used for the people, but against them if occasion requires. Our republican form avoids these evils. When armies are required the citizen becomes the soldier. His country calls upon his services, and he willingly yields them. When the occasion for their exercise ceases to exist, he ceases to be a soldier.

Our State militia laws and our volunteer system, when adhered to and perfected, will prove equal to all sudden emergencies, and that they will continue to be efficacious I think there is little reason to doubt. In familiarizing troops with the sacrifices and hardships attendant in some instances upon the performance of military duty, opportunity is afforded for acquiring a practical knowledge of the administrative details of efficient staff, camp, and field organizations. The founders of our Republic, during the protracted and arduous struggles of the Revolution, acquired a knowledge of the value and expressed full confidence in the patriotism of our citizen soldiery to answer all the demands of supporting a free representative form of government. They had reason to know something of the evils of standing armies quartered among the people, to overawe them in the expression of their opinions, and deprive them of their rights. But they also had seen the necessity for some sort of preparation on the part of the citizen to fit him for a soldier, and hence their warning was accompanied by an injunction that, while *standing armies* were to be avoided, the citizen must in some sort, on suitable and convenient occasions, nevertheless, qualify himself in the practice of arms when it became proper and urgent that he should use them.

I am aware that there are those in this State who doubt the propriety of preparing our young men by military drill for efficiency in active service. Their ideas are confined entirely to the cost of the experiment. The same class of patriots existed during the Revolution. They may be found on the floor of Congress, in our large cities, hanging as spies about the skirts of the army; among the Vallandighams, Coxes, and Woods of the Atlantic border. A full purse is the god of their adoration; but a noble country is not worth the defending. The same spirit of economy is spoken of in the Scriptures. It would have sold the precious balsam which was applied to staunch the wounded feet of our Savior and distributed the proceeds among the poor.

The activity recently displayed by the militia of our State, its rapid increase in numerical strength, its improved education and training, have mainly been induced by the generous legislation of the past two years. Indeed, the visible improvement of every feature of our military arm has shown that it has more than paid for the liberal amounts expended upon it; and our enemies, both at home and abroad, are taught that in the preservation of the integrity of California as a loyal member of the Union, her people are in sober and terrible earnest. We can at this time place forty thousand men in the field, under a corps of passable instructors, possessing a devoted zeal for the maintenance of their cherished free institutions. Nearly five thousand of this number are already instructed in the elements of military science and well practiced in the accomplishments of the soldier. A part of this education consists in company and battalion drill, skirmishing, guard duty, grand tactics, and a willingness to render cheerful obedience to superior orders; and it is believed that 75 per cent., or three thousand of the foregoing number, are fitted to hold the positions of subaltern company officers, and a proportionate subdivision to command any and every organization, from a platoon to an entire army corps. This, so far as the line and staff are concerned, has been mainly accomplished through the instrumentality of the encampment system of the present year. The total cost of these encampments has been \$140,000, or \$35 to the man, exclusive of camp equipage, which the State now owns, and which will be serviceable for the same uses for twenty years. The total expense, then, of transportation, pay, and subsistence for ten days in camp is \$35, or an average of \$3.50 per day for officers and men. When we consider the current cost of transportation and travel in California, the fact that a majority of the troops in attendance at the camps traveled from 10 to 300 miles, and the additional fact that all purchases had to be made on the credit of the State, these expenses cannot be reckoned exorbitant.



It may be inquired: What benefit has the State derived from this large outlay of money? I answer: For \$140,000 expended on encampments we have instructed in the elements of military science and all the details of camp life, viz, material for at least five major-generals, twenty brigadier-generals, two hundred field officers (regimental), two hundred and fifty general staff officers, twelve hundred line officers, twelve hundred non-commissioned officers. By this is meant that a sufficient number of officers will be found in the organization competent to teach the elements of military science and at the same time others who are capable of taking the troops into immediate active service.

The actual cost of transportation of troops to and from the camps amounts in round numbers to \$40,000. (A statement of the expenses will be found appended to this report.)

The revenue for these purposes is derived from a poll tax of \$2 per annum, and consequently is not found to be burdensome. Who, then, in view of the undoubted benefits which will flow from the expenditure, as already foreshadowed by an increased sense of security to the State at large, or who that is truly loyal, and is animated by the exalted sentiment of an old time patriot: "Not one cent for tribute, but millions for defense," will suffer a complaint to escape his lips? Liberty is priceless; and experience has taught the lesson that too often, where a mere moneyed consideration was refused to defend it, the higher sacrifice has been required of human blood.

It must be borne in mind, however, that the system of encampments in this State is an experiment only partially tested, and, like all other experiments where the benefits to be derived are prospective, must be thoroughly tested and held open for revision and amendment. Although each encampment has in itself been a complete success, the question arises whether the same amount of instruction may not be imparted at less expense to the State and time to the military organization. I assume that there is but one sentiment pervading the minds of loyal citizens in relation to the necessity for an efficient military establishment in California, and that it must generally be admitted that most of the disasters attending our national troops in the field, at the commencement of the existing civil disturbances, had their origin in the fact that our armies were suddenly mustered, and almost wholly unprepared, in point of discipline, for the sanguinary battles which they were compelled to fight. With the example of their reverses before us, if we fail to be better prepared in the future, the fault will not lie so much with our troops as with those whose duty it is to see them in all respects prepared for the difficult and trying duties before them. California has given too many proofs of her loyalty to leave a doubt on the public mind that her legislation will manifest itself equal to every emergency against which it may become necessary to provide.

The support and proficiency of our State military organization, upon which depends the public safety and individual prosperity, have hitherto been left almost entirely to the patriotism, liberality, and enthusiasm of a few individuals, who have made noble sacrifices from purely disinterested motives. They fitted themselves for active duty in the field, formed companies, instituted drill, and made every effort compatible with surrounding circumstances to acquire that fitness; but being detached their evolutions lacked uniformity, which only can be attained in perfection by battalion and brigade practice.

With a view to render immediate the system of universal application designed by encampments, as enacted by the last legislature, and in the hope of cutting down expenses without impairing its utility, I beg leave respectfully to recommend the following changes in the law, viz:

*First.* Reduce the attendance at the camp of instruction to a detail of the commissioned officers and sergeants from each company, and the general, field, and staff officers; continue this camp for twenty or thirty days, and pay a reasonable stipulated per diem to those in attendance. Under this arrangement we should have present about 1,000 men.

*Second.* For the brigade encampments (having first authorized the brigadier-generals to compel, in their discretion, battalion and regimental organizations, composed of all the uniformed troops in their brigades) substitute encampments by battalions and regiments, for at least twelve days in each year in the aggregate, to continue four days at each separate mustering. The camp of instruction might be held from the 10th of April to the 1st or 10th of May; the battalion or regimental encampments four days in June, four days in August, and four days in October, with rations in kind, or subsistence by commutation. When two or more regiments or battalions exist in any one county they may be required to encamp together. These proposed amendments to the law would save at least \$30,000 to the State in the item of transportation alone, and be the means of accommodating many who could not, without considerable personal sacrifice, desert their occupations for the length of time at present required. The interests of the military service would be equally if not better subserved by the proposed simplification.

The military force of the State, to be effective, must be consolidated by central organization. This is not all—it must be capable of rapid concentration; and when

massed, understand well such field orders as may be necessary to hurl it in serried files upon a foe, or be detached in its different parts with such ease and facility as to avoid even the appearance of confusion; for a skillful feint is sometimes equal to a courageous charge—a well drilled military corps should at all times be competent to meet either.

A rigid collection of the military poll tax would soon enable us to liquidate all outstanding claims against the military fund, and provide amply for such expenses as may be contemplated for the coming year. Some more stringent enactment for the collection of this tax is necessary.

---

EXHIBIT No. 36.

No. XII.—*Concurrent resolution.*

[Adopted February 6, 1864.]

Whereas a devastating and relentless Indian war has been and still is being waged in certain counties in the northern portion of this State, the extent of which has never been fully known to the people in other portions of the State, nor properly considered by those whose duty it was to afford us protection at a time when a small force, judiciously managed, could have so disposed of those Indians as to have effectually prevented the present lamentable condition of the counties of Humboldt, Klamath, and Trinity; and whereas in the counties above named there are no less than fifteen hundred Indian warriors, many of whom are well armed with rifles, shot-guns, and revolvers, and as they are almost daily adding to their stock of arms and ammunition, by murdering defenseless miners, farmers, and traders, and are successfully encouraging a general uprising of Indians which the whites had hoped would remain quiet for the present, and as the people of the entire counties of Humboldt, Klamath, and Trinity are to a great extent at the mercy of the sayages, the military force at present in that district being entirely inadequate for the protection of the citizens, and owing to the peculiar natural advantages which the Indians in that district possess over the whites, in the adaptation of that mountainous region for the prosecution of their cowardly mode of warfare, it becomes necessary to operate against them in the winter season; and as they have already destroyed about one-eighth of the taxable property of Humboldt County, and entirely depopulated large portions of Trinity and Klamath Counties, having murdered no less than seventy-five valuable citizens, and in some cases women and children in so doing; and whereas it is well known that the Indians are preparing for a war of extermination and extended operations in the spring, which they will be able to carry on to a frightful extent if they are not checked immediately; therefore,

*Resolved by the assembly, the senate concurring,* That his excellency the governor be requested to use his best endeavors to have a sufficient number of troops sent to the scene of hostilities immediately, as will give security to what few lives and little property that may be left, and if possible avert a more extended field of blood and rapine, which the savages are preparing for, and prevent, if possible, other counties, which are now considered out of danger, from being overrun by hostile savages.

*And be it further resolved,* That if the military commander of this division can not furnish the requisite number of troops to restore this valuable portion of our State to the peaceable possession of the whites, and throw a proper safeguard around them for the future, then his excellency is hereby requested to lay our grievances before the Secretary of War, through our Representatives in Congress, to the end that our now deplorable and imminently dangerous future may be properly cared for.

---

EXHIBIT No. 37.

CHAP. CLXXVII.—*An act amendatory of and supplemental to an act entitled "An act for the relief of the enlisted men of the California Volunteers in the service of the United States," approved April twenty-seventh, eighteen hundred and sixty-three.*

[Approved March 15, 1864.]

The people of the State of California, represented in senate and assembly, do enact as follows.

SECTION 1. Section 4 of the above recited act is hereby amended so as to read as follows:

SEC. 4. The captains or commanding officers of companies of California Volunteers shall, after each and every muster, file in the office of the adjutant-general of this

State a complete muster roll (duly certified) of their companies from the date of their enlistment, noting desertions, discharges, and dismissals, and stating the causes of such discharges and dismissals from the service. No non-commissioned officer or private shall be entitled to the benefit of this act who shall not obtain an honorable discharge from the service, or be transferred to the Invalid Corps, and no money shall be drawn from the fund hereby authorized and set apart until he has been honorably discharged the service; *Provided*, however, that the monthly amount hereby appropriated may be drawn by such enlisted married men as have families depending upon them for support, who shall have power to allot the whole or a portion of the same for the support of their families. The amount of pay thus allotted shall be paid to the person to whom the same is legally allotted upon the following certificate of the adjutant-general of this State (with seal of office attached), being indersed thereon, namely:

"I hereby certify that \_\_\_\_\_ is a \_\_\_\_\_ in company \_\_\_\_\_, \_\_\_\_\_ Regiment California Volunteers, and that he is entitled to the benefit of the act entitled *An act for the relief of the enlisted men of the California Volunteers in the service of the United States, approved April twenty-seventh, eighteen hundred and sixty-three, and that this allotment is made according to law.*"

After the term of enlistment shall have been served or an honorable discharge granted to any enlisted man, a certified copy of his final statement shall be transmitted to the adjutant-general of this State, who shall certify on the back of the same the amount due under this act to the person discharged, and the comptroller shall draw his warrant upon the treasurer of State for the amount so certified, payable out of the fund hereby created; *Provided*, That in case a volunteer be discharged for disability that existed at the time of his enlistment, he shall not be entitled to the benefit of this act; *Provided further*, That whenever a soldier can not obtain a certified copy of his final statement, by reason of the removal of the paymaster, or other satisfactory causes, or who has or may hereafter be honorably discharged and paid by the United States upon his muster roll, descriptive list, or otherwise, or be transferred to the Invalid Corps, the adjutant-general shall certify the amount due, upon a certified copy of his discharge, transfer, or other satisfactory evidence of his being entitled to the benefits of this act.

SEC. 2. *And be it further enacted*, That if any person named in the fourth section of this act has died since his enlistment, or shall hereafter die by reason of any wound received or disease contracted while in the service of the United States, his legal heir or heirs shall be entitled to and receive the amount due him at the time of his death in the order following, to wit:

*First*. To the widow of such deceased soldier, if there be one;

*Second*. If there be no widow, then to the children of such deceased soldier, share and share alike;

*Third*. If such soldier left neither a widow, nor child, nor children, then and in that case such bounty shall be paid to the following persons: provided, they be residents of the United States, to wit: First, to his father, or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother, as aforesaid, then such bounty or sum due shall be paid to the brothers and sisters of the deceased soldier, resident as aforesaid; *Provided*, The benefits of this act shall apply only to loyal citizens of the United States.

SEC. 3. It shall be the duty of the adjutant-general to certify to copies of discharges, final statements, or other papers and documents (whenever the same can not be conveniently procured from the United States proper army officers) required to perfect claims of applicants under this act.

SEC. 4. All acts or parts of acts in conflict with this act are hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

#### EXHIBIT No. 38.

#### No. XXX.—*Concurrent resolution.*

[Adopted April 1, 1864.]

*Resolved by the assembly, the senate concurring*, That our Representatives in Congress be requested to use their influence in procuring the passage of a law giving to the officers and soldiers of the regular Army stationed on the Pacific coast an increase of their pay, amounting to 30 per cent. on the amount now allowed by law.

2. That his excellency the governor be requested to forward to each of our Representatives a copy of these resolutions.

## EXHIBIT No. 39.

NAVY DEPARTMENT,  
Washington, July 19, 1868.

SIR: In compliance with your request of the 6th instant, I have the honor to transmit herewith a copy of the general order issued May 23, 1866, by the Hon. Gideon Welles, then Secretary of the Navy, under which the pay of officers of the Navy who were not provided with quarters on shore stations was increased 33½ per centum, and those provided with such quarters 20 per centum, "for rent of quarters or to pay rent for furniture, or for lights or fuel, etc."

I deem it proper to state that the law referred to as repealed in the above-mentioned order was approved March 3, 1835 (4 Stats. at Large, p. 757); that the act of Congress repealing the same was passed April 17, 1866 (14 Stats. at Large, p. 38); and that by the fourth section of the act making appropriations for the naval service for the year 1871, approved July 15, 1870 (16 Stats. at Large, p. 332), it was provided that the pay prescribed in that act should be the full and entire compensation of the several officers therein designated, and that no additional allowances should be made in favor of any of said officers on any account whatever.

I have also to state that there does not appear to have been any legislation ratifying, in express terms, the action taken by the Department in May, 1866, whereby allowances were made to officers of the Navy for rent of quarters, etc., under the said general order, and that Congress in the act approved March 2, 1867 (14 Stats. at Large, p. 432), declared "certain proclamations of the President, and acts done in pursuance thereof or of his orders, in the suppression of the late rebellion," to be valid and conclusive.

Very respectfully,

W. C. WHITNEY,  
Secretary of the Navy.

Hon. WM. M. STEWART,  
U. S. Senate.

[Enclosure with Exhibit No. 39.]

General Order No. 75.]

NAVY DEPARTMENT,  
May 23, 1866.

Congress having, in view of the call for increased compensation to officers of the Navy, repealed the law which prohibited any allowance to them "for rent of quarters or to pay rent for furniture, or for lights or fuel, etc.," the Department, in order to prevent a recurrence of the irregularities, abuses, and arbitrary allowances which occasioned the prohibition, deems it proper to establish a fixed rate of compensation in lieu of the extra allowances which were prohibited by the law now repealed. Accordingly, from and after the first day of June proximo, officers who are not provided with quarters on shore stations will be allowed a sum equal to thirty-three and one-third per centum of their pay in lieu of all allowances, except for mileage or traveling expenses under orders; and those provided with such quarters, twenty per centum of their pay in lieu of said allowances.

The act of March 3, 1865, having increased the pay of midshipmen and mates, the allowance hereby authorized will not be extended to them:

GIDEON WELLES,  
Secretary of the Navy.

## EXHIBIT No. 40.

CHAP. CCCLXVIII.—*An act to appropriate money to pay for remounting a battery of guns.*

[Approved April 4, 1864.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. The sum of \$3,000 is hereby appropriated, out of any moneys in the State treasury not otherwise appropriated, to defray the expense of refitting and remounting a certain battery of seven guns issued to this State by the United States, the carriages of which were destroyed by fire at the city of Sacramento, on the 14th day of March, 1864; and the controller of State is hereby authorized and required to draw his warrant or warrants in such sums as may be certified to him by the board of examiners, not exceeding in the aggregate the said sum of \$3,000, and the treasurer is hereby required to pay the same, for the purpose of defraying the expenses above mentioned.

SEC. 2. The governor and adjutant-general are hereby authorized and required to cause the work of refitting and remounting said battery to be executed and completed as speedily as possible: *Provided*, That if any of said pieces, upon inspection, prove to be unserviceable, the same shall not be remounted: *And provided*, That the whole expense thereof shall not exceed the sum herein appropriated for that purpose.

SEC. 3. This act shall take effect from and after its passage.

---

EXHIBIT No. 41.

CHAP. CCCXCIV.—*An act to extend the provisions of an act entitled "An act to appropriate funds for the defense of the State," approved April twenty-fifth, eighteen hundred and sixty-three.*

[Approved April 4, 1864.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. The provisions of an act entitled "An act to appropriate funds for the defense of the State," approved April 25, 1863, are hereby extended to apply to all military companies now organized and not yet provided with uniforms, and to all companies which may hereafter be organized under the military laws of the State: *Provided*, The whole number of companies in this State shall not exceed 140 companies of infantry and rifles, 20 companies of cavalry, and such batteries as may be authorized by the commander-in-chief, and that no company shall be entitled to the benefits of this act that does not contain 43 members, rank and file.

SEC. 2. For the purpose of carrying out the provisions of this act, the sum of \$80,000 is hereby appropriated, out of any money in the State treasury not otherwise appropriated; and the controller is hereby required to draw his warrants on the treasurer, and the treasurer to pay the same in like manner as now provided by law.

SEC. 3. This act shall take effect immediately.

---

EXHIBIT No. 42.

CHAP. CCCLXXVII.—*An act for the relief of the line officers of the California Volunteers in the service of the United States.*

[Approved April 4, 1864.]

Whereas the burden of raising the volunteer companies of this State for the service of the United States is borne principally by the captains and lieutenants of those companies after having been examined and accepted by a board of army officers, and after receiving their commission from the State; and

Whereas the said officers receive no pay for their services until they are declared mustered into the service of the United States, which, with a first lieutenant, is when his company is raised to one half the minimum number, and with a captain and second lieutenant when the company is raised to the full minimum number, or when it is mustered in by a special order; and

Whereas owing to the tardy manner in which volunteering has progressed under the governor's call for volunteers of February 5, 1863, the officers of the companies called for have been subjected to great expense in raising their companies, in some cases having been compelled to abandon the enterprise in order to procure the means to subsist themselves and their families; therefore, the people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. A sum not exceeding \$65,000 is hereby appropriated and set aside, to constitute a separate fund, to be known as the "line officers' relief fund," for the purpose of paying the line officers of the companies of California Volunteers raised and being raised in this State for the service of the United States, under the governor's call for volunteers of February 5, 1863, to aid in the enforcement of the laws and the suppression of insurrection, for services rendered in raising recruits for their companies during the time intervening between the date of each receiving his commission and the date of his being mustered into the service of and receiving pay from the United States. All liabilities created by this act shall be paid out of said fund.

SEC. 2. There shall be paid out of the fund created and set apart by the first section of this act, to each and every line officer of the companies of California Volunteers raised and being raised in this State for the service of the United States, under the



governor's call for volunteers of February 5, 1863, to aid in the enforcement of the laws and the suppression of insurrection, from the time of each receiving his commission to the time of his being mustered into the service of and receiving pay from the United States, the same pay and allowances as is received from the Government of the United States by United States army officers of the same grade serving in California: *Provided*, That the amounts received by any commissioned or non-commissioned officer or private from the General Government for services, or State government to aid in payment of expenses of recruiting between the date of their commissions upon which they claim the benefit of this act and the date of their being mustered into the service of the United States thereon, shall be deducted, respectively, from the amount above appropriated: And *provided further*, That no officer who shall have been dismissed the service or left the same dishonorably shall receive any benefits from the provisions of this act.

SEC. 3. No money shall be drawn out of the line officers' relief fund, herein provided for, except as is provided for in section 4 of this act.

SEC. 4. Each of the line officers referred to in sections 1 and 2 of this act is hereby authorized to send in his pay account against the State of California monthly or at longer intervals, for services rendered in raising recruits for his company during the time intervening between the date of his receiving his commission and the date of his being mustered into the service of and receiving pay from the United States, to the adjutant-general of this State, the said account to be drawn up and duly certified to in conformity with Form 3 (official pay account), page 358, "Revised United States Army Regulations." The adjutant-general, finding the said account to be true and correct, and the amount due and payable under the provisions of this act, shall certify to the same, and the controller shall draw his warrant upon the treasurer of the State for the amount so certified to, payable out of the fund hereby created. Such warrants shall not be assignable.

SEC. 5. For the purpose of carrying into effect the provisions of this act, and providing for the fund created by section 1 of this act, the treasurer of the State of California shall cause to be prepared bonds of the State, to the amount of \$65,000, in sums of \$500 each, redeemable at the office of the treasurer of the State on the first day of July, 1874. The said bonds shall bear interest, payable semi-annually, at the rate of 7 per cent. per year from the date of their issue, which interest shall be due and payable at the office of the treasurer of State on the first days of January and July of each year: *Provided*, That the first payment of interest shall not be made sooner than the first day of January, 1865. The said bonds shall be signed by the governor and countersigned by the controller, and indorsed by the treasurer of State, and shall have the seal of State affixed thereto; and such bonds shall be issued as soon after the passage of this act as they can be prepared and sold. The expenses of preparing such bonds shall be audited as a claim against the "line officers' relief fund," created by this act.

SEC. 6. Coupons for the interest shall be attached to each bond, consecutively numbered, and signed by the treasurer of State, and it shall be the duty of the controller and treasurer of State, each to keep a separate record of all such bonds as may be issued, showing the number, date, and amount of each bond, and to whom the same was issued.

SEC. 7. All demands against the line officers' relief fund, shall be audited by the board of State examiners, in like manner as other claims against the State are or may be directed to be audited.

SEC. 8. The treasurer of state shall sell and dispose of said bonds for gold and silver coin of the United States in the following manner: He shall, immediately after the passage of this act, publish notices for thirty days in two daily papers of the city of Sacramento, and in two daily papers of the city of San Francisco, inviting sealed proposals for the purchase of said bonds, the notice to state the time and place of receiving bids, the amount of bonds to be disposed of, and that no bids will be received for the purchase of a less sum than \$2,000, nor for a greater rate of discount than 15 cents on the dollar of the par value thereof, and that the payments for the same must be made in gold and silver coin of the United States. Parties proposing to purchase bonds offered as aforesaid must state in writing the amount they propose to purchase, and the rate per cent. they are willing to pay in gold and silver coin as aforesaid, each proposal to be accompanied with a responsible guaranty that the bidder will take the amount of bonds proposed, and pay for the same on delivery of the bonds, if his bid is accepted, in accordance with the terms of his bid. No bids shall be received for a less sum than \$2,000, nor for a fractional part thereof; and the said bonds shall not be sold or negotiated by the treasurer at a greater discount than 15 cents on the dollar of the par value thereof. The treasurer shall, immediately upon the closing of said bids, or as soon thereafter as convenient, open the whole of the bids or proposals, in the presence of the governor and controller, and the governor, controller, and treasurer shall proceed to consider such proposals, and shall accept such as propose to purchase the said bonds for the smallest discount, such discount



not in any case to be greater than hereinbefore limited. Upon the acceptance of any bid, and notification by the treasurer to the bidder, such bidder shall forthwith pay to the treasurer the amount of the purchase money for the bonds proposed to be purchased, in gold and silver coin of the United States; upon receiving the same the treasurer shall deliver to such purchaser the bonds so purchased. All moneys received by the treasurer from the sale of bonds as herein proposed shall be placed by the treasurer to the credit of the said Line Officers' Relief Fund.

SEC. 9. If any bidder whose bid shall be accepted shall fail to pay the money and accept the bonds, as provided in the last preceding section, he shall forfeit all right to his bid, and shall, with his guarantors, be liable to an action by the treasurer of the State, for the benefit of said fund, for any damages resulting from such failure to comply with the conditions of his bid in accepting the bonds and paying over the purchase money.

SEC. 10. For the payment of the principal and interest of the bonds issued under this act, there shall be levied and collected, annually, commencing in the year A. D. 1864, and continuing until the final payment or redemption of the same, and in the same manner as other State revenue is or may be directed by law to be levied and collected, a tax of 1 cent on each \$100 of taxable property in the State in addition to the taxes for general State purposes, and the fund derived from this tax shall be set apart and applied to the payment of the interest accruing on the bonds herein provided for and the final redemption of the principal of said bonds; and the faith of the State of California is hereby pledged for the payment of the bonds issued by virtue of this act and the interest thereon, and, if necessary, to provide other and ample means for the payment thereof.

SEC. 11. If, on the 1st day of January or July, 1865, or upon the 1st day of January or July in any subsequent year, there shall remain a surplus, after the payment of the interest as hereinbefore provided, of \$5,000 or more in the fund created by the tenth section of this act, it shall be the duty of the treasurer to advertise in two daily newspapers published in English, in each of the cities of San Francisco and Sacramento, for sealed proposals for the surrender of bonds issued under the provisions of this act. He shall state in such advertisement the amount of money on hand applicable to the redemption of bonds, and he shall accept such proposals, at rates not exceeding par value, as may redeem the greatest number of bonds, until the amount of cash on hand for redemption is exhausted.

SEC. 12. Full and particular account and record shall be kept by the treasurer of the condition of the funds collected in accordance with the provisions of this act, open at all times to the inspection of the governor and controller, and of any committee appointed by the legislature, or either branch thereof.

SEC. 13. It shall be the duty of the treasurer of this State to make arrangements for the payment of the interest of said bonds when the same falls due; and in the event that the said interest fund should be insufficient, the said treasurer shall make up the deficiency from the general fund; and in the event of the insufficiency of the general fund, the said treasurer is authorized and required to make such contracts and arrangements as may be necessary for the payment of said interest and the protection of the credit of the State. And in case there should at any time be in the fund created by this act for the payment of said interest and the redemption of said bonds any surplus moneys not needed for the payment of said interest or the redemption of any bonds, it shall be the duty of the treasurer of state to transfer such surplus moneys to the general fund of this State. Said bonds shall be redeemed and the interest paid in the gold and silver coin of the United States.

SEC. 14. This act shall take effect and be in force from and after its passage.

---

EXHIBIT No. 43.

CHAP. CCCCXLII.—*An act granting bounties to the volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds.*

[Approved April 4, 1864.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. There is hereby granted to every soldier who shall hereafter enlist for three years, or during the war, in any regiment, battalion, company, troop, or battery, now organized, or hereafter to be organized or raised, as part of the quota of volunteers of this State, under the laws of Congress and the orders of the President of the United States, during the existing rebellion, and there shall be paid out of the fund hereinafter provided for, in addition to other bounties and pay now provided

for and authorized by any law of this State or of the United States, to every such enlisted soldier a bounty of one hundred and sixty dollars; in manner following, to wit: The sum of forty dollars to be paid at the time of enlistment, and the further sum of twenty dollars at the end of each successive six months thereafter; *Provided*, That such bounty shall in no case be paid on the order of such soldier, but shall be paid to him personally, in the same manner as soldiers in the Army of the United States are now paid, excepting only where the same shall be necessary for the support of his wife or family, or upon certificates executed by such soldier after each successive payment shall have fallen due under the provisions of this act; such certificate to be attested by the commanding officer of the regiment, battalion, company, troop, or battery, or post commandant of any detachment in which such soldier may be serving; *And, provided further*, That in all cases where such soldier shall have a wife or family, such payments may be made to the wife, or temporary guardian or custodian of minor child or children, as the same shall become due, such soldier having first filed in the office of the adjutant-general of this State a power of attorney to that effect, executed before and certified by the commanding officer of the regiment, battalion, company, troop, or battery in which such soldier shall have been enlisted or to which he may be attached.

SEC. 2. In case of death or of honorable discharge from the service, when such discharge occurs from any wound, disease, or disability incurred or contracted in the service, the full amount of bounty granted by this act shall be allowed and paid to every such soldier or to his legal heirs; but if any such soldier be dishonorably discharged, or be discharged from disease or disability which existed or which followed from causes existing and concealed before enlistment, such allowance of bounty herein provided for shall cease at the date of such discharge; and in case the term of service expire by the conclusion of the war, and the quota of this State be mustered out before the end of three years, then the whole amount of such bounty remaining shall become due and payable.

SEC. 3. To every enlisted veteran soldier who shall have heretofore served for more than six months in the Army of the United States (marines, regulars, or volunteers), and who shall have been honorably discharged therefrom, or who is now serving therein, and at the expiration of his present term shall re-enlist in any regiment, battalion, company, troop, or battery existing or which may hereafter be organized as part of any quota of this State, there shall be paid, as additional bounty, the further sum of \$140, to wit: The sum of \$50 to be paid at the time of such re-enlistment, and the further sum of \$40 at the end of each successive six months thereafter, such bounty to be paid out of the same fund, in like manner, under the same restrictions, and on the same terms and conditions, as provided in sections one and two of this act.

SEC. 4. In computing and allowing the bounty to be paid under this act, the following scale shall be adopted: All persons enlisting before the first day of July, 1864, shall be entitled to receive the first payment after enlistment on the first day of October ensuing, and thence successively every six months thereafter; all persons enlisting on or after the first day of July, 1864, and before the first day of October, 1864, shall be entitled to receive the first payment after enlistment on the first day of January, 1865, and thence successively every six months thereafter; all persons enlisting on or after the first day of October, 1864, and before the first day of January, 1865, shall be entitled to receive the first payment after enlistment on the first day of April, 1865, and thence successively every six months thereafter; and thus continuing such scale of computation and allowance until the first day of January, 1866, when the payment of bounties herein provided for further enlistments shall cease, unless otherwise ordered by the legislature of this State.

SEC. 5. To carry into effect the foregoing provisions of this act, the adjutant-general is hereby authorized to procure and shall provide all necessary blank muster-rolls, pay-rolls, registers, allotments, certificates, powers of attorney, and such other blanks and books as may be requisite and necessary, at the expense of the State, and shall furnish the same, with suitable instructions, to the respective officers of commands, whose duty it shall be to make returns of the same at proper times to the office of the adjutant-general of this State; and the adjutant-general is hereby authorized to make such rules and regulations and issue proper instructions to such officers as will enable the soldiers under their command effectively to obtain the benefits and to carry out the provisions of this act.

SEC. 6. The payment of the bounties at the time of enlistment shall be made upon the certificate of the officer mustering in the enlisted men; and the controller of state is hereby authorized and required to draw his warrants for the amount of such bounties, payable out of the soldiers' bounty fund, upon presentation to him of such certificates by the person in whose favor it is given, attested by the signature of the commanding officer of the company or regiment in which such soldier has been enlisted, countersigned by the adjutant-general of this State.

SEC. 7. The governor, adjutant-general, and treasurer of State are hereby appointed and constituted a board of examiners, whose duty it shall be to examine,

audit, and allow all claims for payments of bounty after enlistment under the provisions of sections 1, 2, 3, and 4, of this act, in favor of the parties legally entitled thereto; and the controller of state is hereby authorized and required to draw his warrants in favor of the persons, respectively, to whom such allowances shall be made by such board for the sums respectively allowed, to be paid out of the soldiers' bounty fund. All demands against such fund shall be presented to the board herein constituted, through the adjutant-general's office, under such rules as may be prescribed by them; and no money shall be drawn out of the soldiers' bounty fund except as provided in this act.

SEC. 8. For the purpose of paying the bounties hereinbefore provided for, the sum of \$2,000,000 is hereby appropriated and set aside of the moneys to be derived from the sale of the bonds of the State hereinafter provided for, or so much thereof as may be realized from the sale of such bonds; and all moneys so realized shall be set apart by the treasurer of state and constitute a separate fund, to be designated as the "soldiers' bounty fund." All liabilities created by this act shall be paid out of such fund, and the treasurer of state is hereby authorized and required to pay all warrants drawn upon the soldiers' bounty fund out of the moneys at any time in such fund and none other.

SEC. 9. For the purpose of carrying into effect the provisions of this act, and providing for the fund created by section 8 thereof, the treasurer of the State of California shall, immediately after the passage of this act, cause to be prepared bonds of the State to the amount of \$2,000,000, in sums of not less than \$100 each, redeemable at the office of the treasurer of the State on the 1st day of July, 1884. The said bonds shall bear interest, payable semi-annually, at the rate of 7 per cent. per annum from the date of their issue, which interest shall be due and payable at the office of the treasurer of state on the 1st day of January and July of each year: *Provided*, That the first payment of interest shall not be made sooner than the 1st day of January, 1865, which payment shall include any fractional portion of interest that may be due on bonds sold prior to the 1st day of July, 1864. The said bonds shall be signed by the governor, and countersigned by the controller, and indorsed by the treasurer of state, and shall have the seal of State affixed thereto; and such bonds shall be sold and issued from time to time, by order of the governor, as the money to be derived therefrom may be required for use under the provisions of this act. The expense of preparing such bonds shall be audited as a claim against the soldiers' bounty fund.

SEC. 10. Coupons for the interest shall be attached to each bond, consecutively numbered, and signed by the treasurer of state; and it shall be the duty of the controller and treasurer of state, each, to keep a separate record of all such bonds as may be issued, showing the number, date, and amount of each bond, and to whom the same was issued.

SEC. 11. The treasurer of state shall, immediately after the passage of this act, and as soon as such bonds can be prepared for issue, sell and dispose of a sufficient amount thereof to provide the funds necessarily required under the provisions of sections one and three of this act, which amount shall be regulated by the number of volunteers called for or ordered into the service of the United States from this State, and shall be declared to the treasurer by an order to that effect issued by the governor after the reception by him of such call; and from time to time thereafter shall sell and dispose of such bonds in such amounts as may be required by the number of volunteers so called out from this State who may be actually in the service of the United States and entitled to the benefits of this act; such sales shall be made for gold and silver coin of the United States.

SEC. 12. All sales of such bonds shall be made in the following manner: The treasurer of State shall publish notice for thirty days in two daily papers published in the city of Sacramento, and two or more daily papers published in the city of San Francisco, inviting sealed proposals for the purchase of said bonds; the notice shall state the time and place of receiving bids, the amount of bonds to be disposed of, and that bids will be received for the purchase of one bond or more, naming the lowest amount for which the bonds are issued; that bids made for a greater rate of discount than 12 cents on the dollar of the par value thereof will not be received, and that the payment for the same must be made in gold and silver coin of the United States. Parties proposing to purchase bonds offered as aforesaid must state in writing the amount they propose to purchase, and the rate per centum they are willing to pay; *Provided*, That no bid shall be accepted nor any of such bonds shall be sold by the treasurer at a greater discount than 12 cents on the par value thereof.

SEC. 13. At the time specified in the notice for bids the treasurer shall proceed to open the whole of such bids or proposals in the presence of the governor and controller of State, and the governor, controller, and treasurer shall proceed to consider such proposals, and shall accept such as propose to purchase the said bonds for the smallest discount, such discount not in any case to exceed the amount hereinbefore limited. Upon the acceptance of any bid the treasurer shall forthwith notify the bidder thereof, and require him to pay to the treasurer the amount of the purchase

money in gold and silver coin of the United States, within ten days thereafter, at the State treasurer's office, and upon the payment of such purchase money by the bidder the treasurer shall deliver to him the bonds so purchased. All moneys so received by the treasurer from the sale of bonds as herein proposed shall be placed by the treasurer to the credit of the soldiers' bounty fund.

SEC. 14. At any time after the opening, consideration, and acceptance of proposals for the purchase of such bonds, if it should appear that the whole amount thereof so offered has not been taken, the treasurer may proceed to sell the same, or any portion thereof, at private sale to such purchasers as may present themselves; *Provided*, That no bonds shall be thus sold at a greater rate of discount than the rate at which any of said bonds were actually bid for, and such bid accepted, at the time such sealed proposals were opened and considered.

SEC. 15. For the payment of the principal and interest of the bonds issued under this act, there shall be levied and collected, annually, until the final payment or redemption of the same, and in the same manner as other State revenue is or may be directed by law to be levied and collected, upon all real and personal property taxable in this State, a tax of 12 cents upon each \$100 dollars of valuation of such property, in addition to the taxes for general State purposes, and the fund derived from this tax shall be set apart and applied to the payment of the interest accruing on the bonds herein provided for, and the final redemption of the principal of said bonds; and the faith of the State of California is hereby pledged for the payment of the bonds issued by virtue of this act, and the interest thereon, and, if necessary, to provide other and ample means for the payment thereof.

SEC. 16. Whenever on the 1st day of January or July, 1865, or upon the 1st day of January or July in any subsequent year, there shall remain a surplus, after the payment of the interest as hereinbefore provided, of \$10,000 or more in the fund created in the eleventh section of this act, it shall be the duty of the treasurer to advertise in two daily newspapers, published in English, in each of the cities of San Francisco and Sacramento, for sealed proposals for the surrender of bonds issued under this act. He shall state in such advertisement the amount of money on hand applicable to the redemption of bonds, and he shall accept such proposals, at rates not exceeding par value, as may redeem the greatest number of bonds, until the amount of cash on hand for redemption is exhausted.

SEC. 17. Full and particular account and record shall be kept by the treasurer of the condition of the funds collected in accordance with the provisions of this act, open at all times to the inspection of the governor and controller, and of any committee appointed by the legislature, or either branch thereof.

SEC. 18. It shall be the duty of the treasurer of this State to make arrangements for the payment of the interest of the said bonds when the same falls due, and in the event that the said interest fund should be insufficient, the said treasurer shall make up the deficiency from the general fund; and in the event of the insufficiency of the general fund, the said treasurer is authorized and required to make such contracts and arrangements as may be necessary for the payment of said interest, and the protection of the credit of the State; and in case there should at any time be in the fund created by this act for the payment of said interest and the redemption of said bonds any surplus moneys not needed for the payment of said interest or the redemption of any bonds, it shall be the duty of the treasurer of State to transfer such surplus moneys to the general fund of the State. Said bonds shall be redeemed and the interest paid in the gold and silver coin of the United States.

SEC. 19. This act shall take effect and be in force from and after its passage.

---

#### EXHIBIT No. 44.

##### *Proclamation.*

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
*Sacramento, September 24, 1864.*

Whereas I have this day received a requisition from Maj. Gen. Irvin McDowell, commanding Department of the Pacific (the same having been made by authority of the Secretary of War), for one regiment of infantry in addition to the volunteers now in the service of the United States, to aid in the enforcement of the laws, to suppress insurrection, and repel invasion:

Now, therefore, I, Frederick F. Low, governor of the State of California and commander-in-chief of the militia thereof, do hereby call upon the citizens of this State to organize themselves into companies sufficient to fill the foregoing requisition.

In witness whereof I have hereunto set my hand and caused the great seal of the State of California to be affixed. Done at Sacramento this twenty-fourth day of September, in the year of our Lord one thousand eight hundred and sixty-four.

[SEAL.]

FRED'K F. LOW,  
Governor of California.

Attest:

B. B. REDDING, *Secretary of State.*  
F. W. REDDING, *Deputy.*

The following is hereby promulgated:  
The plan of recruiting and organizing the above force will be as follows:

#### RECRUITING.

It is desirable that the citizens of one county should undertake to fill a company from their locality. A company rendezvous will be established at some central point in the county, and, if practicable, all recruits will be retained there until the company is filled and ready to be mustered into service.

Correct lists will be kept by the assistant provost-marshal-general of the volunteers and their places of residence, and proper credits will be given to the several counties, and to the districts into which the counties may be divided, which credits will apply on the quota which may be required of them.

The city and county of San Francisco is hereby set apart for the enlistment of volunteers to fill up the regiments now in the service, and no authorization will be granted for the formation of new companies at that point.

The State has provided by law for the payment of a bounty of \$160 to each enlisted soldier, and \$300 to each enlisted veteran soldier who shall have served for more than six months in the Army of the United States, in addition to the bounties authorized to be paid by the United States. (See Statutes 1863-'64, p. 486.)

Five dollars per month while in the service is authorized to be paid by the State in addition to the pay, clothing, and allowances paid by the United States. (See Statutes 1863, p. 662.)

The additional regiment of infantry will be known as the Seventh Infantry, California Volunteers.

The field, staff, and line officers will be commissioned by the governor.

Commissions will be issued to company officers, conditioned that they shall recruit their respective companies, and be ready to be mustered into the service on or before the 10th of November next.

#### ORGANIZATION.

The proper organization and strength of a regiment of infantry is as follows:

One colonel, one lieutenant-colonel, one major, one adjutant, an extra lieutenant, one quartermaster, an extra lieutenant, one surgeon, two assistant surgeons, one chaplain, one sergeant-major, one regimental quartermaster-sergeant, one regimental commissary-sergeant, and one hospital steward.

Ten companies form a regiment.

*Company of infantry.*—One captain, one first lieutenant, one second lieutenant, one first sergeant, four sergeants, eight corporals, two musicians, one wagoner, sixty-four privates, minimum, and eighty-two privates, maximum, besides the non-commissioned officers.

The law does not authorize musicians for companies, but regulations allow the enlistment of two musicians to each company, who will be rated and paid as privates.

#### EXHIBIT No. 45.

##### *Proclamation.*

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, November 16, 1864.

Whereas I have this day received a requisition from Maj. Gen. Irvin McDowell, commanding Department of the Pacific (the same having been made by authority of the Secretary of War), for one regiment of infantry in addition to the volunteers now in the service of the United States, to aid in the enforcement of the laws, to suppress insurrection, and to repel invasion:



Now, therefore, I, Fred'k F. Low, governor of the State of California, and commander-in-chief of the militia thereof, do hereby call upon the citizens of this State to organize themselves into companies sufficient to fill the foregoing requisition.

In witness whereof I have hereunto set my hand and caused the great seal of the State to be affixed. Done at Sacramento this 16th day of November, A. D. 1864.

[SEAL.]

FRED'K F. LOW,  
Governor of California.

B. B. REDDING,  
Secretary of State.

By F. W. REDDING,  
Deputy

The place of recruiting and organizing the above force will be as follows:

#### RECRUITING.

It is desirable that the citizens of one county should undertake to fill a company from their locality.

Correct lists will be kept by the assistant provost-marshal-general of the volunteers and their places of residence, and the proper credits will be given to the several counties, and to the districts into which the counties are divided, which credits will apply on the quota which may be required of them.

The State has provided by law for the payment of a bounty of \$160 to each enlisted soldier, and \$300 to each enlisted veteran soldier who shall have served six months in the Army of the United States, in addition to the bounties authorized to be paid by the United States. (See Statutes 1863-'64, p. 486.)

Five dollars per month while in the service is authorized to be paid by the State in addition to the pay, clothing, and allowances paid by the United States. (See Statutes 1863, p. 662.)

The additional regiment of infantry will be known as the Eighth Infantry, California Volunteers.

The field, staff, and line officers will be commissioned by the governor.

Commissions will be issued to company officers conditioned that they shall recruit their respective companies and be ready to be mustered into the service on or before the 1st of January, 1865.

#### ORGANIZATION.

The proper organization and strength of a regiment of infantry is as follows:

One colonel, one lieutenant-colonel, one major, one adjutant, an extra lieutenant, one quartermaster, an extra lieutenant, one surgeon, two assistant surgeons, one chaplain, one sergeant-major, one regimental quartermaster-sergeant, one regimental commissary-sergeant, and one hospital steward.

Ten companies form a regiment.

*Company of infantry.*—One captain, one first lieutenant, one second lieutenant, one first sergeant, four sergeants, eight corporals, two musicians, one wagoner, sixty-four privates, minimum, and eighty-two privates, maximum, besides the non-commissioned officers.

The law does not authorize musicians for companies, but regulations allow the enlistment of two musicians to each company, who will be rated and paid as privates.

#### EXHIBIT No. 46.

CHAP. DIII.—*An act to appropriate money for the payment of the claims of the California volunteers.*

[Approved March 31, 1866.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. The sum of \$550,000 is hereby appropriated for the payment of the claims of the California volunteers which have accrued, or which may hereafter accrue, under the provisions of an act for the relief of the enlisted men of the California volunteers in the service of the United States, approved April 27, 1863.

SEC. 2. The controller of State is hereby authorized and required to direct the State treasurer to transfer from the general fund to the soldiers' relief fund the said sum of \$550,000, as follows: Three hundred and fifty thousand dollars to be transferred immediately after the passage of this act, and the remaining \$200,000 to be



transferred on the 20th day of January, 1867; and the State treasurer is hereby authorized and required to make such transfer pursuant to the order of the State controller.

SEC. 3. All claims arising under the act named in the first section of this act shall be audited and allowed out of the soldiers' relief fund; and all warrants already drawn, or hereafter to be drawn upon the said fund, shall be paid in the order of their issue by the controller.

SEC. 4. This act shall take effect from and after its passage.

EXHIBIT No. 47.

*Report.*

GENERAL HEADQUARTERS,  
STATE ADJUTANT-GENERAL'S OFFICE OF CALIFORNIA,  
Sacramento, November 20, 1867.

To His Excellency FREDERICK F. LOW,  
*Governor of the State of California :*

SIR: In submitting my report of the transactions of this department since my last report, November 30, 1865, I have to congratulate your excellency and the people of California upon the patriotism and military zeal of our citizens as shown by our volunteers when in the service, and their unusual efforts, both of officers and men, to bring the various commands up to a standard of military discipline and proficiency necessary for active service in the field, and as acknowledged by the United States Government in the large proportionate number of them (in comparison with other States) that have been commissioned in the regular Army. In the organized militia of the State it may also be said that officers and men have vied with each other in their efforts to do their duty, and be at all times in readiness to subserve the interests of California and the nation, by furnishing a force of well-drilled troops if called upon to put down rebellion or insurrection in our midst. No doubt they have thus materially aided in maintaining the integrity of our State in its loyalty to the National Government during the rebellion.

And in this connection I should not do justice to the militia or the system, or to the facts in the case, did I not call attention to the fact that a very large proportion of the appointments were from among those who originally belonged to the State militia, and there learned their first lessons in the duty of a soldier. In truth, I might also cite the fact that during the war of the rebellion, in almost every case where an officer who was appointed from citizen life distinguished himself as a military man, it was found that he originally belonged to some State militia; all going to prove the benefits of our militia system, and to show the wisdom and foresight of our forefathers in recognizing and urging the great importance of a well-organized militia in the several States as a part of the national arm of our defense.

I am aware that there are those that have fallen into such a lax political morality as to be groping in the dark, and to forget the useful lessons of the experience of the past; who say the war is over now, and believe—or at least argue—that everything connected with the militia, military name and organization and spirit, is the spirit of dissipation, and should be discouraged and discountenanced; in fact, that it should not be regarded as a part of the duty of an honorable or respectable man. In answer to such I refer to the facts above alluded to, and to the words of the statesmen of the past as incorporated in official documents and their public sayings, all going to show that they relied upon the strong arm of our citizen soldiers, the militia, as our security against domestic commotions and foreign abuses. The Constitution of the United States and of the several States provided for the organization of a State militia; our greatest statesmen have ever recommended it. Washington in his first annual address to Congress, said:

"Among the interesting subjects which will engage your attention, that of providing for the common defense of the country will merit particular regard. To be prepared for war is one of the most effectual means of preserving peace. A free people might not only be armed, but disciplined, to which end a well-digested plan is requisite."

The articles of confederation of the United States contained the following:

"Every State shall always keep up a well-regulated and disciplined militia, sufficiently armed and accoutered, and shall provide, and have constantly ready for use, in public stores, a due number of field-pieces, tents, and a proper quantity of arms, ammunition, and camp equipage."

The Constitution of the United States declares and provides for "calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions ;"

and provides for "organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress."

Lord Bacon has wisely said: "The principal part of greatness, in any State, is to have a race of military men." And again, in his enumeration of the elements of true greatness in a State, he says "that it consisteth also in the valor and military disposition of the people it breedeth; and in this, that they make profession of arms. In the measuring or balancing of greatness there is commonly too much ascribed to largeness of territory, to treasures, or riches, to the fruitfulness of the soil, or affluence of commodities, and to the strength of fortifications, of towns and holds."

General Scott, the old veteran, says, in quoting and alluding to the above remarks of Lord Bacon:

"What was made evident to Bacon by the lore of ages is equally true now. If we, as a people, neglect our military resources, do not foster the military spirit of the people, but, on the contrary, disregard military merit, and even neglect to honor and reward great military services rendered to the State, we can not breed a race of military men, and are in danger of verifying the assertion of de Tocqueville, in his "Observations upon Democracy in America," that "the military career was little honored and badly followed in time of peace." \* \* \* \* \* That "this public disfavor is a very heavy burden which bows down all military spirit;" and that if such a people should undertake "war after a long peace, they would run a much greater risk than any other people of being beaten."

The prompt and efficient service rendered to the nation by the State of Massachusetts at the outbreak of the great rebellion, is a modern but a bright and living evidence of the great necessity and value of an organized militia. She could have never done what she did do without long preparation—preparation in time of peace; preparation at a time when none supposed there was to be a war—when the great mass of the people were wild enough to believe that no war could be waged anywhere which would entangle us in its meshes. She was expending some \$80,000 a year to support and keep up a well-organized and armed militia force within her borders. All praise to her. California should profit by her example. The legislature should extend its aid and so amend the present military law as to insure the permanent organization of the national guard of the State, so that it shall be the pride of the State and the nation.

I most respectfully recommend that the law be so amended that those serving in the militia of the State shall be exempt from jury duty; such a provision was in the old law, and was in the original bill of the present law, but the legislature struck it out on the ground that a large portion of the militia of the State was located in San Francisco, and that the members of the fire department being already exempt by law, such an exemption would be too large and an injustice to the citizens generally. Now the fire department of San Francisco has been disbanded; they have paid department, and no such objection can be urged. It would not exempt, in San Francisco, more than fifteen hundred men out of a voting population of twenty-five thousand, and without such exemption there is no motive or incentive, in these times of peace, for good men to join companies and perform the military duty that is required of them under law.

The uniforms now in use have been in service from four to five years and in many cases are not fit to wear or to be seen in the streets. They should be condemned and sold at public auction for what they would bring, and provision should be made for the purchase and issue of new ones.

There should also be provision made for at least a camp of instruction for the officers and first sergeants once a year, if not for a general encampment. Provision should also be made for the payment of a salary to the assistant adjutant-general of the Second Brigade. It ought not to be expected that that officer should perform the arduous duties devolving upon him by law free of charge.

I am of the opinion that many of the companies in the interior mining towns, where the population is transient, can not keep up their organizations under the stringent requirements of the law and would, therefore, recommend a reduction of the number of companies allowed in the State to forty infantry, ten cavalry, and four artillery; the companies to be mustered out to be designated by the "board of organization" named in the present military law.

The California volunteers being all mustered out of service and nearly all of their claims against the State having been filed and audited, and the militia having been reorganized under the law of 1866, the clerical labor of this office in the future will be comparatively light. It will not be necessary to make an appropriation for more than one clerk besides the assistant adjutant-general. I have employed but one in this fiscal year.

The appropriation for postage, telegraphing, and expressage has been more than sufficient, leaving a surplus on hand for the past two years. And now that the sol-

diers' claims are about all settled the correspondence will be light and no more blanks will have to be mailed to distant posts. I therefore am of the opinion that one-half of the present appropriation will be ample in the future. The same may be said of the appropriation for transportation, for cleaning and repairing arms. One-half of the present appropriation will be more than sufficient.

In connection with my recommendations as to changes in the present military law I have the honor to respectfully refer you to the report of Col. J. W. McKenzie, acting brigadier-general of the Second Brigade, a copy of which is herewith transmitted, so far as relates to recommendations:

"The companies of this brigade are well armed and, as a general rule, are proficient in drill. Not having received any directions to that effect, these headquarters have not yet issued orders for the adoption of Upton's tactics in lieu of Casey's, though many companies have already adopted the former.

"I would suggest that the adoption of Upton's tactics be immediately directed and that efforts be made for the issuance to this State by the General Government, in lieu of the arms now in use, the breech-loading muskets which, I am informed, have already been furnished to the National Guard of the State of New York and the organized militia of other States. Our forces, in the event of a riot or if called out to aid the enforcement of the law, would offer but a weak resistance to a mob or organized party, as the latter would undoubtedly be armed with Henry's repeating rifles, which arm is now to be found in every house and cabin.

"The uniforms heretofore furnished to the companies of this brigade are so old and worn that they are no longer fit for use and should be condemned. Several companies have refused to wear those assigned to them for the reason that they were in wretched condition when issued. Some provision must be made for properly uniforming and renewing the uniforms of the National Guard. The present uniforms have done good service for the past four years and have fairly earned an exemption from further military duty.

"Provision should also be made for clerical force at headquarters of this brigade; in fact the assistant adjutant-general for this brigade should be considered in active service, devote his entire time to brigade matters, and draw from the State his pay, as provided by law for officers and troops when in active service. A larger monthly allowance should also be granted for contingent expenses and clerk hire, which latter, even though the assistant adjutant-general should be placed in active service, would be indispensable during at least two months in the year, when making up the muster rolls of the organized and enrolled militia, as required by law.

"Legislative aid must be invoked for the fostering of the National Guard by creating such exemptions and privileges as will make it an object for men of position in the community to join the service. Exemption from jury duty should be restored, and now that the number of companies is fixed for this city will, allowing each company located here, viz, twenty, to have a membership of one hundred would only exempt two thousand, which, out of twenty-five thousand registered voters who are subject to jury duty, is an exceedingly small percentage and can not be urged against the exemption. The maximum and minimum of membership of companies should also be reduced, the former to seventy-five and the latter to thirty-five. Camps of instruction should also be had at least once a year, and a more thorough system of inspection should be provided.

"The late war proved the necessity of having a well-drilled and organized militia, and the legislature of California should not delay in enacting a law which will be instrumental in inspiring new life and interest into the National Guard, which at present, it must be confessed, is in a very normal condition.

"All of which is respectfully submitted.

"J. W. MCKENZIE,

*"Colonel, commanding Second Brigade California National Guard,*

"To Brig. Gen. GEORGE S. EVANS,

*"Adjutant-General California, Sacramento, Cal."*

[Exhibit No. 47—Continued.]

MISCELLANEOUS.

Since my last report, November 30, 1865, there has been written 613 official letters of sufficient importance to be copied in a letter-book and perhaps as many more of less importance that it was not thought necessary to keep copies of.

There have been issued 346 commissions, 19 exempt certificates to California militia, and 316 certificates of service to California volunteers in lieu of discharges lost.

There have been 15,436 money claims certified up to the board of examiners, as follows: Bounty claims, 7,892; relief claims, 6,841; allotments, 49; State military claims, 654.

There have been, in addition, 476 bounty and relief claims filed, examined, and rejected for various causes, desertion, being duplicates, forgeries, etc.

I have had books made with proper headings and have been writing up the history of every man, alphabetically arranged, that was ever in the California volunteers, giving his complete record—where born, when and where enlisted, who by; when and where mustered in, who by; in what company and regiment; his full description, age, height, etc., and what became of him—died, discharged, promoted, etc., according to the facts in the case. These books are of great value to the State, and as time rolls on they will become more and more valuable. Six thousand nine hundred and fifty-two names, with the full record as above, have been written up in these books since last report.

It will be seen by the accompanying tables and recapitulations that under the military law of 1866 there have been 14 field and staff organizations and 88 company organizations mustered out of service, and their arms and accouterments, etc., turned in.

Most of these companies were short more or less ordnance or quartermaster property, for which they are liable on their bonds. I have in all cases furnished an itemized account of their deficiency, giving the Government price of each article, and have collected the sum of \$1,339 from the following companies, which I have paid into the State treasury to the credit of the military fund, to wit:

Name of company.	Amount.
Fourth brigade:	
Sacramento Sharpshooters .....	\$99.06
Marysville Rifles .....	83.00
Walnut Grove Union Guard .....	9.99
Sarragosa Guard .....	6.35
Marysville Union Guard .....	86.10
El Dorado Mountaineers .....	40.04
Hooker Guard .....	17.32
Lincoln and Virginia Union Guard .....	7.13
Union Cavalry .....	38.20
Ione City Guard .....	86.80
Pilot Hill Rangers .....	32.18
Sutter Creek Guard .....	3.01
Placerville National Guard .....	11.47
Banks Guard .....	18.00
Alleghany Guard .....	127.29
Alpine Rifles .....	47.91
Butte Mountain Rangers .....	87.24
Bridgeport Union Guard .....	90.01
City Guard, Fourth Infantry .....	293.04
Third brigade:	
Mokelumne Light Dragoons .....	89.85
Second brigade:	
Washington Guard .....	64.00
Total .....	1,338.99

There is, perhaps, twice the above amount due from other companies, that can be collected by suit.

There have been reorganized and mustered in, under the law of 1866, 8 field and staff, and 77 company organizations. Two of the companies failing to keep up their organizations according to law, have since been mustered out, leaving as the actual force of the national guard of the State now in service, 75 companies, as follows: Infantry, 60; cavalry, 11; and artillery, 4; with an aggregate number of men, rank and file, of 4,836, and a grand aggregate, including staff, regimental, and line officers, of 5,193.

From my books it appears that there are only about 947 bounty claims yet to be presented for payment, as follows: Eighty-nine claims for \$200, balance bounty due on discharge; 643 claims for \$100 each, and 215 claims for less amounts; making in the aggregate, claims for the sum of \$88,330 outstanding. Of this amount I make a rough estimate that \$78,100 worth are probable deserters, who have forfeited all right to the balance of bounty, leaving outstanding valid claims only to the amount of about \$10,230 to be yet certified up.

Major D. W. C. Thompson, late of the California Cavalry Battalion, has kindly furnished me with a report of the campaigns, battles, etc., of that gallant band of men during the late rebellion, together with a roster of the command, noting all changes from the time that they left the Golden Gate up to the surrender of Generals Lee and Johnson, and their final muster out at Washington at the close of the war.

These true men and patriots, being Californians that left this coast and went East to do battle for the right, and the survivors having generally returned to live among us, it certainly is right and just that their heroic deeds should be published to the

credit of California and her citizens, and that their written record should be filed in the adjutant-general's office, and become a part of the military history of our State, notwithstanding they were merged in a Massachusetts regiment and wrongfully returned as Massachusetts troops.

I have the honor to transmit herewith a copy of his report  
All of which is respectfully submitted.

GEO. S. EVANS,  
*Adjutant-General of the State of California.*

EXHIBIT NO. 48.

*Biennial report.*

OFFICE OF CONTROLLER OF STATE,  
*Sacramento, Cal., November 4, 1867.*

To his excellency, FRED'K F. LOW,  
*Governor of California:*

SIR: In conformity to law, I herewith submit a report of the financial transactions and condition of the State for the seventeenth and eighteenth fiscal years, ending June 30, 1867, together with a general statement of the condition of the several funds of the State treasury at this date. Tables giving a full exhibit of receipts, expenditures, the public debt, etc., during each fiscal year, will be found under the following headings:

I.—*Relief and bounty to California Volunteers.*—There has been paid for extra pay and bounty to California volunteers, during these two fiscal years, the sum of one million four hundred and sixty-four thousand eight hundred and twenty-four dollars and thirty-two cents (\$1,464,824.32), and for relief of line officers, twenty-two thousand one hundred and six dollars and sixty-two cents (\$22,106.62), making a total of one million four hundred and eighty-six thousand nine hundred and thirty dollars and ninety-four cents (\$1,486,930.94), and a grand total of two million six hundred and thirty-six thousand one hundred and six dollars and sixty-two cents (\$2,636,106.62), paid by the State for these purposes up to the first day of November, 1867. Of this amount one million five thousand six hundred and six dollars and sixty-two cents (\$1,005,606.62) have been paid, and interest-bearing bonds, amounting to one million six hundred and thirty-five thousand five hundred dollars (\$1,635,500) are still outstanding and unpaid. This debt is the result of legislation in support of the measures of the national Government to re-inforce its armies and carry on the war, and may therefore be considered a debt contracted for national objects.

Very respectfully, your obedient servant,

GEO. OULTON,  
*Controller.*

EXHIBIT NO. 49.

*California Volunteer Cavalry, First Regiment.*

This regiment was organized at San Francisco, Sacramento, Stockton, and Camp Merchant, Cal., as follows: Companies A, B, C, D and E in August, 1861, and the remaining companies from May 16 to December 31, 1863, all to serve three years. On expiration of the term of service of Companies A, B, C, D, and E the original members (except veterans) were mustered out, and the veterans and recruits, together with the other companies, retained in service. The organization was mustered out by companies at different dates from March 6 to October 19, 1866.

List of battles, etc., in which this regiment participated, showing loss reported in each:

Pechacho Pass (Companies A, B, C, D, and E), killed, O. 1; wounded, E. M., 2. White Mountains (A, B, C, D, and E), no loss. Tule Rosa Valley (D), wounded, E. M., 1. Indian Village (B), wounded, E. M., 1. Oregon Mountains (D), wounded, E. M., 4. Bent's Old Fort, wounded, E. M., 10; missing, E. M., 2. Sacramento Mountains (G and H), wounded, E. M., 1. Croton Springs (L), killed, E. M., 1; wounded, E. M., 2. Lamónico Spring (G and H), no loss. (From page 328, Volunteer Army Register, 1861 to 1865, Part VII.)



*California Volunteer Cavalry, First Battalion.*

(Called also Native Cavalry Battalion.)

This battalion, composed of four companies, was organized at San Francisco, San José, Santa Barbara, and Drum Barracks, Cal., from March, 1863, to July, 1864, to serve three years. It was mustered out of the service at different dates from March 15 to April 2, 1866. (From page 329, Volunteer Army Register, 1861 to 1865, Part VII.)

*California Volunteer Cavalry, Second Regiment.*

(This regiment was organized at San Francisco, Cal., from September 5 to October 18, 1861, to serve three years. On the expiration of its term of service the original members (except veterans) were mustered out. The organization composed of veterans and recruits, were mustered out of service by companies at different dates from February 1 to July 12, 1866.

List of battles, etc., in which this regiment participated, showing loss reported in each:

Owen's River (Companies A, H, K, and M), killed, E. M., 1; wounded, E. M., 2. Apache Pass (B), wounded, E. M., 1. Madelaine Plais, no loss. Bear River (A, H, K, and M), killed, E. M., 12; wounded, O., 2, E. M., 45. Owen's Valley (March 3, 1863, G), wounded, E. M., 4. Owen's Valley (March 19, 1863, G), wounded, E. M., 1. Cedar Fork, no loss. Spanish Fork Cañon (April 4 and 5, 1863), no loss. Big Pine Creek (E), wounded, E. M., 1. Owen's Valley (April 10, 1863, G), wounded, E. M., 1. Spanish Fork, Cañon (April 15, 1863, A, H, K, and M), killed, O., 1; wounded, E. M., 4. Keysville (D and E), no loss. Clear Fork (L), wounded, E. M., 3. Pine Forrest District (B), killed, E. M., 1; wounded, E. M., 2. Fish Creek (B and I), wounded, E. M., 4. Rock Cañon (D, F, and K), killed, E. M., 1; wounded, O., 1, E. M., 6. (From pages 330 and 331, Volunteer Army Register, 1861 to 1865, Part VII.)

*California Volunteer Infantry, First Regiment (battalion of)*

This regiment was organized at San Francisco, Sacramento, Orville, and Amador, Cal., in August, September, and October, 1861, to serve three years. On the expiration of its term of service the original members (except veterans) were mustered out, and the organization composed of veterans and recruits, together with the veterans and recruits of the Fifth Regiment California Infantry, consolidated into a battalion of seven companies, and retained in service. The organization was mustered out by companies at different dates from September 15 to October 21, 1866.

List of battles in which this regiment participated, showing loss reported in each: Rio de los Animos (Company G), killed, E. M., 1. (From pages 332 and 333, Volunteer Army Register, 1861 to 1865, Part VII.)

*California Volunteer Infantry, First Battalion of Mountaineers.*

This battalion, composed of six companies, was organized at San Francisco, Fort Humbolt, Arcata, and Fort Gaston, Cal., from May 30, 1863, to March 16, 1864, to serve three years. It was mustered out of service by companies at different dates from April 25 to June 14, 1865.

List of battles, etc., in which this battalion participated, showing loss reported in each: Middle Yager (Company A), no loss. Redwood Creek (C), wounded, E. M., 10. Mad River (A), no loss. Redwood (A), no loss. Hiapom Valley (B), no loss. Thomas's Branch (C), no loss. Trinity River (B and C), wounded, E. M., 2. Willow Creek (B and C), wounded, O., 1; E. M., 4. Christmas Prairie (A, B, and C) wounded, E. M., 1. Grouse Creek (E), no loss. Matole (E), no loss. Thomas's Place, no loss. (From page 334, Volunteer Army Register, 1861 to 1865, Part VII.)

*California Volunteer Infantry, Second Regiment.*

This regiment was organized at San Francisco and Carson City, Cal., from September 2 to December 30, 1861, to serve three years. On the expiration of its term of service the original members (except the veterans) were mustered out. The organization, composed of veterans and recruits, was mustered out of service at different dates from April 16 to July 2, 1866.

List of battles, etc., in which this regiment participated, showing loss reported in each: Liscomb's Hill (Company I), no loss; Eel River, (D), no loss; Fort Grant (A, B, C, E, F, G, H, and I). (From pages 335 and 336, Volunteer Army Register, 1861 to 1865, Part VII.)



*California Volunteer Infantry, Third Regiment (battalion of).*

This regiment was organized at Stockton and Benicia Barracks, Cal., from September 15 to December 3, 1861, to serve three years. On the expiration of its term of service the original members (except veterans) were mustered out, and the veterans and recruits consolidated into a battalion of 4 companies. Company D was consolidated with Company C, December 9, 1865, and the organization retained in the service until July 27, 1866, when it was mustered out. (From page 337, Volunteer Army Register, 1861 to 1865, Part VII.)

*California Volunteer Infantry, Fourth Regiment (battalion of).*

This regiment was organized at Sacramento, Placerville, and Auburn, Cal., in September and October, 1861, to serve 3 years. On the expiration of its term of service the original members (except veterans) were mustered out, and the organization, composed of veterans and recruits, retained in service. Five companies were mustered out November 30, 1865, and the remaining companies formed into a battalion, and mustered out by companies at different dates from December 19, 1865, to April 18, 1866. (From page 338, Volunteer Army Register, 1861 to 1865, Part VII.)

*California Volunteer Infantry, Fifth Regiment.*

This regiment was organized at Sacramento, Placerville, Marysville, and Santa Cruz, Cal., in September, October, and November, 1861, to serve three years. The original members, except veterans, were mustered out at different dates from November 27 to December 14, 1864, by reason of expiration of term of service, and the veterans and recruits transferred to the First Regiment California Infantry.

List of battles, etc., in which this regiment participated, showing loss reported in each: Pinos Altos Mines (Company A), killed, E. M., 1; wounded, E. M., 1. Cajou de Arivaypo (K); no loss. Cook's Cañon (E), wounded, E. M., 1. Gila River (B), no loss. Pinos Altos (E), no loss. Doubtful Cañon (I), killed, E. M., 1; wounded, E. M., 1. San Carlos River (K), wounded, E. M., 1. Mezcal River (I and K), no loss. Arivaypo Cañon, no loss. (From pages 340 and 341, Volunteer Army Register, 1861 to 1865, Part VII.)

*California Volunteer Infantry, Sixth Regiment.*

This regiment was organized at San Francisco, Alcatrazes Island, and Benicia Barracks, Cal., from October 21, 1862, to September 5, 1864, to serve three years. It was mustered out of service by companies at different dates, from October 25 to December 20, 1865.

List of battles in which this regiment participated, showing loss reported in each: "Soldier's Grove" (Companies C and E), wounded, E. M., 1. (From page 342, Volunteer Army Register, 1861 to 1865, Part VII.)

*California Volunteer Infantry, Seventh Regiment.*

This regiment was organized at San Francisco, Sacramento, Marysville, Jackson and Placerville, Cal., from October to December, 1864, to serve one and three years. It was mustered out of service by companies at different dates, from March 1 to June 28, 1866.

List of battles in which this regiment participated, showing loss reported in each: Gauchuca Mountain (Companies C and E), killed, E. M., 2; wounded, E. M., 1. (From page 343, Volunteer Army Register, 1861 to 1865, Part VII.)

*California Volunteer Infantry, Eighth Regiment.*

This regiment was organized at San Francisco, Sacramento, Marysville, and Placerville, Cal., from November, 1864, to February, 1865, to serve one and three years. It was mustered out of service October 24, 1865. (From page 344, Volunteer Army Register, 1861 to 1865, Part VII.)

EXHIBIT No. 50.

OFFICE OF THE CONTROLLER OF STATE,  
Sacramento, January 17, 1866.

His excellency, F. F. Low, Governor :

SIR : In reply to yours of the 16th instant accompanying the inclosed letter of Hon. James G. Blaine, I submit the following statement of the amount expended by the

82 CALIFORNIA, OREGON, AND NEVADA STATE WAR CLAIMS.

State in support of the late war for the preservation of the Union, as appear from books of this office :

Amount expended to assist in filling up regiments California volunteers.....	\$24,260.00
Amount expended for relief of enlisted men of the California volunteers.....	687,403.63
Amount expended for bounties for enlisted men of the California volunteers.....	436,460.00
Amount expended for relief of line officers of the California volunteers.....	17,232.95
<b>Total .....</b>	<b>1,165,356.58</b>

The above statement does not include the claims against bounty fund received from the honorable board of examiners on the 16th instant. In addition to the above are the claims of soldiers for \$5 per month not yet provided for by the legislature, and the balance of bounty not yet due, for the payment of which the faith of the State is pledged.

Under the acts for the defense of the State the sum of \$180,000 has been expended and our militia system has cost the State in the neighborhood of \$400,000, both of which items of expenditure may be directly traced to the rebellion, although not included in the class of expenditures named in the letter of Hon. James G. Blaine inclosed.

I am, very respectfully, your obedient servant,

GEORGE OULTON,  
*Controller.*

CERTIFICATE TO EXHIBITS NOS. 4, 5, 6, 7, 8, 13, 14, 15, 16, 27, 28, 29, 30, 44, 45, 50.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
*Sacramento, Cal., October 1, 1885.*

I, W. W. Moreland, private secretary to the governor of California, and custodian of the public records and papers in the office of the executive, do hereby certify that the foregoing is a full, true, and correct copy of an original paper now of record in the governor's office, and that said original paper can not be removed from the governor's office without manifest injury to the public service.

W. W. MORELAND,  
*Private Secretary.*

EXHIBIT No. 51.

HEADQUARTERS, DISTRICT OF OREGON,  
*Fort Vancouver, Wash., September 12, 1861.*

To his excellency JOHN WHITEAKER,  
*Governor of the State of Oregon :*

SIR: The threatening attitude of the Indian tribes in the country east of the Cascade Mountains having produced much alarm among the settlers, causing many of them to abandon their claims, and the regulars under my command having been reduced during the past year by the withdrawal of fourteen companies for service in California, leaving an inadequate number of troops necessary for the protection of the settlements, I have the honor to request that your excellency will call for one company of volunteer cavalry, to be mustered into the service of the United States, at Fort Dalles, Oregon, for the period of three years, unless sooner discharged. The organization of the company will be one captain, one first lieutenant, one second lieutenant, four sergeants, four corporals, two buglers, one farrier and blacksmith, and seventy-four privates. Every member of the company will be required to furnish his own horse and horse equipments, and will be paid for their use and risk such allowance as are now or hereafter may be established by law. The Government will furnish arms and subsistence when the organization of the company shall have been completed and the company accepted.

When fully organized, I request that your excellency will direct the captain of the company to report to Capt. Joseph H. Whittlesey, of the United States Army at Fort Dalles, who has been ordered to inspect, and if accepted, to administer the oath of allegiance and muster the company into the service of the United States.

With great respect I have the honor to be your excellency's most obedient servant,

G. WRIGHT,  
*Colonel Ninth Infantry, commanding.*

(From appendix, Oregon journal of the house, 1862, page 21.)

## EXHIBIT No. 52.

EXECUTIVE OFFICE, SALEM, OREGON,  
September 16, 1861.*To the people of the State of Oregon :*

Whereas information has been received of the discontented spirit of the Indian tribes of middle and eastern Oregon, and the danger of Indian hostilities in those quarters, and whereas a requisition has been received from Col. George Wright, U. S. Army, chief in command of the district of Oregon, asking for one company of volunteer cavalry, to be mustered into the service of the United States, at Fort Dalles, Oregon, for the period of three years, unless sooner discharged, which requisition is hereunto appended, making a part of this proclamation.

Now, know ye, that by authority vested in me by the constitution and laws of said State, as the commander-in-chief of the militia thereof, I, John Whiteaker, governor of the State of Oregon aforesaid, in compliance with said requisition, do hereby call upon all good and loyal citizens of said State, capable of bearing arms, to come forward and volunteer to the number of eighty-eight, rank and file, to be organized into a company of cavalry, according to terms of said requisition; and I do hereby appoint A. P. Dennison to act as recruiting officer, invested also with the authority to act as quartermaster and commissary for said volunteer force to be raised, during the recruiting thereof; and said recruiting officer is authorized to locate his office at Fort Dalles, Oregon, with privilege, if the exigencies of his duty require, to open temporary offices at other points in Oregon, and to appoint a subordinate or subordinates under him for the purpose herein specified.

Whenever said company shall have been recruited to the number required, they shall forthwith proceed to the election of officers in manner provided by the third chapter of the act of the legislative assembly of Oregon, entitled "An act to organize the militia," passed January 26, 1856, and when so organized, the captain will report to Capt. Joseph H. Whittelsey, of the U. S. Army, at Fort Dalles aforesaid.

A portion of the "memorandum" embraced in "General Orders No. 15," of the War Department of the United States, dated May 4, 1861, is herewith also appended for the further information of those who may volunteer.

By the governor :

JOHN WHITEAKER,  
LUCIEN HEATH,  
*Secretary of State.*By CHESTER N. TERRY,  
*Assistant Secretary of State.*

(From Appendix, Oregon Journal of the House, 1862, page 22.)

## EXHIBIT No. 53.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., October 23, 1861.To his excellency JOHN WHITEAKER,  
*Governor of Oregon :*

SIR: The War Department having authorized Colonel Cornelius, of Oregon, to raise a regiment of cavalry for service in that district, I have the honor to request that your excellency will suspend the enrollment of the cavalry company at Fort Dalles, as requested in my communication to your excellency in the early part of last month when I was in command of the district of Oregon.

Very respectfully, I have the honor to be, your excellency's obedient servant,  
G. WRIGHT,  
*Colonel U. S. Army, Commanding.*

From Appendix, Oregon Journal of the House, 1862, page 23.)

## EXHIBIT No. 54.

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., November 1, 1861.To his excellency JOHN WHITEAKER,  
*Governor of Oregon :*

SIR: I have the honor to notify your excellency that by instructions this day received from the headquarters of the Department of the Pacific, the raising of the

company of volunteer cavalry heretofore called for, has been suspended, and the men, if any, already enrolled are to be disbanded, the regiment organized under Colonel Cornelius being considered amply sufficient for the whole country.

I have the honor to be, with much respect, your obedient servant,

A. CADY,

*Lieutenant-Colonel Seventh Infantry, Commanding District.*

(From Appendix, Oregon Journal of the House, 1862, page 26.)

EXHIBIT No. 55.

PORTLAND, June 6, 1862.

To his excellency JOHN WHITEAKER,  
*Governor of Oregon :*

SIR: Inclosed I herewith forward to your office one copy of the papers connected with the recruiting service for which I was appointed by your excellency on the 16th day of September, 1861, to wit: Names of recruits, abstract of indebtedness, with vouchers. These papers would have been forwarded at a much earlier day had I been able to obtain the accounts. I used every effort to get them, but failed until this time. The vouchers covering the indebtedness created I have made in duplicate, one copy of which I have delivered to the claimants, and the other forward with these papers.

In these accounts I have endeavored to use the utmost economy, and trust they will meet with your approbation. And I would most respectfully request, that you recommend the immediate payment of these claims by the legislature, as an act of justice to those who have furnished the State with transportation, subsistence, and service, etc.

The amount due men for services I have not computed, as I did not suppose it necessary.

Respectfully, your obedient servant,

A. P. DENNISON.

*Abstract of expenses created by A. P. Dennison, recruiting officer, under proclamation of his excellency Governor Whiteaker, dated Salem, Oregon, September 16, 1861.*

To whom due.	For what object.	Amount.
Thomas McBarney .....	Board and lodging .....	\$3. 00
M. O'Connor .....	do .....	8. 75
J. M. Hulery .....	Livery .....	6. 00
J. C. Jackson .....	Traveling expenses .....	9. 75
W. R. Marquis and others .....	do .....	36. 75
B. O. Waggoner .....	do .....	17. 50
Isaac Labo .....	do .....	9. 50
William Aldridge .....	Board and lodging .....	223. 00
J. M. Forbes .....	do .....	74. 00
California Stage Company .....	Transportation .....	46. 00
James McAuliff .....	Transportation, board, etc .....	110. 00
W. H. Newell .....	Printing .....	12. 00
S. B. Ives .....	Livery .....	36. 00
A. P. Dennison .....	Services as recruiting officer, stationery, office rent, horse hire, etc. ....	305. 00
Shubrick Norris .....	Services as assistant recruiting officer, twenty days .....	60. 00
B. F. Bonham .....	Services as assistant recruiting officer, fifteen days .....	45. 00
Dr. E. Shell .....	Services as assistant recruiting officer, twenty days .....	60. 00
Joseph Teal .....	do .....	60. 00
William Geyer .....	Services as assistant recruiting officer, sixteen days .....	48. 00
Oregon Steam Navigation Company .....	Transportation .....	708. 00
William Graham .....	Board and lodging .....	15. 00
J. M. Vansyckle .....	do .....	27. 00
Total .....	.....	1, 985. 25

I certify that the above abstract of expenses, created for the enrollment of cavalry company, under proclamation of his excellency Governor Whiteaker, dated September 16, 1861, is correct and true.

A. P. DENNISON,  
*Recruiting Officer.*

(From Appendix, Oregon Journal of the House, 1862, page 25.)

## EXHIBIT No. 56.

*Memorial to the Secretary of War.*

To the honorable SECRETARY OF WAR:

Your memorialists, the legislative assembly of the State of Oregon, would most respectfully represent to the Secretary of War the necessity of creating the State of Oregon and Territory of Washington into a military department separate from the State of California. As at present constituted, the whole Pacific coast is included in the Department of the Pacific, with the headquarters at San Francisco, and a portion of the State of Oregon and the Territory of Washington is formed into a district, the headquarters of which is at Fort Vancouver, Wash. It is impossible for the district commander to move any troops in the district without the assent or orders of the department commander. This requires an interval of two weeks to elapse, which often works great inconvenience to the public service.

While your memorialists call your attention to the inconvenience of this arrangement in the time of peace, they submit that with the present state of affairs in the Indian country, the necessity of proper authority to concentrate troops and begin a campaign against the Snake Indians, who have for years obstructed the emigrant road, rendering it unsafe for small parties to travel, and in instances not unfrequent, murdered women and children, render it a matter of importance that there should be within the bounds of the present district of Oregon authority to concentrate troops, and when necessary to prosecute a vigorous campaign against the hostile Indians.

Your memorialists are aware that the present rebellion renders it impossible for the Government to bestow upon this part of the Union that attention it would receive, but they presume the necessity for granting their request will be apparent to the Secretary. It will not increase the expenses of the Government in any manner whatever, and your memorialists believe will have the effect of continuing peace with those Indians who are quiet, and will enable the troops to chastise those who are hostile, by moving with promptness and celerity to such points as may appear necessary.

*Resolved*, That the secretary of state be, and he is hereby, requested to forward to the Secretary of War, to our Representative, and to each of our Senators in Congress a copy of the above memorial.

Passed the house of representatives, October 15, 1862.

JOEL PALMER,  
*Speaker House of Representatives.*

Passed the senate, October 14, 1862.

WILSON BOWLBY,  
*President of the Senate.*

(Taken from page 37 of Oregon State Journal, 1862.)

## EXHIBIT No. 57.

(H. J. R. No. 17.) Joint resolution requesting General G. Wright to station another company of soldiers at Camp Baker, in Jackson County, Oregon.

Whereas the present military force on the southeastern border of the State of Oregon is not sufficient to protect the frontier settlements in that section of the country, should the powerful and warlike tribes of Indians inhabiting the country of the Klamath and vicinity combine in a war upon the whites, of which, from recent indications, there seems to be danger: Therefore,

*Resolved by the legislative assembly of the State of Oregon*, That General G. Wright, military commander of the Department of the Pacific, is respectfully though earnestly requested to furnish an additional company of soldiers, to be stationed at Camp Baker, in Rogue River Valley, Jackson County, Oregon.

Passed the house of representatives, October 16, 1862.

JOEL PALMER,  
*Speaker of the House of Representatives.*

Passed the senate, October 16, 1862.

WILSON BOWLBY,  
*President of the Senate.*

(From Oregon Senate Journal, 1862, page 49.)

## EXHIBIT No. 58.

*Memorial relative to the coast Indian reservations.**To the General Commanding the Department of the Pacific :*

Your memorialists, the legislative assembly of the State of Oregon, respectfully represent that the protection of the coast Indian reservations in Oregon requires that Fort Umpqua should be occupied by the United States troops.

*Resolved*, That the secretary of state is hereby requested to forward a copy of the above memorial to the general or other officer commanding the Department of the Pacific.

Adopted by the house, October 17, 1862.

JOEL PALMER,  
*Speaker House of Representatives.*  
WILSON BOWLBY,  
*President of the Senate.*

(From Oregon Senate Journal, page 39.)

## EXHIBIT No. 59.

(S. J. R. No. 6.) Relative to the establishment of a military post in the vicinity of Klamath Lake.

*Resolved by the senate (the house concurring)*, That our Senators and Representatives in Congress are hereby instructed to use their influence with the President of the United States and the Secretary of War, in securing the establishment of one or more military posts in the vicinity of Klamath Lake, in southern Oregon, for the purpose of opening the Klamath Lake country for settlement and furnishing protection to emigrants coming into southern Oregon.

JOEL PALMER,  
*Speaker House of Representatives.*  
WILSON BOWLBY,  
*President of the Senate.*

(From Oregon Senate Journal, 1862, page 53.)

## EXHIBIT No. 60.

*Militia.*

The late governor of this State in his message of September 25, 1860, very properly said: "There is no State or Territory belonging to the American Union in which a well-trained militia is more likely to be needed than in Oregon. It is notorious that we are surrounded on all sides by a treacherous and warlike race of Indians, some of whom have been in a state of open hostility during the past summer, and it is well known that in the event of the United States becoming involved in a war with any of the great powers of the civilized world Oregon would be the first to suffer from a descent upon her shores of a well-disciplined soldiery."

I see no reason to change that recommendation; in fact there is more danger of internal commotions, foreign war, and trouble with our Indians in the eastern part of the State now than then. I can not, therefore, too strongly urge upon you the importance of an immediate organization of an efficient military system for our State. (From Oregon House Journal, 1862, Appendix, page 52.)

## EXHIBIT No. 61.

SAN FRANCISCO, October 20, 1864.

SIR: I have the honor to request, under special authority granted to that effect from the War Department, that a regiment of infantry be raised in the State of Oregon as soon as possible.

IRWIN McDOWELL,  
*Major-General, Commanding.*

To Gov. A. C. GIBBS,  
*Salem.*



## EXHIBIT No. 62.

*Extract from the message of Governor Gibbs, of Oregon, to the legislature of that State, September, 15, 1864.*

[From appendix, Oregon house journal, third session, 1864, page 11.]

At the breaking out of the rebellion most of the troops of the regular Army in Oregon were ordered East. In the fall of 1861 orders came to raise a regiment of cavalry, Col. T. R. Cornelius was requested to raise and command the same. He entered upon the work with energy, and faithfully discharged his duties until his resignation. The order came late in the season; the winter following was a severe one and in the spring, while enlistments were being rapidly made, an order came to cease recruiting; hence but six companies were raised.

On the 5th of January, 1863, by Brigadier-General Alvord, commanding district of Oregon, I was requested to raise additional companies to fill the regiment. Accordingly on the following day I issued my proclamation calling for volunteers and appointed recruiting officers. Gold excitement and other causes prevented the raising of more than one company, which was mustered into the command of H. C. Small. Incident to the raising of that company are some small bills which the State ought to pay. One to Mr. Veeder, proprietor of the Temperance House in Portland, for meals and lodging for recruits who stopped there necessarily on their way to Fort Vancouver.

After the resignation of Colonel Cornelius Col. R. F. Maury took command of the regiment. Before and since that time the Snake and other tribes of Indians in eastern Oregon have been hostile and constantly committing depredations. The regiment has spent two summers on the plains furnishing protection to the immigration and to the trade and travel in that region of the country. During the past summer the regiment has traveled over 1,200 miles, and the officers and men are still out on duty.

The officers and most, if not all, the men joined the regiment through patriotic motives, and while some of the time they have been traveling over rich gold fields, where laborers' wages are from \$3 to \$5 per day, there have been very few desertions, and that too while they were being paid in depreciated currency, making their wages only about \$5 per month. A great many of these men have no pecuniary interest in keeping open lines of travel, protecting mining districts and merchants and traders. The benefit of their services thus insures to the benefit of others, who should help those faithful soldiers in bearing these burdens.

Oregon, in proportion to her population and wealth, has paid far less than other States for military purposes. California pays her volunteers \$5 per month extra in coin. It would be but an act of simple justice for this State to make good to the members of this regiment their losses by depreciated currency.

In a few months this regiment of Oregon cavalry will be entitled to a discharge, as their time of enlistment will soon expire. Troops to take their places are needed and must be had. Oregon is liable to be called upon to furnish two regiments, and if the call is made they must be furnished. I think, however, only a call for one will be made, and that will be to fill the regiment of Oregon cavalry. How shall we respond to such a call? Shall we pass a law granting bounties to volunteers sufficient to secure their services, as other States have done, or shall we do nothing, and make a draft necessary and certain? In my judgment justice and policy require us to pursue the former course.

On the 12th day of September, 1861, by requisition of Col. George Wright, commanding Department of the Pacific, his excellency Governor Whiteaker issued a proclamation calling for one company of volunteer cavalry. On the 23d day of October, 1861, the order was rescinded. In the mean time A. P. Dennison had been appointed recruiting officer, entered upon the duties of his office, appointed assistants, and incurred liabilities, it is claimed, against the State amounting to \$1,985.25; an account of which can be found in house journal of 1862, page 25 of appendix. The call was authoritatively made, and I recommended that a committee be appointed to take the matter into consideration.

## EXHIBIT No. 63.

*House joint resolution No. 23.*

Whereas in the faithful and gallant discharge of the duties required by their enlistment our noble soldiers have shown that they can rise above considerations of wages depreciated, mines around them promising fortunes, and the alluring ease and

charms of home and social life, and, rallying at the cry to arms, sustain without murmur or complaint the hardships of warfare, faithfully guarding our frontier and maintaining the honor of our arms; therefore,

*Resolved by the house of representatives (the Senate concurring),* That the thanks of this State are hereby tendered and voted to the officers and soldiers of the First Regiment Cavalry Oregon Volunteers, enlisted in the service of the United States from this State.

Adopted by the house October 19, 1864.

J. R. MOORES,  
*Speaker of the House of Representatives.*

Adopted by the senate October 20, 1864.

I. H. MITCHELL,  
*President of the Senate.*

EXHIBIT No. 64.

*An act for the relief of Aaron Veeder.*

*Be it enacted by the legislative assembly of the State of Oregon :*

SECTION 1. That there be, and hereby is, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$134, for the purpose of paying the claim held against this State by the aforesaid Aaron Veeder for boarding and lodging volunteers.

SEC. 2. The secretary of state is hereby authorized and directed to audit and allow to Aaron Veeder the sum appropriated in the foregoing section.

Approved October 21, 1864.

EXHIBIT No. 65.

*An act for the relief of George R. Caton.*

*Be it enacted by the legislative assembly of the State of Oregon :*

SECTION 1. That the sum of \$370 be, and the same is hereby, appropriated, out of any moneys in the treasury not otherwise appropriated, to the payment of George R. Caton for services as second lieutenant of cavalry of Oregon volunteers, in recruiting as such lieutenant under appointment of his excellency A. C. Gibbs, governor of Oregon: *Provided,* That said amount shall be paid in United States Treasury notes.

Approved, October 21, 1864.

EXHIBIT No. 66.

*An act for the relief of Looney C. Bond.*

Whereas Looney C. Bond, a citizen of Linn County, Oregon, was, in the month of April, 1863, appointed by the governor of Oregon recruiting officer, with the rank of second lieutenant in the First Regiment Cavalry, Oregon Volunteers, and was mustered into the service of the United States in the month of April, 1863, and entered in the recruiting service immediately thereafter, and continued in said service until the 1st day of October, 1863, when he resigned the said office; that during the period he was in said service he was ordered by the governor from Portland to Albany, from Albany to Salem, and from Salem to Portland; and whereas in the performance of said service the said Bond was compelled to pay money of his own for his necessary expenses while in said service; and whereas the United States Government have refused to allow any pay to the said Bond for said service: Therefore,

*Be it enacted by the legislative assembly of the State of Oregon :*

SECTION 1. That there be, and hereby is, appropriated, out of any money in the treasury not otherwise appropriated, the sum of \$688 for services as recruiting officer from the 21st day of April, 1863, to the 1st day of October, 1863, and that the secretary of state draw his warrant on the treasurer for the said sum of \$688, in favor of the said Looney C. Bond: *Provided,* Such amount shall be paid in United States Treasury notes.

Approved, October 21, 1864.

## EXHIBIT No. 67.

*An act for the relief of John Darragh.*

*Be it enacted by the legislative assembly of the State of Oregon :*

SECTION 1. That the sum of \$700 be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to the payment of John Darragh for services as second lieutenant of cavalry of Oregon volunteers, in recruiting as such lieutenant under an appointment of his excellency A. C. Gibbs, governor of Oregon: *Provided*, The said sum shall be paid in United States Treasury notes.

Approved, October 22, 1864.

## EXHIBIT No. 68.

*An act supplemental to an act entitled "An act to provide for the ordinary expenses of the State government, and other general and specific appropriations."*

*Be it enacted by the legislative assembly of the State of Oregon :*

SECTION 1. That there is hereby appropriated, in addition to other appropriations made at this session, the following appropriations, to be paid out of any moneys in the treasury not otherwise appropriated, to pay for engraving and printing the State bonds provided for by the act of the present session granting bounties to volunteers, the sum of \$800; to pay for blank muster-rolls, pay-rolls, registers, allotments, certificates, powers of attorney, and such other blank books as the adjutant-general of this State is required to furnish by the said act granting bounties to soldiers, the sum of \$200.

SEC. 2. Whereas a portion of the above-named sums are now past due, and the recent demand for enlistments create an emergency, this act shall take effect and be in force from and after its approval by the governor.

Approved, October 24, 1864.

## EXHIBIT No. 69.

*An act granting bounties to the volunteers of this State, enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and levy a tax to pay such bonds.*

SECTION 1. Be it enacted by the legislative assembly of the State of Oregon, as follows: There is hereby granted to every soldier who shall hereafter enlist for three years or during the war, in any regiment, battalion, company, troop, or battery, now organized or hereafter to be organized or raised as part of the quota of volunteers of this State, under the laws of Congress and the orders of the President of the United States, during the existing rebellion, and there shall be paid out of the fund hereinafter provided for, in addition to other bounties and pay now provided for and authorized by any law of this State or of the United States, to every such enlisted soldier, a bounty of \$150, in manner following, to wit: The sum of \$50 to be paid at the time of enlistment and the sum of \$50 to be paid after the expiration of one year of such service and the sum of \$50 at the expiration of such term of enlistment: *Provided*, That such bounty shall, in no case, be paid on the order of such soldier, but shall be paid to him personally, in the same manner as soldiers in the Army of the United States are now paid, excepting only where the same shall be necessary for the support of his wife or family, or upon certificates executed by such soldier after each successive payment shall have fallen due under the provisions of this act, such certificate to be attested by the commanding officer of the regiment, battalion, company, troop, or battery, or post commandant of any detachment in which soldier may be serving: *And provided further*, That in all cases where such soldier shall have a wife or family such payments may be made to the wife, or temporary guardian, or custodian of minor child or children, as the same shall become due, such soldier having first filed in the office of the adjutant-general of this State a power of attorney to that effect, executed before and certified by the commanding officer of the regiment, battalion, company, troop, or battery in which such soldier shall have enlisted or to which he may be attached.

SEC. 2. In case of death or honorable discharge from the service; when such discharge occurs from any wound, disease, or disability incurred or contracted in the service, the full amount of bounty granted by this act shall be allowed and paid to

every such soldier, or to his legal heirs; but if any such soldier be dishonorably discharged, or be discharged from disease or disability which existed, or which followed from causes existing and concealed before enlistment, such allowance of bounty herein provided for shall cease at the date of such discharge; and in case the term of service expired by the conclusion of the war, and the quota of this State be mustered out before the end of three years, then the whole amount of such bounty remaining shall become due and payable.

SEC. 3. In computing and allowing the bounty to be paid under this act, the following scale shall be adopted: All persons enlisting before the first day of January, 1865, shall be entitled to receive the first payment after enlistment on the first day of January, 1865; all persons enlisting after the first day of January, 1865, shall be entitled to receive the first payment after enlistment, whenever the company in which they have enlisted shall have been mustered into the service.

SEC. 4. To carry into effect the foregoing provisions of this act, the adjutant-general is hereby authorized to procure and shall provide all necessary blank muster-rolls, pay-rolls, registers, allotments, certificates, powers of attorney, and such other blanks and books as may be requisite and necessary, at the expense of the State, and shall furnish the same, with suitable instructions, to the respective officers of command, whose duty it shall be to make returns of the same, at the proper time, to the office of the adjutant-general of this State; and the adjutant-general is hereby authorized to make such rules and regulations, and issue proper instructions to such officers, as will enable the soldiers under their command effectively to obtain the benefits, and to carry out the provisions of this act.

SEC. 5. The payment of bounties at the time of enlistment shall be made upon the certificate of the officer mustering in the enlisted men; and the secretary of state is hereby authorized and required to draw his warrants for the amount of such bounties, payable out of the soldier's bounty fund, upon presentation to him of such certificates by the person in whose favor it is given, attested by the signature of the commanding officer of the company or regiment in which such soldier has been enlisted, countersigned by the adjutant-general of this State.

SEC. 6. The governor, adjutant-general, and treasurer of state are hereby appointed and constituted a board of examiners, whose duty it shall be to examine, audit, and allow all claims for payments of bounty after enlistment under the provisions of sections 1, 2, and 4 of this act in favor of the parties legally entitled thereto; and the secretary of state is hereby authorized and required to draw his warrants in favor of the person, respectively, to whom such allowances shall be made by such board, for the sum respectively allowed, to be paid out of the soldier's bounty fund. All demands against such fund shall be presented to the board herein constituted, through the adjutant-general's office, under such rules as may be prescribed by them; and no money shall be drawn out of the soldier's bounty fund except as provided in this act.

SEC. 7. For the purpose of paying the bounties hereinbefore provided for the sum of \$200,000 is hereby appropriated and set aside as hereinafter provided for, or so much thereof as may be needed shall be set apart by the treasurer of state, and constitute a separate fund, to be designated as the "soldiers' bounty fund." All liabilities created by this act shall be paid out of such fund, and the treasurer of state is hereby authorized and required to pay all warrants drawn upon the soldier's bounty fund out of the moneys at any time in such fund, and none other.

SEC. 8. For the purpose of carrying into effect the provisions of this act, and providing for the fund created by section 7 thereof, the secretary of state shall, immediately after the passage of this act, cause to be prepared bonds of the State to the amount of \$100,000, in sums as hereinafter provided for, redeemable at the office of the treasurer of the State on the 1st day of July, 1884. The said bonds shall bear interest, payable semi-annually, at the rate of 7 per centum per annum, from the date of their issue, which interest shall be due and payable at the office of the treasurer of state on the 1st day of January and July of each year; *Provided*, That the first payment of interest shall not be made sooner than the 1st day of July, 1865. The said bonds shall be signed by the governor, and countersigned by the secretary, and indorsed by the treasurer of the State, and shall have the seal of State affixed thereto; and such bonds shall be issued from time to time, by order of the governor, as may be required by the provisions of this act. The expense of preparing such bonds shall be paid out of the general fund of the State.

SEC. 9. Coupons for the interest shall be attached to each bond, consecutively numbered, and signed by the treasurer of state; and it shall be the duty of the secretary and treasurer of state each to keep a separate record of all such bonds as may be issued, showing the number, date, and amount of each bond, and to whom the same was issued.

SEC. 10. On production of certificate, as prescribed in sections 3, 4, and 5 of this act, the secretary of state is hereby authorized and required to draw his warrant for the amount of such bounties on the treasurer of the State, and the secre-

tary of state is hereby authorized and required to issue, on the delivery to him of such warrant, a bond of the amount due such claimant, payable to the recipient or order.

SEC. 11. For the payment of the principal and interest of the bonds issued under this act there shall be levied and collected annually, until final payment or redemption of the same, and in the same manner as other revenue is or may be directed by law to be levied and collected, upon all real and personal property taxable in this State, a tax of one mill on the dollar of valuation of such property, in addition to the taxes for general State purposes, and the fund derived from this tax shall be set apart and applied to the payment of the interest accruing on the bonds herein provided for and the final redemption of the principal of said bonds; and the faith of the State of Oregon is hereby pledged for the payment of the bonds issued by virtue of this act and the interest thereon; and, if necessary, to provide other and ample means for the payment thereof.

SEC. 12. Whenever, on the 1st day of January or July, 1865, or upon the 1st day of January or July in any subsequent year, there shall remain a surplus, after the payment of the interest as hereinbefore provided of \$10,000 or more in the fund created by section 7 of this act, it shall be the duty of the treasurer to advertise in one newspaper published in each of the cities of Salem, Portland, Dalles, and Jacksonville, for sealed proposals for the surrender of the bonds issued under the provisions of this act. He shall state in each advertisement the amount of money on hand applicable to the redemption of bonds, and he shall accept such proposals, at rates not exceeding par value, as may redeem the greatest number of bonds, until the amount of cash on hand for redemption is exhausted.

SEC. 13. Full and particular account and record shall be kept by the treasurer of the condition of the fund collected in accordance with the provisions of this act, open at all times for the inspection of the governor and secretary of state and of any committee appointed by the legislature or any branch thereof.

SEC. 14. It shall be the duty of the treasurer of this State to make arrangements for the payment of the interest of said bonds when the same fall due; and in the event that the said interest fund should be insufficient, the said treasurer shall make up the deficiency from the general fund; and in the event of the insufficiency of the general fund, the said treasurer is authorized and required to make such contracts and arrangements as may be necessary for the payment of said interest and the protection of the credit of the State; and there should at any time be in the fund created by this act for the payment of said interest and the redemption of said bonds, it shall be the duty of the treasurer of state to transfer such surplus moneys to the general fund of the State.

SEC. 15. Said bonds shall be redeemed and the interest paid in the gold and silver coin of the United States

SEC. 16. Inasmuch as there is an urgent necessity for raising volunteers in this State immediately, this law shall be in force from and after its passage.

Approved October 24, 1864.

[Exhibition No. 69—Continued.]

*An act for the relief of the commissioned officers and enlisted men of the Oregon volunteers in the service of the United States.*

SECTION 1. *Be it enacted by the legislative assembly of the State of Oregon,* A sum not exceeding one hundred thousand dollars is hereby appropriated and set aside, to constitute a separate fund, to be known as the commissioned officers' and soldiers' relief fund, for the purpose of paying a compensation to the soldiers of the companies of the Oregon volunteers raised in this State for the service of the United States to aid in repelling invasion, suppressing insurrection, enforcing the laws, and protecting the public property, in addition to the pay allowed them by the United States. All liabilities created by this act shall be paid out of said fund.

SEC. 2. There shall be paid out of the fund created and set apart by the first section of this act to each and every commissioned officer and enlisted soldier of the companies of the Oregon volunteers raised in this State for the service of the United States to aid in repelling invasion, suppressing insurrection, enforcing the laws and preserving and protecting the public property, from the time of their enlistment to the time of their discharge, the sum of five dollars per month.

SEC. 3. No money shall be drawn out of the soldiers' relief fund herein provided for except as is provided for in section four of this act.

SEC. 4. The captains or commanding officers of companies of Oregon volunteers shall, after each and every muster, file in the office of the adjutant-general of this State a complete muster-roll, duly certified, of their companies from the date of their enlistment, noting desertions, discharges, and dismissals, and stating the causes of such discharges and dismissals from the service. No non-commissioned officer or private shall be entitled to the benefit of this act who shall not obtain an honorable



discharge from the service, and no money shall be drawn from the fund hereby authorized and set apart until he has been honorably discharged the service. *Provided, however,* That the monthly amount hereby appropriated may be drawn by such enlisted married men as have families depending upon them for support, who shall have power to allot the whole or portion of the same for the support of their families. The amount of pay thus allotted shall be paid to the persons to whom the same is legally allotted upon the following certificate of the adjutant-general of this State (with the seal of office attached) being indorsed thereon, namely: "I hereby certify that \_\_\_\_\_ is a \_\_\_\_\_ in Company \_\_\_\_\_, Regiment \_\_\_\_\_, Oregon Volunteers \_\_\_\_\_, and that he is entitled to the benefit of the act entitled An act for the relief of the commissioned officers and enlisted men of the Oregon volunteers in the service of the United States, approved October, 1864, and that allotment is made according to law."

After the terms of enlistment shall have been served, or an honorable discharge granted, to any commissioned officer or enlisted man, a certified copy of this final statement shall be transmitted to the adjutant-general of this State, who shall certify on the back of the same the amount due under this act to the person discharged, and the secretary of state shall draw his warrant upon the treasurer of state for the amount so certified, payable out of the fund thereby created; *Provided,* That in case a volunteer be discharged for disability that existed at the time of his enlistment, he shall not be entitled to the benefit of this act.

SEC. 5. To enable all concerned to avail themselves of the benefits of this act, muster-out rolls of the respective companies of Oregon volunteers shall be duly filed in the adjutant-general's office of this State, and a certified copy thereof filed in the office of the secretary of state.

SEC. 6. For the purpose of carrying into effect the provisions of this act, and providing for the fund created by section one of this act, the secretary of the State of Oregon shall cause to be prepared bonds of the State to the amount of \$100,000, in such sums as hereinafter provided, redeemable at the office of the treasurer of the State on the 1st day of July, 1875. The said bonds shall bear interest, payable semi-annually, at the rate of 7 per centum per year from the date of their issue, which interest shall be due and payable at the office of the treasurer of the State on the 1st day of January and July of each year. *Provided,* That the first payment of interest shall not be made sooner than the 1st day of January, 1866. The said bonds shall be signed by the governor and countersigned by the secretary of state and indorsed by the treasurer of state, and shall have the seal of State affixed thereto. And such bonds shall be issued from time to time as may be required for use. The expense of preparing such bonds shall be audited as a claim on the general fund of the State.

SEC. 7. Coupons for the interest shall be attached to each bond, consecutively numbered, and signed by the treasurer of state; and it shall be the duty of the secretary and treasurer of the State each to keep a separate record of all such bonds as may be issued, showing the number, date, and amount of each bond, and to whom the same was issued.

SEC. 8. All demands against the soldiers' relief fund shall be audited by the board of military auditors in like manner as other claims against the State are or may be directed to be audited.

SEC. 9. On the expiration of the term of enlistment the adjutant-general of the State shall certify to the amount due each man under the provisions of this act; and, on the production of such certificate, it shall be the duty of the secretary of state to issue a bond of the State, with coupons attached, as provided for in this act, for such amount as the certificate calls for, taking his receipt for the same. Said bonds shall be paid to the recipient or order.

SEC. 10. For the payment of the principal and interest of the bonds issued under this act there shall be levied and collected annually, until the final payment or redemption of the same, and in the same manner as other State revenue is or may be directed by law to be levied and collected, a tax of one-half of one mill on the dollar, for the years A. D. 1865 and 1866, and annually thereafter, of taxable property in this State, in addition to the taxes for general State purposes, and the fund derived from this tax shall be set apart and applied to the payment of the interest accruing on the bonds herein provided for, and the final redemption of the principal of said bonds; and the faith of the State of Oregon is hereby pledged for the payment of the bonds issued by virtue of this act, and the interest thereon, and, if necessary, to provide other and ample means for the payment thereof.

SEC. 11. Whenever, on the 1st day of January or July, 1866, or upon the 1st day of January or July in any subsequent year there shall remain a surplus, after the payment of the interest as hereinbefore provided, of \$10,000 or more in the fund created by the tenth section of this act it shall be the duty of the treasurer to advertise in one newspaper published in each of the cities of Salem, Portland, Dalles, and Jacksonville for sealed proposals for the surrender of bonds issued under the provisions of this act, he shall state in such advertisement the amount of money on hand appli-



cable to the redemption of bonds, and he shall accept such proposals at rates not exceeding par value, as may redeem the greatest number of bonds, until the amount of cash on hand for redemption is exhausted.

SEC. 12. Full and particular account and record shall be kept by the treasurer of the condition of the funds collected in accordance with the provisions of this act, open at all times to the inspection of the governor and secretary of state, and of any committee appointed by the legislature or either branch thereof.

SEC. 13. It shall be the duty of the treasurer of this State to make arrangements for the payment of the interest of the said bonds when the same fall due; and in the event that the said interest fund shall be insufficient, the said treasurer shall make up the deficiency from the general fund; and in the event of the insufficiency of the general fund, the said treasurer is authorized and required to make such contracts and arrangements as may be necessary for the payment of said interest and the protection of the credit of the State. And in case there should at any time be in the fund created by this act for the payment of said interest and the redemption of said bonds any surplus moneys not needed for the payment of said interest or the redemption of any bonds, it shall be the duty of the treasurer of state to transfer such surplus moneys to the general fund of the State. Said bonds shall be redeemed and the interest paid in the gold and silver coin of the United States.

Approved October 24, 1864.

(From "Laws of Oregon and Decisions Supreme Court," 1866, page 98.)

#### EXHIBIT NO. 70.

*Adjutant-general's report for the year 1863.*

GENERAL HEADQUARTERS, STATE OF OREGON,  
ADJUTANT-GENERAL'S OFFICE,  
Salem, September, 1863.

To his excellency A. C. GIBBS,  
*Governor of the State of Oregon:*

SIR: In compliance with the requirements of the militia law of this State, I have the honor to submit to your excellency the first annual report of this department for the year A. D. 1863.

Prior to my entering upon the duties of this office no office or department of adjutant-general had been established in this State; therefore I found no record or data of any kind relative to the military condition of the State, or of arms and accouterments belonging to it. Even the company rolls of the late Indian war were and now are in the hands of private individuals. Early in the year I made requisition to the late adjutant-general, E. M. Barnum, now at Washington City, for these rolls, and all other papers in his custody belonging to this department, but no reply has been received from him.

The neglect of this department in years gone by has been a matter of great oversight on the part of the legislature and State authority; it has not only brought the military spirit of the country to a very low ebb, but has deprived the State of much valuable information, neglected, wasted, and destroyed many valuable arms belonging to the State, and deprived many citizens of their just claims. There is at this date scarcely a week passes but what some information is wanted relative to the Indian war of 1855-56; but no muster rolls or papers of any kind are in the possession of the State, to give the desired information; also, information is frequently wanted of the military condition of the State since the war of 1860, by the United States Government; also, military departments of the different States, which can not be given for reasons above stated. All this could have been avoided had proper attention been given to this department, and it is somewhat gratifying to me to be able at this time to assure your excellency that the people of Oregon are awaking to their own interest in this matter; and although I shall not be able to report at this time the organization of a very large number of military companies, yet a general interest is being taken in the matter throughout the State, and when compared with the past, we certainly have reason to hope that Oregon will yet make herself known as a military people. It can not be at this age of the world, and with the experience of the past and these revolutionary times; that the people of Oregon will be caught asleep and forget that they are living in the nineteenth century.

It is possible that in the providence of God we may not be called upon by the Federal Government to furnish our quota of men for the suppression of this great rebellion, yet every day makes more evident that this war is becoming the death struggle between freedom and despotism—between a free government and a mon-

archy—and, it may be, before the great question is settled, every State and every individual will become engaged on the one side or the other. But, be that as it may, the people of Oregon should, by every consideration, have a well-organized militia; living as we do upon the frontier, fit subjects for foreign war, surrounded as we are by savage Indians, we should be at least sufficiently organized to be able to defend ourselves. Every able-bodied man should be a soldier, ready to take the field the moment our country should demand it, and we can become soldiers only by practice and discipline. It is a well understood fact that the founders of our Government fully realized the importance of a thoroughly organized militia, yet during the long interval of peace and quietude with which the United States had been blessed, it seemed that in many States they had almost entirely lost sight of this important matter, and it was not until the war cloud of disunion burst with all its terror over their heads that the people of the United States have again realized how important it was for their own safety that they should have kept up a thorough organization. It is a well-known fact that those States which have done so are the most able to rally for the defense of their country.

Then, is it not equally important that the people of Oregon should be fully prepared for any emergency that may come upon them? We know not what a week or day may bring forth. Already a first-class foreign power has, contrary to American doctrine, established a kingdom upon American soil, and we know not how soon an attempt may be made to extend the boundary of that kingdom. The crowned heads of Europe fully understand that if the United States succeed in quelling this rebellion, and fully establishing before the world that our people can govern themselves, that no prince, and especially no foreign power, can erect and maintain a kingdom upon American soil; then, how evident it appears that this strife is, as I stated before, a contest between freedom and despotism.

How all-important is it, then, that every true lover of his country should be fully awake to these important truths, and not only be able to defend the sentiments of our institutions, but to be able to take the field, and amid the smoke of battle and the clash of arms to bear aloft the American flag, crush all opposition to our free institutions, and maintain untarnished the American Union and American principles.

Shall we, then, here in Oregon, lie supinely upon our backs while the great battle of freedom is being fought, while every other loyal State is rallying by its tens of thousands, and pouring out their life blood as free as water for the good of the nation.

It is no argument that because we are few in number, and far removed from the scenes of strife, that we have no duty to do, no sacrifice to make; and we know not how soon this coast may become the theater of strife if foreign invention should take place, and we have no assurance that it will not; how soon would the cry *To arms!* ring through our valleys, calling into the tented field our able-bodied men. How much better prepared we should be, if such should ever be the case, if we were found well organized and drilled, acquainted with the duties of the camp and field, and well skilled in the handling of arms.

It is a fact that, whether we desire it or not, we must become more of a military people than we have been, or fall in the scale of nations; and the world must know that we can fight as well as work.

It is useless to talk of our rights, if we are not able to defend them.

The new militia may not be all that it should be; it undoubtedly can and will be improved, yet it has advantages that no other military has had heretofore. First, the enrollment of the State. The assessors and other officers performing the duty are compensated for doing so, and made liable to heavy fines in case of failure to do that duty; then the rolls are returned directly to this office by the county clerks of the several counties, thus securing a sure and direct enrollment of the militia. Adjutant-General Kibbe, of California, in his able report for the year A. D. 1862, says, in relation to the enrollment law of that State: "The enrollment of the militia has only been partially made up to this date. Returns have only been received from the second brigade and a portion of the first and sixth brigades, so that not even an approximate return can be made to the President of the United States, as required by the laws of this State and the laws of Congress. Assessors are greatly at fault in making up and transmitting their returns to the generals of brigades, and those officers are in some cases delinquent in conforming to the provisions of this law. The labor imposed upon general officers in this respect should be compensated for. The task of making copies of rolls containing seventy or eighty thousand names, as in the case of some of our large brigades, without pay, is an unjust requirement and should be remedied. The major-general should not be required to make up for this department rolls required by section 34 of the militia law. This section should be repealed, so far as relates to the making up and transmitting muster-rolls to the adjutant-general." This defect is remedied by our law and is quite essential.

Another valuable feature of our law is the premiums offered for the best drilled companies who shall parade at the State fair. This important feature, I trust, will receive your attention, for, as the executive is the commander-in-chief, much will depend upon the fostering care received at your hands.

Another quite important item in the new law is the payment of a sum not exceeding two dollars per day to each man who shall belong to a military company and go into camp and drill. You will observe that no payment is provided unless the company go into camp; one benefit that will arise from this feature is a very important one, viz, the learning of camp duty. A company may be well trained in the manual of arms, and understand the evolutions of the line, yet if they were called into active service would find themselves much at a loss and quite deficient in their duties in and about the camp. This part of the law, I hope, will be strictly adhered to; and although it may be a little unpleasant at first, it will richly repay in the end, for it teaches the soldier how to take care of himself and preserve that state of bodily health so highly important to the success of every campaign.

Another feature different from most State laws, and of much importance when thought of practically, is in the adoption, not only in arms and tactics, but in uniform, rules, and regulations the same as the Army of the United States. This not only secures a neat and uniform appearance, but becomes of practical utility if called into active service, or, as frequently the case in Oregon, that young men can move from one part of the country to another and belong to military companies without going to the expense of purchasing a new uniform at every place. There is one defect in our law which I much regret, and hope it will receive the attention of our next legislature, to wit, the establishment of a good school of instruction for all persons holding commissions under the militia law in the State. If an officer does not understand his duty, it can not be supposed that he will be able to instruct others. With new features added to our law, and with a few slight amendments, it will, I trust, be able to vindicate itself in the building up of a military discipline which our State stands so much in need of.

I am well aware that some of our citizens do and will object to the assessment of \$2 per annum as a military tax on all persons liable to do military duty; yet if such persons will consider the advantages to be derived from a well trained and organized militia, and how poorly paid the soldiers will be at the best, for he has to buy his own uniform and be put to many extra expenses, I think that all or nearly all will be led to change their minds; for if they will reflect how much safer a nation is to depend upon her citizens to defend her rights than to depend upon a mere hired soldiery, who not unfrequently have no interest in common with them and can be made fit tools for despots.

The detail of my report to your excellency at this time must of necessity be brief, as you are well aware that of the six additional companies called for by the general commanding this coast, to complete the First Regiment of Cavalry, Oregon Volunteers, now in the service of the United States, that after the expiration of eight months only one company has been raised; and yet we are not prepared to say that it is for the want of patriotism on the part of the people of Oregon, but from other causes, partly from a deficiency in the pay of the volunteers, in comparison with the wages given in the civil pursuits of life; as well as in the nature of the currency with which they are paid, the depreciation of which renders it hardly possible for the soldier to enlist for any other motive save pure patriotism. And I would here suggest that the attention of our legislature be called to this fact, and that additional pay, either in land, money, or something else, be allowed to those who have volunteered. Justice demands that this should be done.

Another reason is that the gold fields are so near our doors, draining our loose and convertible population. These are the only reasonable apologies that can be offered at this time. I am inclined to the opinion, however, that had the usual method of recruiting been adopted, and camps of recruits been established in the State, that much better success would have been the consequence. What course will be pursued to fill up this regiment, and to add more if necessary, may be determined by authority beyond your control, but let what may be done, it is ardently hoped that the people of Oregon will be true to their interest and to that of the nation, and cheerfully submit to law and authority.

A general statement of all arms and military property received and issued, the amount now on hand, and the condition it is in, by whom received and to whom issued, together with the roster of the First Regiment of Cavalry (with descriptive roll) Oregon volunteers, now in the service of the United States, a roster of the commissioned officers of the State militia, and the strength and condition of the organized militia, will be found in the appendix hereunto attached.

You will also find a statement of my actual traveling expenses from this place to The Dalles, in January last, for the purpose of opening recruiting offices and business pertaining to the militia; also the traveling expenses to Eugene City, Corvallis, Albany, Portland, Dalles, and Monmouth, on business connected with the military, last April, all of which was in obedience to your orders.

The enrolled militia I shall be unable to report to you at this time, as the returns have not been received at this office, but it will undoubtedly be done in due time, as the county assessors are most of them doing their duty in that line—all, I believe,

save Baker County. A copy of the correspondencé, herewith attached, with the clerk of that county will explain the reason why no rolls may be expected from that quarter for the present year.

You will perceive by the roster of the military strength of the organized militia that the seven companies have fully organized, yet several more are in progress of organization, and we hope by another year to be able to make a very respectable report. The want of arms and equipments is the most serious drawback we have to contend with at this time; in fact several companies now organized are not armed, nor can they be just at this time, and I would urge upon your excellency the necessity of using your best endeavors to prevail upon the Federal Government to supply Oregon with an additional quota of arms.

There is no State in the Union so deficient in arms as Oregon, and I may add none stands so much in need of them; and I would here say that the State is under many obligations to Brigadier-General Alvord, commanding the district of Oregon, for the receipt of 400 rifled muskets (and overreaching the quota due the State by over 100 muskets). I would also inform your excellency that I have been under frequent obligations to General Alvord for the lively interest manifested for the military of this State and affording me every information in his power whenever asked for of him. Oregon should have at least 1,000 additional stand of small arms, 500 sets of cavalry arms and accouterments and one full battery of rifled cannon and camp equipage for at least two thousand men, for should occasion require to call a force into the field this latter requisition would be indispensable, as no camp equipage of any kind is in the possession of the State. Of the old arms that were scattered throughout the State I have succeeded in accounting for 205 muskets and 4 6-pounder cannon, as will be seen by the schedule of arms herewith attached. That many more are yet unaccounted for I have every reason to believe, and I shall continue to use my best endeavors to hunt them up. Several hundred steel-barreled yaugers were distributed to, or taken possession of by, the citizens of Marion County, or other county officers of that county in relation to them. The county of Multnomah has a quantity of arms in the hands of her citizens yet unaccounted for, which will, I presume, be returned to the State.

As you are well aware that on the 8th of January last I was called, by special order from your excellency, to assist you in opening recruiting offices and attending to other business in connection with raising the six additional companies to fill up the First Regiment Cavalry, Oregon Volunteers, and for four months my time was continually occupied in that line, for which I have received no additional salary, my traveling expenses only having been paid; and the services of Maj. W. H. Shields as assistant adjutant-general at Portland for the space of three months as yet remain unsettled, all of which I would suggest to your excellency be paid from the incoming military fund. The law evidently never contemplated that the adjutant-general should do such extra duty on the low salary of \$800 per annum, as the law provides additional pay to parties in actual service. Thus far I have employed no clerks or other assistance in my office, but have performed all the labor in connection therewith with my own hands.

In conclusion allow me to say that I have every reason to hope and believe that the people of Oregon are moving in this matter, and that with the proper discharge of the duties of the commissioned officers of the State and with the continuation of the fostering care of your excellency a laudable military spirit will be engendered and Oregon will be a people of whom you may well feel proud.

All of which is most respectfully submitted.

I am, sir, your excellency's obedient servant,

CYRUS A. REED,  
*Adjutant-General of the State of Oregon.*

EXHIBIT No. 71.

*Adjutant-General's report for the year 1864.*

GENERAL HEADQUARTERS, STATE OF OREGON,  
ADJUTANT-GENERAL'S OFFICE,  
Salem, September, 1864.

To his excellency A. C. GIBBS,  
*Governor of the State of Oregon:*

SIR: I have the honor to submit herewith the annual report of this office, showing—  
*First, Schedule A.*—A roster of the commissioned officers of the First Regiment of Cavalry, Oregon Volunteers, mustered into the United States service, together with the number of enlisted men and the condition of the regiment at the present date;

also the casualties of the regiment during the past year as per reports on file in this office, and an appendix showing the number of veteran volunteers.

*Schedule B.*—A roster of the commissioned officers of the detachment of cavalry raised for four months' service under proclamation of Governor Gibbs, per request of Brigadier-General B. Alvord, under the date of June 10, 1864, together with the names of the enlisted men.

*Third, Schedule C.*—A report of the Division Oregon Militia for the year 1864.

*Fourth, Schedule D.*—A condensed statement of the enrolled militia of the State, including the report of the enrollment by Capt. J. M. Keeler, provost-marshal.

*Fifth, Schedule E.*—A statement showing the total amount of arms, ammunition, ordnance, and ordnance stores in possession of the State, and the amount received, issued, and remaining on hand.

*Sixth, Schedule F.*—A report of the military board of auditors of the State of Oregon.

While the Government of the United States is engaged in quelling a rebellion of such magnitude as to cause the nation to shake to its very foundation, Oregon remains in a comparatively peaceful condition. The State is, however, alive to the vast interests at stake in the present struggle. During the past year, no State, comparatively, can show a record more fully devoted to the sustenance of the American Government. While the geographical position of this State denies the possibility of active co-operation with the Army, it does not prevent its offering to the disabled and wounded soldier its many luxuries. The State has raised for its general defense, but more particularly to prevent the incursion of the Indians, a volunteer regiment of cavalry, which has been duly mustered into the service of the United States for a period of three years. During the past year the troublesome nature of the Snake Indians has rendered it necessary for the protection of life and property that this regiment should take the field against them.

On the 18th day of May, 1864, an engagement occurred on Crooked River, Oregon, between detachments of Companies B and D and a party of Indians, in which the lamented Stephen Watson, second lieutenant Company B, and privates James Markinson and Bennett Kennedy were killed. The trouble from this quarter increasing, it was deemed necessary by the commanding general, Brigadier-General B. Alvord, to call for an additional force of men to serve for a period of four months. Under this order Lieutenant Olney succeeded in raising 40 men, who were duly mustered into the United States service and ordered to the field.

In my report for 1863 I called your attention to the extreme low pay received by the soldiers serving in this State, and I would now most earnestly recommend that the legislature now about to convene take this matter in hand and pass some law that will result in benefiting those soldiers and be an inducement for other volunteers should their services be required. California passed a relief bill for her volunteers in 1863, paying \$5 a month to each volunteer in addition to their regular pay.

In addition to an increase of pay per month to our volunteers a bounty should be offered authorizing money or lands to be granted corresponding to the bounties offered by other States to their volunteers.

The three years' term of the First Regiment Cavalry, Oregon Volunteers, expires in the month of March next, and owing to the present indications of Indian hostilities, as large a force or even larger than we now have will be demanded from Oregon, and some additional inducement must be held out or it will become necessary to resort to drafting in order to protect the lives and property of our citizens. That the citizens of Oregon are in favor of some law for the relief of our soldiers and to offer further inducements for others to volunteer is manifested in the liberal way they voluntarily taxed themselves in the way of donations to the sanitary cause. Should it become necessary to raise a force for a short period, as in the case of the four months' men commanded by Lieutenant Olney, I am of the opinion that the volunteer militia companies now organized could be relied on almost to a man, provided they could be allowed to serve under the provisions of the militia law of this State, and I would recommend this plan to your excellency, should occasion require it, for several reasons:

First. It would give our citizen-soldiers that drill and discipline that could not be obtained otherwise.

Second. It would show an object for military organizations and stimulate our patriotic citizens to continue the same.

Third. It would give them confidence in themselves, as a people, for self protection.

You will see by my report for 1863, that only seven companies had organized under the law. Now there are sixteen, having more than doubled in the past year. More companies would undoubtedly have organized could suitable arms have been furnished. Many organized companies are without suitable arms now, or only partially supplied. This defect is a most serious drawback to all military organizations, and must be remedied.



Congress should be memorialized by our legislature, and our Senators and Representatives should be instructed to give this matter their utmost attention, for it will be impossible to keep up any military organization for any considerable length of time without arms; and I would also recommend that our militia law be so amended that our volunteer companies can be fully supplied, not only with arms, but full quota of tents and camp equipage, and, if possible, uniforms, which uniforms should belong to the State and commanders of companies made accountable therefor. The law should also be so amended that rations for men, and forage for horses, should be furnished for military review, more especially for brigade review, on account of many companies having to travel a distance of 60 or 70 miles, which renders it very inconvenient and expensive to the soldier.

It is hoped that the tents and camp equipage now being procured by the military board of auditors for our organized companies will prove of service and add new interests to those companies; yet as it will be necessary to pay for these articles out of the military fund, thereby depleting it, fears may be entertained that the pay of companies who have complied with the requirements of the law may have to be very much curtailed, and thereby prove a source of discouragement to them.

According to the returns made by the assessors of the enrolled militia of this State we have 11,192 persons liable to military duty, and according to the enrollment made by the provost-marshal of Oregon (an abstract of which has been kindly furnished this office by Captain Keeler), there are 14,957 persons liable to military duty and subject to the military tax which, if paid, would raise a revenue amounting to twenty or twenty-five thousand dollars, which would have been sufficient had the poll tax been paid in accordance with the rolls now on file in this office, to defray the expenses attending the organization throughout the State.

I would recommend that the law be so amended that the assessor shall be made collector at the time in which he makes the assessment, and that the counties be made accountable for this tax, in the usual way it is for its civil tax.

The importance of a well-organized militia is becoming more and more apparent throughout the United States, as the rebellion continues to exist.

Almost every State has amended its laws to make the militia more effective, and it is hoped Oregon will continue in this work, so successfully begun, until we have an organization that shall be equal to any emergency.

In December, 1862, a general order was issued by the command of your excellency to the several county judges of this State, directing them to call in the arms belonging to the State and in the hands of the citizens.

In compliance with this order the county judges proceeded to call in the arms in their respective counties, and have reported the result to this office, with the exception of Marion County.

Up to this date no official information has been received why the judge of Marion County has thus failed to obey this order.

It is well known that many valuable arms belonging to the State are in the hands of citizens.

The military review which took place September 18, 1863, at the State fair, is sufficient proof that we have a laudable military element in Oregon, which time and proper attention will develop, and though no company present had been organized ten months, yet such efficiency was shown in the manual of arms and company movements as would do credit to veteran soldiers, and much credit is due to the commanders for their untiring energy, producing in so short a time such good discipline.

On account of the extra amount of work in connection with this office at this season of the year, and in making up my annual report for the year 1864, I have employed clerk hire to the amount of \$30, which amount I would respectfully recommend to be paid by special appropriation by the legislature, or from the military fund.

The staff and field officers throughout the State have shown a disposition to do all that could be done to promote the organization of companies, many of them have joined the ranks, and cheered with their presence the company drills. This has reference most particularly to the second brigade.

In the First and Third Brigades it is presumed that the nature of the population (being mostly mining) is the reason why no more companies have been organized.

And in conclusion, I may add that the most pleasant relations have existed in all my official intercourse, not only with your excellency, but with the entire commissioned officers throughout the State, and hoping continuance of the same in future.

I am, sir, very respectfully, your obedient servant,

CYRUS A. REED,  
*Adjutant-General.*

(From Oregon house journal, 1864, appendix, page 153.)



## EXHIBIT No. 72.

*Adjutant-general's report.*

HEADQUARTERS, STATE OF OREGON,  
 ADJUTANT-GENERAL'S OFFICE,  
 Salem, September 30, 1865.

His excellency ADDISON C. GIBBS,  
 Governor of Oregon:

SIR: I have the honor herewith to submit my annual report for the year 1865.  
 I am, sir, very respectfully, your obedient servant,

CYRUS A. REED,  
 Adjutant-General State of Oregon.

[Exhibit No. 72—Continued.]

GENERAL HEADQUARTERS, STATE OF OREGON,  
 ADJUTANT-GENERAL'S OFFICE,  
 Salem, September 30, 1865.

To his excellency ADDISON C. GIBBS,  
 Governor of the State of Oregon:

SIR: I have the honor to again submit to you my annual report, and, however humble a part we may have taken in the great events of 1865, may we not feel proud that we have had our day and generation in an age like this. Allow me here to congratulate you upon the termination of a rebellion that has no parallel in the world's history, and which has hung like a black cloud over our nation for the last four years; and although we have been far removed from the thunder and shock of battle, and have not been able to take an active part in the great drama, yet can not we feel that as a people we have done our duty?

We certainly have been fortunate in avoiding any civil strife which has threatened at various times to involve the Pacific coast. Not that I apprehend that any considerable number of the people of Oregon have contemplated any such action, yet it is a well-known fact to your excellency that an element has existed in our midst entirely antagonistical to our Government and in strong sympathy with the rebellion, and only wanting opportunity to spread devastation and death through the land. This could hardly have been otherwise when we reflect that the people of the Pacific coast were emigrants from every part of the United States, and many were connected by every association and kindred tie with those in active rebellion against us; and yet, to the honor of many a Southerner, be it said, that they loved country more than kindred and the Union better than any local part, and should we not now strive to forget that we have any other than a common ancestry, a common country, and a common destiny.

*First Regiment Oregon Volunteer Infantry.*—With the military operations of Oregon since my last annual report you have been closely connected and have taken an active part. First among these was the raising and putting into the field an entire regiment of infantry. On the 20th day of October, 1864, your excellency received the following telegram:

SAN FRANCISCO, CAL., October 20, 1864.

To Governor A. C. GIBBS,  
 Salem:

I have the honor to request, under special authority granted to that effect from the War Department, that a regiment of infantry be raised in the State of Oregon as soon as possible.

IRWIN McDOWELL,  
 Major-General, Commanding.

At this time, fortunately, the legislature was in session, and although having just passed a "relief bill," very justly granting \$5 per month additional to the regiment of cavalry already in the field, immediately passed a "bounty law" giving \$150 to every volunteer who should enlist for three years in any army of the service in this State. In addition to this bounty offered by the State, private bounties were offered by individuals and communities, sometimes amounting to large sums. This gave an impetus to the recruiting service, not so much on account of the amount given as to the interest taken by the people of Oregon, conclusively showing that they were not wanting in patriotism, but only awaiting an opportunity.

On the 22d of October the first recruiting officers were appointed, yet it was nearly a week before any of them could be mustered in to open a recruiting office. Lieut Charles Lafollett, now captain of Company A, was the first to present a full company ready to muster, and thereby making Polk and Benton the banner counties of the

State. Captain Lafollett was but little over a week in listing his full quota; and in quick succession follow Companies B, C, D, E, and F; and I would here notice that wherever volunteer militia companies had been organized there was but little trouble in recruiting men for active service.

*First Regiment Oregon Volunteer Cavalry.*—The call to fill up the old regiment of cavalry was not made until the proper season for recruiting had very nearly passed, so that when the news reached us of the downfall of the rebellion, and orders were issued to suspend recruiting, only some one hundred and eighty men had enlisted for the cavalry service, and a portion of these had enlisted in and been transferred from the infantry regiment. It therefore became necessary to consolidate. The First Oregon Cavalry had been mustered out of the service.

*The Oregon militia.*—The volunteer militia of this State is not in as prosperous a condition as it was one year ago, owing partly to the depletion by volunteers for active service and partly from a want of interest taken by the citizens in their organizations.

The review which took place at the State fair, held September, 1864, was on the whole a creditable affair, and had it not been for some misunderstanding on the part of the officers of the State fair, nothing would have occurred prejudicial to the military being present on such occasions, and in case of any future review, should it occur in conjunction with the State fair, I would most earnestly recommend that the ground used by the military have no connection with the fair grounds.

That one would add to the interest of the other I have not the least doubt, provided both were properly managed. Twelve companies were present at this review—six companies of infantry, four companies of cavalry, and two companies of artillery. They were organized for drill purposes, each in its respective arm of the service; many evolutions of the line being successfully performed. The competition for the prize for the best-drilled companies of the various arms of the service was an interesting feature.

The following gentlemen were by your excellency appointed to award the prizes: Col. S. A. Cornelius, Capt. L. S. Scott, Company D, Fourth California Volunteer Infantry; Lieut. James Davidson, Company D, Fourth California Volunteer Infantry.

The committee made the following decisions:

*Infantry.*—Company A (Marion Rifles), Second Regiment, Second Brigade, first prize; Company B (Washington Guards), First Regiment, Second Brigade, second prize.

*Cavalry.*—Company D (Lancaster Light Horse), Third Regiment, Second Brigade, first prize; Company E, Third Regiment, Second Brigade, second prize.

*Artillery.*—Company B (Salem Light Battery), Second Regiment, Second Brigade, first prize; Company D (Portland Artillery), First Regiment, Second Brigade, second prize.

This competition for prizes should be encouraged, and men should be selected of known military knowledge and as much as possible strangers to all the companies. The inspection of the companies was reported to your excellency at the time of the inspection verbally; and as the arms and equipments, such as had been furnished, were all in good condition, I deemed it sufficient. From some cause, perhaps from many causes, the people of Oregon have not taken, nor do they take that interest in military organizations that they should. Almost every individual will admit that we should have a well-organized militia; they believe that it is for their interest, yet they want some person other than themselves to work for the organization. Others believe that some other system than that which the law provides should be adopted; there are very few who believe that there should be no law relative to the militia, and as a general thing that few are a class of people who would prefer no law upon any subject. To that class of people I would not appeal. That a well-organized militia is essential to the well-being of a Republic like ours is shown from the opinions of wise and prominent men from the days of George Washington to the present time; and if there has been any one thing more convincing than another, it has been the experience of the last four years.

To this end I invoke the opinions of the immortal Washington, the patriotic Adams; of Jefferson, the apostle of liberty; of Madison, the framer of the Constitution; of the wise Monroe, the father of the much-loved American doctrine; and last, though not least, the voice of Andrew Jackson, conveying to their countrymen, with their latest breath, the deep earnestness of their convictions of the necessity to our national welfare of giving the militia all possible efficiency. Washington in his first annual address says: "A free people ought not only to be armed, but disciplined; to which end a uniform and well-digested plan is requisite." He continues to repeat these sentiments in his second, his third, and every other message through to his eighth annual address, when he says: "My solicitude to see the militia of the United States placed on an efficient basis has been so often and so ardently expressed that I shall barely call the subject to your view on the present occasion."

Adjutant-General John T. Sprague, of the State of New York, in his report for 1863, says: "For more than twenty years the militia laws of this State were the subject of ridicule; but in spite of opposition and discouragement a few officers of rank

had the intelligence and firmness to uphold those laws, and zealously persevered in their duties regardless of the obloquy thrown upon them. The injunction 'In time of peace prepare for war,' has appealed with fearful truthfulness to every citizen of this State within the past year. The details connected with the movements of the State troops to Pennsylvania in June last, in accordance with a request from the Hon. E. M. Stanton, Secretary of War, and his excellency Governor Curtin, of Pennsylvania, is interesting, and instructive. It shows the necessity of a complete military organization and equipment throughout the State. It was these regiments, comprising men of every vocation, who, abandoning their homes upon a short obedience to orders, contributed materially to defeat the enemy, and thus saved a neighboring State from devastation, and guaranteed peace and security to their own." Generals McDowell and Alvord encouraged the organization of the militia of this State.

If I have any further recommendation in this matter, I would say petition Congress to pass some general militia law, and provide military teachers and officers, whose duty it shall be to put the law into effective operation. The particular plan of such a law does not come within the scope of this report. I think we have military genius enough in the Congress of the United States at this time to frame such a law. I would also recommend that a system of military training be introduced into our schools and colleges; let it be a part of the athletic and gymnastic exercises. There is no doubt in my mind that if this could be done we would be enabled to secure a general military knowledge to the rising generation that would be invaluable, and cultivate the habit of obedience and command so essential to the welfare of our community, and secure a physical development that could hardly be obtained in any other way. I do not propose to treat this subject at length, but merely call your attention to it, feeling that it is one of vital importance, and should not be overlooked.

*Adjutant-general's office.*—I can not close this report without calling your attention to the accumulated labor devolved upon this office. The militia law, which fixed the duties of the adjutant-general, and provided a salary for that service, never contemplated the amount of labor which has been assigned to this office. At the time of the passage of the law, muster-rolls and returns of troops in active service were not required to be made to the office of the adjutant-generals of the States, but by experience it was found necessary to do so; therefore a general order was issued from the War Department, that a copy of all muster-rolls, muster-in and muster-out-rolls, be furnished to the adjutant-general of the State to which the regiment belonged. The effect of this order increased the work of this office in considerable extent.

During the last session of the legislature a law was passed for the relief of the commissioned officers and enlisted men of the Oregon volunteers in the service of the United States, and in the same session another law was passed granting bounties to the volunteers of this State; in both acts making it the duty of the adjutant-general to provide for all blanks, issue all certificates for bonds, and keep a proper record in this office of the details of the business connected therewith.

I have found it impossible to attend to any other business, as it has required my constant attention. In addition to this labor, a large correspondence originates. Soldiers, desiring to obtain their bonds without coming to Salem; men, desiring to purchase bonds, write for information; and I do not unfrequently receive from ten to twenty letters per day that require answering; and as the officers are mustered out, and their residence becomes unknown at the War Department, this office is made a medium of correspondence, so that I find it almost impossible to do the business of the office without the assistance of a clerk, for which the law makes no provision; and I would here say that I am under many obligations to Brigadier-General Alvord, late commander of the district of Oregon, in detailing First Lieut. J. L. Boone, First Oregon Infantry, for a short time to assist me in the duties of this office. And I would most respectfully represent that, if the Oregon volunteers are mustered out the coming winter, I shall be under the necessity of employing a clerk, or obtaining assistance in some way, the nature of the business requiring that it should be done correctly and in no haste.

I also hope that the legislature will deem it their duty to make some provision to re-imburse me for the time I have spent for more than a year past. The laborer is certainly worthy of his hire; and as the legislature put this duty upon the adjutant-general, they should make some provision to pay him for that service. I do not, at this time, particularly recommend an increase of the salary of the adjutant-general, although it is quite too low for the amount of duty required, and not at all in keeping with the amount paid the like officers in other States. California pays her adjutant-general \$3,000 per annum, while the State of Nevada, with not as large a military organization as that of Oregon, pays \$2,000 a year to her adjutant-general. But what I now ask in all justice is a special appropriation to pay for the large amount of extra duty assigned to this office.

I have the honor to remain, very respectfully, your obedient servant,

CYRUS A. REED,

*Adjutant-General, State of Oregon.*

(From Oregon House Journal, special session, 1865. Appendix.)

## EXHIBIT No. 73.

*Extract of message of Governor A. C. Gibbs, dated Executive Department, Salem, December 5, 1865.*

The adjutant-general's report, herewith transmitted, is so full and complete, that I deem it unnecessary for me to add more than the following suggestions:

The incidents of the war have rendered the labors of the adjutant-general much greater than was contemplated, and he should have additional compensation.

For the credit of Oregon it affords me pleasure to state that all the troops called for by the War Department through Major-General McDowell have been raised, and our patriotic citizens who responded to their country's call are entitled to greater consideration when we reflect that they enlisted with less inducements in way of bounties than were held out by any other State which was raising troops at the same time.

It would have been an act of great injustice to have required these volunteers to perform military service, in which all were alike interested, for \$17 a month in currency, without additional bounties. The bounties should have been greater instead of less. The law provided two classes of bonds for this purpose, one class redeemable in ten years and the other in twenty. The aggregate amount directed to be issued has been greatly misrepresented.

The aggregate bonds of each class issued is as follows:

Additional-pay bonds.....	\$58,799.16
Bounty bonds.....	37,900.00
The probable amount to be issued.....	8,200.00
<b>Total .....</b>	<b>104,899.16</b>

ADDISON C. GIBBS.

## EXHIBIT No. 74.

*Oregon Volunteer Cavalry, First Regiment (Battalion of).*

(This regiment, composed of seven companies, was organized in the State of Oregon at large from November 21, 1861, to August 10, 1863, to serve three years. The original members (except veterans) were mustered out as their term of service expired, and the organization, composed of veterans and recruits, consolidated into a battalion of four companies (A, B, C, and G) July 18, 1865. It was mustered out by companies at different dates from May 26, to November 20, 1866.)

List of battles, etc., in which this regiment participated, showing loss reported in each: "Harney Lake Valley," (Co. D) missing, E. M., 3. "Crooked River," killed, O. 1, E. M. 2; wounded, E. M., 5. "John Day's River," no loss. "South Fork John Day's River," (G) wounded, E. M., 4. "Malheur River," (A and B) killed, E. M., 2. (From page 376 Volunteer Army Register, 1861 to 1865, part VII.)

*Oregon Volunteer Infantry, First Regiment.*

(This regiment was organized in the State of Oregon at large, from November 11, 1864, to January 2, 1865, to serve one and three years. It was mustered out of service by companies at different dates from October 31, 1865, to July 19, 1867.)

List of battles in which this regiment participated, showing loss reported in each: "Harney Lake Valley," (Companies F and H) wounded, E. M., 2. (From page 377, Volunteer Army Register, 1861 to 1865, Part VII.)

## EXHIBIT No. 75.

*Adjutant-General's report for 1865-'66.*

HEADQUARTERS, STATE OF OREGON,  
ADJUTANT-GENERAL'S OFFICE,  
Salem, September 1, 1866.

To his excellency A. C. Gibbs,  
Governor of Oregon :

SIR: I had hoped that in submitting the report of the transactions of this department for the present year that I should have been able to have exhibited the entire

closing up of the issuing of State bonds and bounties, but there yet remains two companies to be mustered out, Company B, of the First Oregon Cavalry, and Company I, of the First Oregon Infantry. These companies are still in the service, and may not be mustered out for some time. Could this have been done, this report would have contained the entire transactions of the State of Oregon with her troops during the war of the rebellion. The details of the business of this office will be found by the following lists of schedules herewith appended. (Schedules and detailed reports of officers voluminous, and omitted in this volume, as the adjutant-general's report in full is published in a separate volume.)

*The Oregon volunteers.*—While it is true that the citizens of Oregon have been highly favored by being so far removed from the immediate presence of war's grim visage, and but few of her sons participated in these terrible battles where "Greek meets Greek," yet it is nevertheless true that we have borne some part in the great drama; and when the history of those times shall be impartially written, every soldier, whether he did service in the Army of the Potomac, in the valley of the Mississippi, or hunted the savage on the desert plains of Oregon, will share equally in his country's blessing. Believing the operations of our troops to be of too much value to be lost sight of, and feeling that permanent record should be made that would, in some degree, set forth their transactions, in the early part of the year I issued the following circular:

HEADQUARTERS, STATE OF OREGON,  
ADJUTANT-GENERAL'S OFFICE,  
Salem, February 6, 1866.

SIR: I desire, in my annual report for the year 1866, to make it as full and complete as possible. I wish it to embrace the name, residence, date of enlistment, date of discharge or death of every officer or soldier in the military service of the United States from this State who have served during the war of the rebellion with as much additional information relating to the State or of the United States service as may be of public interest. I desire to give a complete history of every company, troop, detachment, or scouting party; also the plan, execution, or result of every campaign, engagement, or excursion of our troops; feeling assured that it has required as much patriotism to be absent from civilization to engage in frontier savage warfare, and endure the excessive hardships and privations incident thereto, as in any other call our country makes, and that their services and deeds should become a part of the history of the State and nation.

To this end, therefore, I most respectfully solicit any information upon this subject in your power to bestow; and you will please forward such information to this office, by mail or otherwise, at your earliest convenient opportunity.

Very respectfully, your obedient servant,

CYRUS A. REED,  
Adjutant-General.

This circular was sent to every commissioned officer in both the cavalry and infantry regiments, in response to which I have partially succeeded in accomplishing my object; yet I am sorry to say that many officers that appear to me could and should have furnished me with valuable information, have failed to do so. I can conjecture no good reason for this neglect, only from the fact that most of them were mustered out of service and not in possession of suitable memoranda to do so. This, and having engaged in secular business, is the only apology I have to make; feeling under many obligations to those who have complied with my request, more especially as their labor in so doing was without compensation. Enough has been furnished me to show that our troops have not been idle; that a large scope of our country has been explored, which is now being settled. Under their protection a large mining country has been developed, and millions of the precious metal brought into circulation; and I can say, without fear of contradiction, that for long and tedious marches, excessive privation and hardship, that our troops can produce as fair a record as any; still they have encountered a sufficient number of hostile Indians in every conceivable phase of attack to demonstrate how ready and willing they are to imperil their lives in their country's cause. And in presenting the following communications I feel assured that they will be read with a lively interest wherever this report shall circulate. And I would most especially call attention to the able and interesting report of Col. George B. Currey, First Regiment Oregon Infantry Volunteers, formerly captain commanding Company E, First Oregon Cavalry Volunteers, giving an account of the operations of Company E of the cavalry, while he was in command of that company.

There can be no doubt but that the colonel's plan of fighting Indians is the correct one, and I am pleased to learn that the War Department has recently adopted the suggestion made by him; that is, employing a number of friendly Indians to assist in hunting and fighting hostile ones. By so doing a double object is secured. The Indians employed become attached to us by association and participation, and



are thus easily brought under discipline, one of the first requisitions in bringing them to a state of civilization. The second benefit thus afforded is the facility to punish hostile Indians, favoring our own troops, and thereby sooner bringing under subjection those marauding bands that hover around our frontiers. I would also call attention to the report of Capt. L. L. Williams, commanding Company H, First Oregon Volunteer Infantry.

It will be observed that the operations of his company were performed in the dead of winter, with little or no facilities for travel or transportation, and without any concert of action with other troops; and yet his operations clearly proved that a well-designed and cleverly executed winter campaign would do more in bringing the Indians to terms than can be done in half a dozen campaigns prosecuted in the summer. We will admit that a winter campaign does not offer as many inducements for ease and comfort to our officers and men as is found in snug and comfortable quarters at Fort Dalles and Fort Vancouver. The report of Lieutenant Waymire, of Company D, First Oregon Cavalry, will be found very interesting, and his encounter with the Snake Indians near Harney Lake is undoubtedly the hardest fought battle in which our troops participated, and evinces a courage and coolness on the part of the lieutenant and his brave followers worthy of notice, and should any future occasion call him (the lieutenant) again into the battle field I have no doubt, judging from the past, he would rank high as a military leader. The report of Capt. H. C. Small, of Company G, First Oregon Volunteer Cavalry, is also worthy of permanent record, and we have sufficient evidence from every quarter to demonstrate to us that had Oregon volunteers been permitted to cope with an enemy worthy of their steel, they would have ranked with the bravest of our country's brave.

I take the liberty to make the following extract from a private communication received from Maj. W. V. Rinehart, First Ohio Volunteer Infantry, commanding at Fort Klamath. As it is the opinion of an experienced and competent officer I have no doubt that the view is a correct one and should receive the attention of those high in authority having the matter in hand:

"The troops at this post have been working instead of campaigning. They have made a good wagon road over the Cascades to Rogue River Valley, which has reduced the price of freight 1 cent per pound. This saves the Government at least \$3,000 per annum. The soldiers cut and put up two hundred tons of hay last season and cut their own wood. This year they have the same work to do. I wish you would make a point in your report against employing troops at hay-making, etc. It has this effect: Drills, parades, and all military duties are suspended during fatigue duty (fatigue does not express it, it is actual labor); the men become careless and neglect their personal appearance, lose all pride (which is indispensable to the true soldier); their efficiency in drill and duties of a soldier are destroyed, or at best impaired; discipline can not be kept up; insubordination creeps in and makes them more like a set of railroad hands than soldiers. The ration that a man drills and stands guard on becomes too little when he chops cord-wood or rakes hay. A man is excusable for growling when he is hungry.

"On a campaign I would not but that soldiers should cut roads, build bridges, etc., to add to their comfort, efficiency, etc., but in garrison we should not require such work from soldiers. Yet the practice is kept up and sustained on the plea of economy. It may be economy. It would be if I should hire and bind you to sort lace and then force you dig potatoes instead. A great Government like ours should not practice such economy. Other nations turn out model soldiers and so can we, but not of those from the hay-fields."

I have no doubt but that the practice of compelling soldiers to do such work is highly detrimental to the service. Men enlist in the Army of the United States to fight for their country. They receive but \$16 per month and find, when once they are bound fast in the iron rule of the service, that they are compelled to go into the woods with ax in hand and into the meadows with scythe and hay rake and do a farmer's and wood-chopper's work, and being poorly fed and still more poorly paid, there is no wonder that the soldier will soon learn to curse the service that treats him so, as well as the officers immediately in command of him. And I can not close these remarks without alluding to a feeling of disaffection that has to a considerable extent existed many of our soldiers and their immediate commanders. This we doubt not is always more or less the case, especially where the officers are selected who are the equal associates of the men previous to entering the service.

A feeling of jealousy would not really spring up in such cases, yet we apprehend that had our troops been constantly kept in active service in front of the enemy that these feelings would never have found a lodgment. We have no doubt but that some of our officers were more overbearing than their brief authority warranted and not as competent to command as could have been wished; yet on the whole we presume they were as good as the average in such cases. It is something of an art to control men who are under your command, must and should yield implicit obedience to your orders, and still have them feel that you are their friend and equal. There is one

thing that we have observed, that our best officers feel the best toward our soldiers, and our best soldiers speak, if they speak at all, well of their officers.

The act for the relief of the commissioned officers and enlisted men of the Oregon volunteers in the service of the United States provides that "a sum not exceeding \$100,000 should be set aside to constitute a separate fund, to be known as 'the commissioned officers' and soldiers' relief fund,' and that all liabilities created by this act shall be paid out of this fund to each and every commissioned officer and enlisted soldier of the companies of Oregon volunteers raised in this State, etc., from the time of their enlistment to the time of their discharge, the sum of \$5 per month."

Section 9 of this act provides as follows:

"SEC. 9. On expiration of the term of enlistment the adjutant-general of the State shall certify to the amount due each man under the provisions of this act, and on production of such certificate it shall be the duty of the secretary of state to issue a bond of the State, with coupons attached as provided for in this act, for such amount as the certificate calls for, taking his receipt for the same; said bonds shall be paid to the recipient of order."

In issuing certificates under this section I have, in some instances, departed from the letter of the law, never having in any instance issued a certificate for over \$180, although many officers and men have served many months over three years. I have taken this course, on counsel with the board of military auditors, from this fact: The total amount of the appropriation was only \$100,000. We feared that should we issue certificates for the entire time served that some of those last mustered out would receive nothing on account on the exhaustion of the appropriation. This fact can only be ascertained when the last recipient of this act shall have been mustered out. This appeared to us to be the just course to pursue. And if it be found that there is a balance remaining after such muster-out the residue could then be proportionally made up to those entitled to it. For full particulars of amount issued see schedule.

The act granting bounties to volunteers of this State, etc., provides that a bounty of \$150 shall be paid to every soldier enlisted under the provisions of the act, to be paid as follows, to wit: The sum of \$50 to be paid at the time of enlistment and the sum of \$50 to be paid after the expiration of one year's service and the sum of \$50 to be paid after the expiration of the term of enlistment. Section 2 of this act provides as follows:

SEC. 2. In case of death of honorable discharge from the service when such discharge occurs from any wound, disease, or disability incurred in the service, the full amount of bounty granted by this act shall be allowed and paid to every soldier or to his legal heirs; but if any such soldier be honorably discharged, or be discharged from disease or disability, which existed or which followed from causes existing and concealed from enlistment, such allowance of bounty herein provided for shall cease at the date of such discharge. And in case the term of service expire by the conclusion of the war and the quota of this State be mustered out before the end of the three years, the the whole amount of such bounty remaining shall become due and payable."

It will be seen by the above section that our soldiers entitled to bounty were most of them fortunate enough to be entitled to the entire amount ere the expiration of two years' service and some of them before the expiration of one. Yet the law is very plain and admits of no misunderstanding. It has been faithfully and honestly carried out.

*The militia.*—That the essential strength of a republic must rest for its security upon the well-trained arms of her citizens is a fact generally too little understood; and I have no hesitation in making the strongest appeals for wholesome legislation in this direction, feeling that I have the prestige of the very best statesmen that America has produced from the earliest dawn of our Republic to the present time. And I feel that I am prompted in making these suggestions by no biased, selfish, or personal motives whatever, but from a solemn sense of duty which I owe to my country, feeling assured that if we, as a people, neglect at this time to inaugurate an efficient military system, such a one as can be made available in time of need, that we will fail to profit by the experiences of the past (for there can be no doubt that our past neglect of the militia has cost us ten thousand valuable lives and untold treasures).

It is a matter of history that our national capital, and for aught we know our nation's life, was saved by the promptness by which New York, Massachusetts, and Rhode Island were enabled to act through the efficiency of their militia organizations. And had the entire loyal States been so thoroughly organized as those States, the rebellion could not have lasted a twelvemonth. And shall we now fail to profit by the experience of the past, or shall we go to work like a sensible people and be prepared in the future for any emergency that may come upon us? It is a duty we all owe to our country to be ever ready and willing to respond to any call she may at any time make upon us. A large standing army in time of peace is a most dangerous thing. It fosters an aristocracy of officials pernicious in the extreme to our system of government and it is and should be obnoxious to the people. I do not wish to say

one word against the patriotism or bravery of our standing Army; they have won upon a thousand battle-fields imperishable honors.

It has been, as it ever should be, the nucleus around which the citizen soldier should rally. They should garrison our posts and protect our frontier, but should never be increased to such an extent as to be efficient for offensive or defensive warfare. This should be obvious to every candid investigator, for that nation governed by the intelligence of the masses must rely upon the masses for its defense. Then if such is the case, and if a military organization is of so much importance, the question arises as to what kind of organization we need. This, undoubtedly, is the most difficult question to solve. We have learned by sad experience that most of the old militia laws which have encumbered the statute-books of almost every State in the Union are useless. It certainly can not be, or should not be, the design of any militia law to call citizens together for mere parade and show; or to form organizations only for peace and fair weather, when at the time they are most needed they are not to be found.

To undertake to organize the entire enrolled militia for drill purposes has been found to be impracticable; and voluntary associations, not enforced by positive law, are often commenced with spirit and energy, and undoubtedly with the best of motives, and for a time an interest for drill and discipline may be kept up, yet these organizations soon lose their interest, and if their by-laws are attempted to be enforced the same power that framed them can repeal them, and hence they lack efficiency. Therefore a military system, to be reliable in time of danger, and to keep up a wholesome drill and discipline, must be enforced by positive law; framed upon a knowledge of the real requirements of the country, and enforced in good faith, regardless of party or political tricksters. And such a law can be framed and enforced, and when once established and its practical workings found to be correct, the people would have no desire to have it repealed. The principal features of such a law I will endeavor to set forth in as few words as possible. Our present law embraces the first necessary steps; that is, the enrollment of the entire militia. This should be done annually, or at least biennially. The object of this is to learn the relative strength of the militia and keep it in a state that it could be drafted at any time if necessary, also to form the base of the active militia; that is, to determine the necessary number of companies desired to be organized.

Copies of this enrollment should be filed in the office of the adjutant-general of this State. When this is done, the State should be divided into several military districts, containing as near as possible an equal number of persons enrolled. Then each of these districts should be sub-divided into company districts, each containing as near as possible an equal number of persons enrolled. The second step should be to require each of these company districts to organize one company of active militia; say, for instance, the company district contains two hundred and sixty persons liable to do military duty. Then require to be organized in that district one company of at least fifty-two men; that is, require one person in every five to perform military duty, to be organized into companies, and be subject at all times to any call the Government may make upon them. Let these organizations be formed first by voluntary enlistments, and when failing to so organize, let it be done by allotment or draft; securing, at all events, the organization. Now, to illustrate: Suppose Oregon contains fifteen thousand persons subject to military duty, then requiring one-fifth to organize would secure an active militia of three thousand men.

Let this organization be furnished with arms, equipments, uniforms, and all the necessary camp and garrison equipage requisite for active campaigning; let them be required to go into camp and drill for at least ten days in each year, at which time they should be furnished with the necessary subsistence, and that should be their only compensation, unless called into active service, in which case they should receive the same pay as troops serving on this coast. If our legislature will pass such a law, I am of the opinion that it would secure an organization whose value to the State can not be overestimated. For practical purpose it would be equal to a standing army of the same number of men, yet the relative cost would be comparatively nothing, while at the same time the soldier would be to all intents and purposes the citizen. This would do away with all bounty and relief acts, for in times of danger it would be distinctly understood that the soldier was called out in the service of his country for a special object, which, when attained, he could again return to his home and engage in the ordinary business of life. How eager would such an army be to accomplish its object. With what singleness of purpose would each one seek to do his part.

The great end and aim of all would be to terminate the war successfully in the least possible time; for every man would know that he was called out, not for three months nor twelve months, but that the necessities of the country alone would fix the time of service; for it would be a part of our daily education that we owed this for the sake of our country. If these companies were all raised by voluntary enlistments in times of peace or war so much the better; but otherwise let it be by allotment, and let the

soldier understand at the time of his enrollment that in times of peace or war that he is alike subject to all commands of his superiors, or any demand his country may make. And when in camp for drill purposes only, let the discipline be the same as if an enemy were in front with their pickets posted.

The details of such a law would be too extensive for this report. I have a law which I have prepared with considerable care, embracing these features, which I would be glad to furnish for the consideration of our legislature about to convene, and I most ardently hope that they will not adjourn without taking action in this matter. I will grant you that it will be better if Congress would pass such a law, for then it would be of equal value everywhere in the United States. But it has not, it may not, and for this reason we should not delay.

If the law we make should be at any time suspended by laws of Congress no harm would be done, while our isolated and almost defenseless position admonish us that delays are dangerous. The repeal of the military poll-tax has already disbanded one-half the few companies we had organized, and, if no further action is taken by the legislature every company will disband; the law not compelling any of the militia to organize or to drill, there being no compensation for time spent, very little inducement remains to stimulate them; not that the pittance which they did receive was the motive for action, but that small amount being denied them is held as evidence of the little value placed upon their endeavors. It is argued by some that we should let the future take care of itself, and in case danger should threaten or wars ensue depend as heretofore upon the patriotism of the people. If the sacrifice of life, the destruction of property, the enormous bounties and shoddy contracts, caused by the spasmodic action of the people not trained to arms and schooled in the arts of self-defense, is not sufficient warning for us to be prepared in the future, then what admonition should we have, or what will we profit by experience? For, while it may be true that, as a nation, we have power excelled by none, we should learn that we need discipline to be appreciated and respected.

It is into our hands that the hope of the world is placed, and depends, in a measure, upon how we discharge our duty as to the termination of our hopes, whether our free institutions and our form of government should go on to perfection and become the model for all governments, or whether we should lose our prestige as a nation and a people, and prove ourselves unworthy of our ancestors and our seeming destiny. Many of our States are revising their military systems, especially those States that had the best laws at the commencement of the rebellion, and I will here quote a few remarks of the inspector-general of the State of New York, made January 5, 1866, as it shows, in a few words, the sentiments of the people of that great and noble State, as relates to the militia: "We have an excellent and efficient military organization, and we should not repeat the old and fatal folly by permitting it to degenerate and fade away. How has it become to be the reproachful saying of the people that 'had our militia system existed in 1861 as twenty years before, the first battle of the rebellion would have been the last.' Indeed, the 'march to Richmond' would never have extended up and down the dread peninsula and through the awful wilderness. Let experience teach us wisdom, and while we study economy in all departments of government, both civil and military, let us not shut our eyes to the present financial burdens nor forget how, in the course of true wisdom, with a mere fraction of the annual interest the great calamity might have been averted.

The veteran from the battle fields of our regenerated country now turns to the guard of the national State as a fit sphere for the exercise of his military taste. This martial spirit now seeks expression and development in our organizations of citizen soldiery. It is a wise provision which enables the State to turn this heroic element into a sphere of lawful action. The organization now possesses the highest military characteristics, and its nature and influence throughout the entire State are beginning to be appreciated beyond the temporary interest manifested upon occasions of review or ceremonial parades. The experiences of the last five years have demonstrated its genuine efficiency and substantial worth. The names of the heroes who survive and of the martyrs who were sacrificed upon the field of the rebellion now adorn the archives of our armories and gloriously illuminate the pages where their membership is recorded."

Should not these examples stimulate us to action? Should not their experience prove beneficial to us? The day has not arrived when the sword should be beaten into plowshares or the spears into pruning-hooks. The great battle of universal freedom has yet to be fought, and it is still a matter of doubt whether we are yet thoroughly emancipated. I do not mean the emancipation of the colored race, but our own emancipation from the falsities that have beset us as a nation and a people.

It has been observed that no great advance has been made by the human race, at any age of the world's history, without the shedding of blood, and if there is anything in the signs of the times, if there is anything in the marshaling of the hosts of Europe, if there is any significance in the great moral and mental convulsions that sway the masses of the thinking world, if there is anything in the intense anxiety

that prevails everywhere, all admonish us to be prepared, they all speak in a language too plain to be misunderstood, and that people is wise that profit thereby.

*Miscellaneous.*—The labor in this office since my last annual report has been unremitting, not altogether so much on account of the large amount of business, although it has been considerable, as the constant care and attention it has required. The daily applications for certificates by discharged soldiers returning home, or coming here to obtain their bonds, has not left me an hour that I could call my own. The issuing of nearly \$300,000 in certificates varying from \$20 to \$180 each, every one of which has its proper register and number made from the rolls on file in the office, all of which are reported and published, and subject to criticism, involves a responsibility not altogether appreciated, and I have no doubt the legislature will consider this matter and make appropriations accordingly. The extra session convened last fall passed the following bill:

AN ACT FOR THE RELIEF OF CYRUS A. REED, ADJUTANT-GENERAL OF THE STATE OF OREGON.

Whereas the law granting bounties to the volunteers of this State enlisted in the service of the United States, and the law for the relief of the commissioned officers and enlisted men of the Oregon volunteers in the service of the United States, has assigned a large amount of extra duty upon the adjutant-general of this State without pay or recompense: Therefore,

*Be it enacted by the legislative assembly of the State of Oregon:*

SECTION 1. That the sum of \$500 be paid out of any moneys in the treasury not otherwise appropriated to the adjutant-general of Oregon for extra labor already performed.

This amount (\$500) was thankfully received, yet it was known to that body that I had paid out of my own pocket some \$1,200; but as this bill passed almost unanimously, I feel assured I shall be suitably re-imbursed the coming session. I should receive, at least, \$1,500 or \$2,000 to make me whole.

It will be seen by reference to the schedule, that there has been expended of the military fund, under the direction of the board of military auditors, the sum of \$2,138.24, since my last annual report. Vouchers No. 34, for \$290; No. 57, \$222, and No. 68, \$436, amounting in all to \$948, paid for company drill—should have been reported last year, as the service was rendered in that year; also, Nos. 43, 48, and 53 properly belonging to a special appropriation of funds, granting bounties, etc. Voucher No. 44, for printing adjutant-general's report, should have been paid from the general fund. The balance has mostly been expended for clerk hire in this office. I found it impossible to attend to the large amount of business growing out of the relief and bounty bond acts, and to do the business connected therewith without the assistance of a competent clerk; therefore I employed the services of John L. Boon, late first lieutenant and adjutant of the First Regiment of Oregon Infantry; and I will here remark that I am much indebted to his efficient services for the last eight months in keeping correct the transactions of this office. The act granting bounties to volunteers provides as follows:

"SEC. 5. The payment of bounties at the time of enlistment shall be made upon the certificate of the officer mustering in the enlisted men," etc.

Under the provisions of this section, First Lieut. William Kapns, United States mustering officer, signed certificates for nearly a thousand men, and I here insert the following letter received by your excellency from him, as it sets forth his claims in a fair and lucid manner; and I am of the opinion that he should receive some remuneration for the work done. I do not believe it is in the province of the legislature to impose a duty without compensation.

PORTLAND, OREGON, October 29, 1865.

His excellency A. C. GIBBS,

*Governor of Oregon, Chairman of the Board of Military Auditors, Portland:*

SIR: I have the honor to call your attention to the fact that the legislature of the State of Oregon, at its session of 1864, passed a law granting State bounties to all men that might enlist for three years in any of the Oregon volunteer organizations, then in the service of, or called for by the Government of the United States, and provided in said act that these bounties should be paid upon the certificate of the United States mustering officer.

This law imposed a great deal of labor and responsibility upon a United States officer, over whom the State authorities had no control whatever. But in order to facilitate the carrying out of the intentions of the legislature, and to assist, as much as lay in my power, the speedy filling up of the Oregon regiments, I proceeded at once to comply with the provisions of the act, and during the time that I was the United States mustering officer for the State of Oregon have issued near a thousand certificates to men that I had mustered into the service.



Believing that the performance of this duty entitles me to some consideration from that State, I would most respectfully request that I be allowed such compensation as your honorable board deem proper and just.

I remain, very respectfully, your excellency's obedient servant,

WILLIAM KAPUS,  
Late First Lieutenant First Washington Territory Infantry and  
United States Mustering and Disbursing Officer.

It will be seen by reference to the reports of the State treasurer that the total amount of military tax collected during the entire three years the law was in force, only amounted to \$41,665.65, and the total amount expended for military purposes for the same only amounts to \$17,437.33, from which, deduct the sum paid for camp and garrison equipage, which is now on hand, and the property of the State leaves only \$14,228.33 as actually spent for drill purposes, a very inconsiderable sum, when compared with rumored expenditures of this department. There has been turned over by the State treasurer, in compliance with an act of the last legislature, the sum of \$23,300.55 from the military to the penitential fund. There has been returned to me, as will be seen by schedule H, a quantity of arms and ordnance stores belonging to the State. This amount will undoubtedly accumulate, and I would recommend that some suitable building be either built or rented to store these articles in. A suitable building for an armory could be put up, fire-proof, for about \$6,000, that would serve the State for a long time for that purpose.

There is now nearly two years' quota of arms due this State, from which I have made no requisition, from the fact that we had no place to keep them. This is an important matter, and should receive the attention of the legislature. It is certainly a suicidal policy to allow the arms and military property belonging to the State to be distributed and go to destruction, as has been the case in years past. Neither is it in keeping with the laws of Congress furnishing our State with arms, and whatever course may be taken in reference to the militia let us make some provision for our arms. The rapid strides our State is now taking in population will largely increase our annual quota of arms, and if they are properly taken care of they will soon become of great importance in case of invasion by any foreign power.

In conclusion, allow me to return to you my most heartfelt thanks for that uniform kindness and consideration which has characterized all your transactions with this department. Entertaining for you the sentiments of the highest regard, I have the honor to be,

Very respectfully, your obedient servant,

CYRUS A. REED,  
Adjutant-General of the State of Oregon.

(From the Oregon senate and house journals of 1866, page 469.)

EXHIBIT No. 76.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Salem, November 3, 1887.

DEAR SIR: By direction of the governor I herewith transmit statement showing the posts of Oregon volunteers in the service of the United States during the war of rebellion.

Very respectfully,

WM. A. MUNLY,  
Private Secretary.

Hon. JOHN MULLAN,  
Washington, D. C.

[Exhibit No. 76—Continued.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
Washington, October 20, 1887.

The governor of the State of Oregon, Salem, Oregon:

SIR: In compliance with your request of the 20th ultimo, addressed to the Secretary of War, I have the honor to transmit herewith a statement showing the posts or stations of Oregon volunteers in the service of the United States during the war of the rebellion, as shown by the regimental monthly returns on file in this office.

Very respectfully, your obedient servant,

R. C. DRUM,  
Adjutant-General.

*Posts or stations of Oregon volunteers in the service of the United States during the war of the rebellion, as shown by the regimental monthly returns on file in the office of the Adjutant-General, U. S. Army.*

#### FIRST OREGON CAVALRY.

*November, 1861.*—Company A, Jacksonville, Oregon.

*December, 1861.*—Companies A and D, Camp Baker, Jacksonville, Oregon; Company B, Camp Ellsworth, Salem, Oregon; Company C, Vancouver, Wash.

*January, 1862.*—Companies A and D, Camp Baker, Jacksonville, Oregon; Company B, Salem, Oregon; Company C, Vancouver, Wash.; Company E, Dalles, Wash.

*February, 1862.*—Companies A and D, Camp Baker, Oregon; Company B, Salem, Oregon; Company C, Vancouver, Wash.; Company E, Dalles, Oregon; Company F, Camp Barlow, Oregon; Company G, Camp Nesmith, Oregon.

*March, 1862.*—Companies A, D, and H, Camp Baker, Oregon; Company B, Salem, Oregon; Company C, Vancouver, Wash.; Companies E and F, Camp Barlow, Oregon; Company G, Camp Nesmith, Oregon.

Remarks: Company B changed station 5 miles from Salem, Oregon, March 22, 1862. Company E changed station in obedience to Special Orders No. 15 of Col. T. R. Cornelius; marched from Fort Hall to Camp Barlow; started March 26, arrived at Fort Vancouver same day; remained the 27th; arrived at Portland on the 28th, and at Camp Barlow March 29, distance, 120 miles. Company H, Capt. R. A. Combs, left Camp Rosebury March 25, en route from Camp Baker; seven days occupied in the march; reached Camp Baker March 3, 1862, at 4 p. m.

*April, 1862.*—Companies A, D, F, and G, Camp Baker, Oregon; Company B, Camp Plug, Salem, Oregon; Company C, Fort Vancouver, Wash.; Company E, Camp Barlow, Oregon.

Remarks: Lieutenant Aperson, with three men of Company E, started April 3 in pursuit of deserters; traveled 100 miles, captured the horses, but not the men. Company F marched from Camp Nesmith April 6 and arrived at Camp Baker April 8, distance 63 miles.

*May, 1862.*—Companies A, D, F, and G, Camp Clackamas, Oregon; Companies B and E, Umatilla, en route for Walla Walla, Wash.; Company C, Fort Vancouver, Wash.

Remarks: Companies A, D, F, and G, under command of Lieut. Col. R. F. Maury, marched from Camp Baker May 5, and arrived at Camp Clackamas May 22, 1862; distance marched, 300 miles. Company B left camp May 15, and arrived at Fort Vancouver May 17. Company E left Camp Barlow May 17 and arrived at Fort Vancouver same day. Companies B and E left Vancouver May 20, arrived at Fort Dalles same night; left Fort Dalles May 23, under command of Col. T. R. Cornelius, for Fort Walla Walla, arrived in camp at Upper Umatilla River May 31, 1862; distance marched, 135 miles.

*June, 1862.*—Companies A, D, F, and G en route to Walla Walla, Wash.; Company B, Fort Walla Walla, Wash.; Company C, Fort Vancouver, Wash.; Company E, Fort Walla Walla, Wash.

Remarks: Companies B and E, under command of Col. T. R. Cornelius, arrived at Fort Walla Walla June 3, 1862. Companies A, D, and F, under command of Lieut. Col. R. F. Maury, left Camp Clackamas June 27 and 28 en route for Fort Walla Walla; Company C remained at Vancouver.

*July, 1862.*—Companies A, B, and D, emigrant road expedition; Company C, Camp Baker, Oregon; Companies E and F, Fort Walla Walla, Wash.

Remarks: Companies A, B, and D, under command of Lieut. Col. R. F. Maury, left Fort Walla Walla July 28, 1862, en route for Salmon Falls, on Snake River; Company C marched from Fort Vancouver to Camp Clackamas July 3; left July 12, under command of Maj. C. T. Drew; arrived at Camp Baker, Oregon, July 28, 1862. Companies E and F remained at Fort Walla Walla.

*August, 1862.*—Companies A, B, and D, in the field; Company C, Camp Baker, Oregon; Company E, Fort Walla Walla, Wash.; Company F, Camp Lapwai, Wash.

Remarks: Companies A, B, and D, comprising the emigrant road expedition, under command of Lieutenant Colonel Maury, arrived at Bruneau River, distant from Walla Walla 300 miles, August 27, 1862; mustered there on the 31st. Company F marched from Walla Walla August 2; arrived at Camp Lapwai August 6; distance, 100 miles. Company E remained at Fort Walla Walla; Company C at Camp Baker.

*September, 1862.*—Companies A, B, and D, in the field; Company C, Camp Baker; Oregon; Company E, Fort Walla Walla, Wash.; Company F, Camp Lapwai, Wash.

Remarks: Companies A, B, and D, Lieutenant-Colonel Maury commanding, left camp at Bruneau River September 1, and arrived at Salem Falls, on Snake River, September 4; remained in that vicinity until September 15; returning, arrived at Camp Bruneau on 17th; remained there until the 27th, and marched for Fort Walla Walla. Company C, in two detachments, absent from Camp Baker on expedition to Klamath Lake. Company E remained at Fort Walla Walla, one lieutenant and

twenty men on detached service at Umatilla Reservation; Company F at Fort Lapwai; several small detachments, absent at different times, maintained order upon the reservation.

*October, 1862.*—Companies A, B, D, and E, Fort Walla Walla, Wash.; Company C, Camp Baker, Oregon; Company F, Camp Lapwai, Wash.

Remarks: Companies A, B, and D arrived at Fort Walla Walla October 28, 1862. Companies C, E, and F remained at their several stations, as before reported.

*November, 1862.*—Companies A, B, D, and E, Fort Walla Walla, Wash.; Company C, Baker, Oregon; Company F, Fort Lapwai, Wash.

*December, 1862.*—Company A, Fort Dalles, Oregon; Companies B, D, and E, Fort Walla Walla, Wash.; Company C, Camp Baker, Oregon; Company F, Fort Lapwai, Wash.

Remarks: Company A left Fort Walla Walla December 3 and arrived at Fort Dalles December 9; distance, 180 miles. The balance of the command remained unchanged.

*January, 1863.*—Company A, Fort Dalles, Oregon; Company B, Fort Walla Walla, Wash.; Company C, Baker, Oregon; Company F, Fort Lapwai, Wash.

*February, 1863.*—Same as January.

*March, 1863.*—Same as above.

*April, 1863.*—Company A, Fort Dalles, Oregon; Companies B and F, Fort Lapwai, Idaho; Company C, Camp Baker, Oregon; Companies D and E, Fort Walla Walla, Wash.

*May, 1863.*—Companies A, B, D, E, and F, Fort Lapwai, Idaho; Company C, Camp Baker, Oregon.

Remarks: The battalion, consisting of Companies A, D, and E, left Fort Walla May 4, 1863, and arrived at this post (Fort Lapwai) May 9, 1863; distance, 100 miles.

*June, 1863.*—Companies A, D, and E, in the field; Company B, en route to Canyon City, Oregon; Company C, Camp Baker, Oregon; Company F, Fort Lapwai, Idaho.

Remarks: Headquarters with squadron, A, D, and E; marched from Fort Lapwai, Idaho, June 15, en route for Fort Boise, Idaho; arrived at Middle Fork, Payette River, June 29, 1863; distance 175 miles.

*July, 1863.*—Companies A, D, and E, in the field; Company B, camp Five-Mile Creek, Oregon; Company C, Camp Baker, Oregon; Company F, Fort Lapwai, Idaho.

Remarks: July 1, marched from Camp No. 15 in Payette Valley, and arrived at Camp No. 23, on Boise River, July 8; distance 94 miles; marched from camp on Boise River opposite Fort Boise on 24, and arrived at Camp 31, on Camas Prairie, July 30, 1863; distance 95 miles. Several scouting parties were sent out during the march in search of Indians, but the result unimportant.

*August, 1863.*—Companies A, D, and E, in the field; Company B, Five-Mile Creek, Oregon; Company C, en route to Fort Klamath; Company F, Fort Lapwai, Idaho; Company G, Fort Vancouver, Wash.

*September, 1863.*—Same as August.

*October, 1863.*—Companies A, D, and E, Fort Walla Walla, Wash.; Companies B and G, Fort Vancouver, Wash.; Company C, Fort Klamath, Oregon; Company F, Fort Lapwai, Idaho.

*November, 1863.*—Companies A and E, Fort Walla Walla, Wash.; Companies B and G, Fort Vancouver, Wash.; Company C, Fort Klamath, Oregon; Company D, Fort Dalles, Oregon; Company F, Fort Lapwai, Idaho.

*December, 1863.*—Same as November.

*January, 1864.*—Companies A and E, Fort Walla Walla, Wash.; Companies B and G, Fort Vancouver, Wash.; Company C, Fort Klamath, Oregon; Company D, Fort Dalles, Oregon; Company F, Fort Lapwai, Idaho.

*February, 1864.*—Same as January.

*March, 1864.*—Same as above.

*April, 1864.*—Companies A, D, E, and G, in the field; Company B, Fort Vancouver, Wash.; Company C, Fort Klamath, Oregon; Company F, Fort Lapwai, Idaho.

Remarks: Companies A and E and detachment of twenty men from Company F, First Oregon Cavalry, comprising Captain Curry's expedition into the Indian country, marched from Fort Walla Walla on 28th April and arrived at Umatilla River, Oregon, on 30th; distance, 40 miles. Company G moved from Fort Vancouver April 5, to proceed to Fort Dalles and join Captain Drake's expedition into Indian country; arrived at Fort Dalles same day; distance, 95 miles. April 20, Companies D and G, comprising Captain Drake's expedition, marched from Fort Dalles, and arrived at Camp No. 8, on Front Creek, Oregon, April 28; distance, 92 miles.

*May, 1864.*—Companies A, D, E, and G, in the field; Company B, Fort Vancouver, Wash.; Company C, Fort Klamath, Oregon; Company F, Fort Lapwai, Idaho.

Remarks: Companies A and E, composing Captain Curry's expedition against Snake Indians, marched from camp on Umatilla River and arrived at Camp Henderson, opposite mouth of Jordan Creek, in the Owyhee country, May 25; distance, 260 miles.

Companies D and G, comprising Captain Drake's expedition against Snake Indians marched from camp on Front Creek May 5, and arrived at Camp Maury May 18; dis-

tance, 87 miles. A detachment of twenty-six men, under command of Lieut. J. M. McCall, First Oregon Cavalry, and detachment of Company B, First Oregon Cavalry, Lieutenant Watson, marched from camp at forks of Crooked River May 17, at 9.30 p. m., to attack a camp of Snake Indians at daylight on morning of the 18th, in which Watson and two privates were killed. On return of Captain Drake's expedition the expedition marched from Front Creek May 5; arrived at Camp Maury May 18; distance, 87 miles. The troops composing the expedition have been actively employed in small scouting parties since May 20, searching for the retreats and camp of hostile Indians near Camp Maury, Oregon.

*June, 1864.*—Companies A, B, C, D, E, and G, in the field; Company F, Fort Lapwai, Idaho.

*July, 1864.*—Companies A, B, D, E, and G, in the field; Company C, Fort Klamath, Oregon; Company F, Fort Lapwai, Idaho.

*August, 1864.*—Stations of companies same as July at end of month.

Remarks: Detachment of Company A, Lieut. Charles Hobart commanding, marched on the 28th on scout against Snake Indians in vicinity of Salmon Falls, on Snake River.

*September, 1864.*—Same as July.

*October, 1864.*—Company A, Fort Walla Walla, Wash.; Companies B and D, Fort Vancouver, Wash.; Company C, Fort Klamath, Oregon; Company E, Fort Dalles, Oregon; Company F, Fort Lapwai, Idaho; Company G, Fort Watson, Oregon.

*November, 1864.*—Companies A, B, and D, Fort Vancouver, Wash.; Company C, Fort Klamath, Oregon; Company E, Fort Dalles, Oregon; Company F, Fort Lapwai, Idaho; Company G, Camp Watson, Oregon.

*December, 1863.*—Same as November.

*January, 1865.*—Same.

*February, 1865.*—Same.

*March, 1865.*—Same.

*April, 1865.*—Companies stationed same as November, 1864.

Remarks: Detachment of Company G, Capt. H. Small, on a scout had a fight with Indians on South Fork of John Day's River on the 16th, had four men wounded; distance traveled, 100 miles. Another detachment of Company G went on a scout the 14th; traveled 200 miles; nothing important. The entire G Company constantly scouting the Canyon City road north and south since 13th instant.

*May, 1865.*—Companies A, B, D, and E, in the field; Company C, Fort Klamath, Oregon; Company F, Fort Lapwai, Idaho; Company G, Camp Watson, Oregon.

Remarks: Companies A, B, and D moved from Fort Vancouver May 16, en route for Fort Boise and the plains, for service against the Indians. Having been reinforced by Company E at Fort Dalles the entire command left the latter post, under Lieut. Charles Hobart, May 22, for their destination, via Camp Water and Canyon City. Company G engaged during the month scouting the Cañon City road.

No returns from June to September, 1865.

*October, 1865.*—Companies A and C, Fort Klamath, Oregon; Company B, Camp Lyon, Idaho; Company G, Camp Watson, Oregon.

*November, 1865.*—Same as October.

*December, 1865.*—Same as October.

*January, 1866.*—Not on file.

*February, 1866.*—Companies A and C, Fort Klamath, Oregon; Company B, Camp Lyon, Idaho; Company G, Camp Watson, Oregon.

*March, 1866.*—Same as February.

*April, 1866.*—Same as February.

Return for May, 1866, not on file.

*June, 1866 (last return on file).*—Companies A, B, D, and E, in the field.

Remarks: Companies A, B, D, and E left Fort Dalles, Oregon, May 22, 1865; arrived at Fort Boise June 15; distance traveled, 366 miles.

#### FIRST OREGON INFANTRY.

*December, 1864 (first return on file).*—Companies A and C, Fort Vancouver, Wash.; Company B, Fort Hoskins, Oregon; Company D, Fort Dalles, Oregon.

*January, 1865.*—Companies A and E, Fort Vancouver, Wash.; Companies B and F, Fort Hoskins, Oregon; Company C, Fort Steilacoom, Wash.; Company D, Fort Dalles, Oregon.

*February, 1865.*—Companies A and E, Fort Vancouver, Wash.; Companies B and F, Fort Hoskins, Oregon; Company C, Fort Steilacoom, Wash.; Companies D and G, Fort Dalles, Oregon.

*March, 1865.*—Companies A and H, Fort Vancouver, Wash.; Companies B and F, Fort Hoskins, Oregon; Company C, Fort Steilacoom, Wash.; Companies D, E, and G, Fort Walla Walla, Wash.

*April, 1865.*—Companies A, F, and H, Fort Vancouver, Wash.; Company B, Fort Dalles, Oregon; Company C, Fort Steilacoom, Wash.; Companies D and G, Fort Walla Walla, Wash.; Company E, Fort Colville, Wash.; Company I, Camp Baker, Oregon.

*May, 1865.*—Company A, Fort Vancouver, Wash.; Company B, Camp Powder River Slough, Oregon; Company C, Fort Steilacoom, Wash.; Company D, Fort Walla Walla, Wash.; Company E, Fort Colville, Wash.; Company F, Camp Camas Prairie, Oregon; Company G, Camp No. 14, Burnt River, Wash.; Company H, Camp No. 8, in the field, Oregon; Company I, Fort Klamath, Oregon.

Remarks: Company B took up its line of march for Boise City from Fort Dalles May 3, 1865; camped on Powder River Slough June 1, 1865; distance traveled, 300 miles. Company G marched since 4th instant from Walla Walla to Camp No. 14, in Burnt River en route to Fort Boise. Company H left Fort Vancouver May 3 for Camp Watson; arrived May 21. Company I left Camp Baker May 24 for Fort Klamath via Old Emigrant Road, Link River, and Lake Klamath, arriving at Fort Klamath June 1, 1865; distance traveled, 120 miles.

*June, 1865.*—Company A, Fort Vancouver, Wash.; Company B, Camp No. 2, en route to Camp Wallace; Company C, Fort Steilacoom, Wash.; Company D, Fort Walla Walla, Wash.; Company E, Fort Colville, Wash.; Company F, Camp McDowell, Oregon; Company G, Camp No. 3, Boise River, Oregon; Company H, Camp Watson, Boise River, Oregon; Company I, Fort Klamath, Oregon; Company K, Fort Dalles, Oregon.

Remarks: Company B marched from Powder River Slough; arrived at Fort Boise June 13, 1865; distance, 150 miles; left Fort Boise June 27, 1865, en route to Camp Wallace, Idaho; distance, 18 miles. Forty men of Company H, with Captain Williams, left Camp No. 8, in the field, June 1, 1865; arrived at Camp Watson June 6, 1865; distance, 60 miles.

*July, 1865.*—Company A, Fort Yamhill, Oregon; Company B, Camp Wallace, Idaho; Company C, Fort Steilacoom, Wash.; Company D, Fort Walla Walla, Wash.; Company E, Fort Colville, Wash.; Company F, Fort Lapwai, Idaho; Company G, Camp on Burnt River, Oregon; Company H, Camp Watson, Oregon; Company I, Fort Klamath, Oregon; Company K, Fort Dalles, Oregon.

Remarks: Company F marched en route for Fort Lapwai July 22; arrived at post July 30; distance, 100 miles.

*August, 1865.*—Company A, Fort Yamhill, Oregon; Company B, Fort Wallace, Idaho; Company C, Fort Steilacoom, Wash.; Company D, Camp Lyon, Idaho; Company E, Fort Colville, Wash.; Company F, Fort Lapwai, Idaho; Company G, Camp No. 9, Joeden Creek; Company H, Camp No. 9, in the field; Company I, Fort Klamath, Oregon; Company K, Camp Watson, Oregon.

Remarks: Company D marched from Fort Walla Walla en route for Fort Boise, thence to camp Lyon, arriving August 29. Company H marched from camp east of Cañon City southeast to Mathews River; distance, 275 miles. Company K left Fort Dallas August 4, marched to Cañon City; distance, 134 miles; arrived August 14, 1865.

*September, 1865.*—Company A, Camp Polk, Oregon; Company B, Camp No. 6, in the field; Company C, Fort Steilacoom, Wash.; Company D, Camp Lyon, Idaho; Company E, Fort Colville, Wash.; Company F, Fort Lapwai, Idaho; Company G and I, Camp Alvord, Oregon; Company H, Camp Wright, Oregon; Company K, Camp Logan, Oregon.

*October, 1865.*—Company A, Camp Polk, Oregon; Company B, Camp Lander, Idaho; Company C, Camp Lyon, Idaho; Company E, Fort Colville, Wash.; Company F, Fort Lapwai, Idaho; Company G and I, Camp Alvord, Oregon; Company H, Camp Wright, Oregon; Company K, Camp Logan, Oregon.

Remarks: Company C mustered out.

*November, 1865.*—Company A, Camp Polk, Oregon; Company B, Camp Lander, Idaho; Company C, Camp Lyon, Idaho; Company F, Fort Lapwai, Idaho; Company G and I, Camp Alvord, Oregon; Company H, Camp Wright, Oregon; Company K, Camp Logan, Oregon.

Remarks: Company E mustered out.

*December, 1865.*—Company A, Camp Polk, Oregon; Company B, Camp Lander, Idaho; Company D, Camp Lyon, Idaho; Company F, Fort Lapwai, Idaho; Company G and I, Camp Alvord, Oregon; Company H, Camp Wright, Oregon; Company K, Camp Logan, Oregon.

*January, 1866.*—Company A, Camp Polk, Oregon; Company B, Camp Lander, Idaho; Company F, Fort Lapwai, Idaho; Company G, Camp Auburn, Oregon; Company H, Camp Wright, Oregon; Company I, Camp Alvord, Oregon; Company K, Camp Logan, Oregon.

Remarks: Company D mustered out.

*February, 1866.*—Same as January.

*March, 1866.*—Company A, Camp Polk, Oregon; Company B, Camp Lander, Idaho; Company F, Fort Lapwai, Idaho; Company G, Camp Auburn, Oregon; Company H,



Camp Wright, Oregon; Company I, Camp Alvord, Oregon; Company K, Camp Logan, Oregon.

April, 1866.—Company A, Camp Polk, Oregon; Company B, Camp Lander, Idaho; Company F, Fort Lapwai, Idaho; Company H, Camp Wright, Oregon; Company I, Camp Alvord, Oregon; Company K, Camp Logan, Oregon.

Remarks: Company G mustered out.

May, 1866.—Company A, Camp Polk, Oregon; Company B, Camp Lander, Idaho; Company F, Fort Lapwai, Idaho; Company H, Camp Wright, Oregon; Company I, Camp Alvord, Oregon; Company K, Camp Watson, Oregon.

June, 1866.—Company B, in the field, en route to Fort Vancouver; Company F, Fort Lapwai, Idaho; Company I, in the field.

Remarks: Companies A, H, and K mustered out.

July, 1866 (last return on file).—Company I, Warness Mountain.

Remarks: Company B mustered out, Fort Vancouver, July 23, 1866; Company F, July 20, 1866.

R. C. DRUM,  
*Adjutant-General.*

ADJUTANT-GENERAL'S OFFICE,  
*Washington, D. C., October 20, 1887.*

---

EXHIBIT No. 77.

HEADQUARTERS OF THE ARMY,  
ADJUTANT-GENERAL'S OFFICE,  
*Washington, October 14, 1887.*

The COMMANDING GENERAL,  
*Department of the Columbia*  
(through Headquarters Division of the Pacific):

SIR: Referring to your indorsement of the 30th ultimo, forwarding a communication from the governor of the State of Oregon, requesting copies of all correspondence and orders issued from department headquarters affecting movement and operations in the field by volunteer regiments or companies of the State of Oregon, or their occupation of posts, during late war of the rebellion, I am directed to inform you that the lieutenant-general commanding the army concurs in your opinion that, owing to the voluminous nature of the records, and that the clerical force at Headquarters Department of the Columbia is no greater than required for ordinary current work, it will not be practicable to comply with the request of the governor of Oregon.

I am, sir, very respectfully, your obedient servant,

R. C. DRUM,  
*Adjutant-General.*

---

[Exhibit No. 77—Continued.]

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Salem, October 28, 1887.*

Hon. JOHN MULLAN,  
*Washington, D. C.:*

DEAR SIR: I have been directed by the governor to transmit to you the inclosed copy of a letter of R. C. Drum, Adjutant-General of the Army, in reference to request of the governor for copies of correspondence in relation to Oregon's volunteer troops during war of rebellion.

Very respectfully,

WM. A. MUNLY,  
*Private Secretary.*

---

EXHIBIT No. 78.

PACIFIC COAST DEFENSES.

Mr. Dolph submitted the following resolution; which was considered, by unanimous consent, and agreed to:

*Resolved, That the Secretary of War be, and is hereby, directed to furnish to the Senate—*

First. Copies of all correspondence from April 15, 1861, to August 20, 1866, of the War Department with the division commander of the Pacific, and also with the department commanders of the Columbia and of California, calling for and in relation to the subject of raising and organizing volunteer troops for the purposes of guarding the overland and inland mail and emigrant routes; and for preparing their volunteer and militia forces and home guards in camp and field to be ready to perform military service in those States or elsewhere for the United States whenever called upon, and for the improvement and perfection of the defenses of said States for the general defense; and in order to take the places of the regular troops of the United States in said States and in the adjoining States and Territories; and for protecting all of said States and Territories, and for suppressing Indian hostilities and disturbances therein and upon the borders of any thereof; and also copies of all correspondence of the War Department, and also of said division and department commanders with the governors of the States of Oregon and California in relation to the aforesaid subjects and during the period from 15th April, 1861, to August 20, 1866.

Second. A statement of the number and character of volunteer and militia forces and home guards that were raised or organized in the States of Oregon and California for any of the aforesaid purposes; and also those who were recruited or enlisted or enrolled or mustered in Oregon and California and who did military service for the United States either in said States or in other States and Territories from 15th April, 1861, to August 20, 1866, giving the dates of such enlistment and enrollment, and also dates of muster into and muster out of the military service of the United States.

[Exhibit No. 78 Continued.]

ADJUTANT-GENERAL'S OFFICE,  
Washington, June 18, 1868.

The SECRETARY OF WAR:

SIR: Senate resolutions of the 11th instant, herewith inclosed, directing the Secretary of War to furnish copies of all correspondence from April 15, 1861, to August 20, 1866, of the War Department with the division commanders of the Pacific and department commanders of the Columbia and California relating to the raising of volunteers for guarding overland and inland mail and emigrant routes and other services, and for copies of correspondence of the division and department commanders with the governors of California and Oregon in relation thereto, etc., having been referred from the War Department to the Adjutant-General for report, I have the honor to state that an extract copy of so much of said resolution as relates to section 1 of the same was referred to Lieut. Col. H. M. Lazelle, Twenty-third Infantry, in charge of the publication of the Official Records of the War of the Rebellion, on the 14th instant. It having been ascertained that the information desired, or the greater part thereof, had been collated from all available sources by the late Lieut. Col. R. N. Scott, request was made upon Colonel Lazelle to permit this office to temporarily withdraw the manuscript correspondence in order to prepare the same for transmission under the call of the resolution.

Colonel Lazelle reports as follows:

"It is not known to what extent the information called for has been collected in this office, nor can it be ascertained until all the manuscript correspondence, covering about 30,000 pages, can be examined. This will be done as soon as practicable, and it will be withdrawn from the office files temporarily and sent as suggested to the Adjutant-General's Office to be copied. It will probably take two or three weeks to do this."

From these facts it is obvious that a large amount of clerical labor will be necessary in the preparation of this work, and it is impossible at this date to form an idea as to the time it will take to complete the information called for. It will, however, be furnished at the practicable moment; and it is suggested that this information be communicated to the author of the resolution, the Hon. Mr. Dolph, United States Senate.

It is remarked that in due course of time all the correspondence in question will appear in the Official Records of the War of the Rebellion.

I have the honor to be, sir, very respectfully, your obedient servant,  
R. C. DRUM,  
Adjutant-General.

[Exhibit No. 78—Continued.]

WAR DEPARTMENT,  
Washington City, June 20, 1868.

SIR: I have the honor to acknowledge the receipt of the resolution introduced by you in the Senate on the 11th instant, which directs the Secretary of War to furnish to the Senate: (1) Copies of all correspondence from April 15, 1861, to August 20, 1866,

of the War Department with the division commander of the Pacific, and also with the department commanders of the Columbia and of California, in relation to raising and organizing volunteer troops for the purposes of guarding the overland and inland mail and emigrant routes, and to perform military services in the States of California and Oregon; and (2) a statement of the number and character of volunteer and militia forces and home guards that were raised or organized in the States of Oregon and California, and who did military service for the United States, or in the other States and Territories from April 15, 1861, to August 20, 1866. In reply I beg to invite attention to the inclosed copy of a report of the 18th instant on the subject from the Adjutant-General, embodying a report of Colonel Lazelle, from which it will be seen that a large amount of clerical labor will be necessary in the preparation of this work, and that it is impossible at this date to form an idea as to the time it will take to furnish the information called for. It will, however, be furnished at the earliest practicable moment.

Very respectfully,

WILLIAM C. ENDICOTT,  
*Secretary of War.*

Hon. JOSEPH N. DOLPH,  
*United States Senate.*

EXHIBIT No. 78½.

STATE OF OREGON,  
*County of Multnomah, ss :*

C. A. Reed, on first being duly sworn, deposes and says: That he is a citizen of the United States, and now resides in the city of Portland, county of Multnomah, State of Oregon. That he is the identical C. A. Reed who was adjutant-general of the State of Oregon from November, 1862, to September, 1870, and that the matters hereinafter stated are true of his own personal knowledge, except as to the matters herein named upon information and belief, and as to those matters he believes the same to be true. That sometime during the month of November, 1861, the governor of Oregon received a communication, a copy of which is hereunto attached and made a part thereof, and marked Exhibit A. That in conformity with the letter, spirit, and intention of said letter, and to aid the United States in all thereof, the legislature and State officers of Oregon, as far as in them permitted, determined to put Oregon in a state of perfect defense, not only from the attacks of enemies without, but also from those of traitors within. That in so doing the State of Oregon incurred sundry expenses for troops in the field, and also for her home guards, and all of which expenses, and those recited in the report of the Honorable Third Auditor, and according to abstracts thereof heretofore submitted by the proper State officers of Oregon to the proper officers of the Treasury and War Departments, and aggregating in the sum of \$258,636.81, and if interest be all owed thereon as charged in the account \$132,183.29. Making a total of \$390,820.10, and that the above sum and sums of money were incurred in good faith by the State officers and the Legislature of Oregon, acting in the letter and spirit of said letter from Hon. W. H. Seward. At the commencement of the war of the Rebellion the regular troops that had been stationed along our frontier in Oregon, Washington, and Idaho were withdrawn from the Northwest coast for more active service east; these facts were soon learned by the various tribes of Indians who soon showed signs of hostility and commenced committing depredations. Hence came the call for troops to be raised in Oregon. First were raised the First Regiment of Cavalry of Oregon Volunteers, 1861-'62; then the First Regiment Infantry, Oregon Volunteers, raised in 1862-'63, all of which were mustered into the United States service as per the Report of the Secretary of War; nor were these troops raised any too soon, as they were kept actively employed in quelling Indian hostilities all along the border. Nor was this all, for in addition to these Indian troubles, to my certain and personal knowledge, there were organized bodies of men in various localities in Oregon, and some of these organizations were armed, while others were not, all of which organizations were in sympathy with traitors in arms against the United States Government. All of these organizations were ready at any time, should favorable opportunity offer itself, to raise up in open rebellion and precipitate the State into secession. This state of affairs was well understood, not only by the State officers, but by many members of the legislature. Threats were made continually that should a draft be instituted to raise troops that force would be used to resist the same. Hence the legislature passed what was termed the bounty act, and as the monthly pay of the soldiers in the First Regiment of Cavalry, Oregon Volunteers, was not sufficient to support them with their dependent families, on account of the high rates of transportation and the high prices of provisions, the legislature passed what was called the relief act, granting each soldier \$5 per month additional pay; and owing to this condition of things, and believing that civil war was liable to break out at any time in Oregon, it was deemed advisable and a necessity to guard against which, to organize what

was called home guards, not only to preserve peace at home, but also to be prepared to furnish more troops at short notice should they be wanted by the United States Government. In order to quietly and effectually do this, there were several regiments of home guards organized, armed, and equipped, and furnished with camp and garrison outfits, and were ordered into camp for drill and discipline purposes; and as the State fairs of Oregon were times when the people came together from all parts of this State in the greatest numbers, the governor and State officers availed themselves of these opportunities in order to produce the deepest impression upon the people, not only as to loyalty, but to its ability to cope with any organized scheme that might be put on foot. In my official capacity as adjutant-general of Oregon at the time these expenses were incurred, I am certain that Governor A. C. Gibbs, the then governor of Oregon, together with all other State officers, were prompted by patriotism, and acted as they did under a sense of duty and in accordance both in the letter and spirit of the communication received from Hon. W. H. Seward of October 14, 1861. At the times these expenses were incurred there were no railroads or other facilities for travel or transportation, and supplies were scarce and high-priced, wages among the laboring classes were also high, and I am of the opinion that nothing but motives of the purest patriotism prompted the State of Oregon to respond to the call of the nation; and in order to in part compensate the soldiers in the field and in the service of the United States, and to induce others to enter that service, did the legislature of Oregon pass this bounty and relief act, believing that in so doing that they were only performing their duty. And I do know, from my own personal investigation and experience, that the ordnance, tents, bills of stationery, clerk-hire, labor paid for cleaning guns, bills for printing, and other expenses, were all proper charges and brought about on account of the troops of the State of Oregon, and made necessary by virtue of the exigencies of the times; and that all these expenses were made both for those in the field in the service of the United States and for those who stood ready to enter the field for the purpose of serving the United States; and as to the pay of the salary of the adjutant-general, I can and do state that the pay was not adequate to the service rendered, and that said service was necessary, and was given both to Oregon troops while in the service of the United States and to those who stood ready to take the field on call. I traveled from place to place and assisted in establishing recruiting offices at all the different places in the State where offices were established. I have read the report of the honorable Third Auditor to the honorable Second Comptroller in the matter of Oregon's rebellion war claim, and I do know that all the expenditures recited in said report were made and paid for by the State of Oregon in the execution of the spirit of said letter of Secretary W. H. Seward.

C. A. REED.

Subscribed and sworn to before me this 20th day of July, 1888.

[SEAL.]

GEORGE H. DURHAM,  
Notary Public for Oregon.

[Inclosure "A," part of Exhibit No. 78½.]

DEPARTMENT OF STATE,  
Washington, October 14, 1861.*To His Excellency, Governor of State of Oregon:*

SIR: The present insurrection had not even revealed itself in arms when disloyal citizens hastened to foreign countries to invoke their intervention for the overthrow of the Government and the destruction of the Federal Union. These agents are known to have made their appeals to some of the more important States without success. It is not likely, however, that they will remain content with such refusals. Indeed, it is understood that they are industriously endeavoring to accomplish their disloyal purposes by degrees and by indirection. Taking advantage of the embarrassments of agriculture, manufactures, and commerce in foreign countries, resulting from the insurrection they had inaugurated at home, they seek to involve our common country in controversies with States with which every public interest and every interest of mankind require that it shall remain in relations of peace, amity, and friendship. I am able to state for your gratification that the prospect of any such disturbance is now less serious than it has been at any previous period during the course of the insurrection. It is nevertheless necessary now, as it has hitherto been, to take every precaution that is possible to avert the evils of foreign war, to be superinduced upon those of civil commotion, which we are endeavoring to cure. One of the most obvious of such precautions is that all ports and harbors on the seas and lakes should be in a condition of complete defense, for any nation may be said to voluntarily incur danger in tempestuous seasons, when it fails to show that it has sheltered itself on every side from which the storm might possibly come.

The measures which the Executive can adopt in this emergency are such only as Congress has sanctioned and for such it has provided. The President is putting forth the most diligent efforts to execute these measures, and he has the great satisfaction

of seeing that these efforts, seconded by favor, aid, and support of a loyal, patriotic, and self-sacrificing people, are rapidly bringing the military and naval forces of the United States into the highest efficiency. But Congress was chiefly absorbed during its recent extra session with these measures, and did not provide as amply as could be wished for the protection of our sea and lake coasts. In previous wars loyal States have applied themselves, by independent and separate activity, to support and aid the Federal Government in its arduous responsibility. The same disposition has been manifested in a degree eminently honorable by all the loyal States during the present insurrection. In view of this fact, and relying upon the increase and continuance of the same disposition on the part of the loyal States, the President has directed me to invite your consideration to the subject of the importance of perfecting the defenses of the State over which you preside, and ask you to submit the subject to the consideration of the legislature when it shall have assembled. Such proceedings by the State would require only a temporary use of its means. The expenditure ought to be made the subject of conference with the Federal Government. Being thus made, with the concurrence of the Government, for general defense, there is every reason to believe that Congress would sanction what the State should do, and would provide for its reimbursement. Should these suggestions be accepted, the President will direct proper agents of the Federal Government to confer with you, and to superintend, direct, and conduct the prosecution of the system of defense of your State. I have the honor to be, sir,

Your obedient servant,

WILLIAM H. SEWARD.

---

EXHIBIT No. 79 (Part 1).

[S. R. 10, Forty-seventh Congress, first session.]

December 12, 1881, Mr. Grover asked and, by unanimous consent, obtained leave to bring in the following joint resolution; which was read twice and referred to the Committee on Military Affairs.

**JOINT RESOLUTION** to authorize the Secretary of War to ascertain and report to Congress the amount of money expended and indebtedness assumed by the State of Oregon in repelling invasions, suppressing insurrection and Indian hostilities, enforcing the laws, and protecting the public property.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to cause to be examined and adjusted all the accounts of the State of Oregon against the United States for money expended and indebtedness assumed in organizing, arming, equipping, supplying clothing, subsisting, transporting, and paying either the volunteer or militia forces, or both, of said State called into active service by the governor thereof after the fifteenth day of April, eighteen hundred and sixty-one, to aid in repelling invasions, suppressing insurrections and Indian hostilities, enforcing the laws, and protecting the public property in said State and upon its borders, except during the Modoc war.

**SEC. 2.** That the Secretary of War shall also examine and adjust the accounts of the State of Oregon for all other expenses necessarily incurred on account of said forces having been called into active service as herein mentioned, including the claims assumed or paid by said State to encourage enlistments, and for horses and any other property lost or destroyed while in the line of duty by said forces: *Provided,* That in order to enable the Secretary of War to fully comply with the provisions of this act there shall be filed in the War Department by the governor of said State, or a duly-authorized agent, an abstract, accompanied with proper certified copies of vouchers or such other proof as may be required by said Secretary, showing the amount of all such expenditures and indebtedness, and the purposes for which the same were made.

**SEC. 3.** That the Secretary of War shall report in writing to Congress, at the earliest practicable date, for final action, the results of such examination and adjustment, together with the amounts which he may find to have been properly expended for the purposes aforesaid.



## EXHIBIT No. 79 (Part 2).

[Joint resolution introduced by Senator Fair providing for ascertainment by Secretary of War of claim of the State of Nevada, on account of the war of the rebellion, etc. S. R. 13, Forty-seventh Congress, first session.]

December 13, 1881.—Mr. Fair asked and, by unanimous consent, obtained leave to bring in the following joint resolution, which was read twice and referred to the Committee on Military Affairs:

JOINT RESOLUTION to authorize the Secretary of War to ascertain and report to Congress the amount of money expended and indebtedness assumed by the State of Nevada in repelling invasions, suppressing insurrection and Indians hostilities, enforcing the laws, and protecting the public property.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to cause to be examined and adjusted all the accounts of the State of Nevada against the United States for money expended and indebtedness assumed in organizing, arming, equipping, supplying, clothing, subsisting, transporting, and paying either the volunteers or militia, or both, of the late Territory of Nevada and of the State of Nevada, called into active service by the governor of either thereof after the fifteenth day of April, eighteen hundred and sixty-one, to aid in repelling invasions, suppressing insurrections and Indian hostilities, enforcing the laws, and protecting the public property in said Territory and said State, and upon the borders of same.

SEC. 2. That the Secretary of War shall also examine and adjust the accounts of the late Territory of Nevada and of the State of Nevada for all other expenses necessarily incurred on account of said forces having been called into active service as herein mentioned, including the claims assumed or paid by said Territory and said State to encourage enlistments, and for horses and other property lost or destroyed while in the line of duty of said forces: *Provided*, That in order to enable the Secretary of War to fully comply with the provisions of this act there shall be filed in the War Department by the governor of Nevada, or a duly-authorized agent, an abstract, accompanied with proper certified copies of vouchers or such other proof as may be required by said Secretary, showing the amount of all such expenditures and indebtedness, and the purposes for which the same were made.

SEC. 3. That the Secretary of War shall report in writing to Congress, at the earliest practicable date, for final action, the results of such examination and adjustment, together with the amounts which he may find to have been properly expended for the purposes aforesaid.

## EXHIBIT No. 80.

WAR DEPARTMENT,  
Washington City, November 8, 1887.

SIR: I am directed by the Secretary of War to acknowledge the receipt of your letter of October 17, relative to the claim of the State of Oregon against the Federal Government, and asking for instruction as to whether the examiners shall proceed under the act of July 27, 1861 (12 Stat., 276), or under the act of June 27, 1882 (22 Stat., 111).

In reply I am directed by the Secretary of War to inform you that the only act under which you, or the officers associated with you, can examine claims is the act of June 27, 1882, and the subsequent act of August 4, 1886.

From the statement made by you, the claim of the State of Oregon falls entirely under the act of July 27, 1861, and you will therefore please return all the paper connected with the claim to this office, for return to the Treasury Department.

Very respectfully, your obedient servant,

JOHN TWEEDALE,  
Chief Clerk.

Maj. JAMES BIDDLE, Sixth Cavalry,  
Office State and Territorial War Claims,  
Glover Building, No. 1419 F street, Washington, D. C.

[Exhibit No. 80—Continued.]

WAR DEPARTMENT,  
OFFICE STATE AND TERRITORIAL WAR CLAIMS,  
Washington, D. C., November 9, 1887.

A true copy respectfully furnished Mr. John Mullan, agent of the State of Oregon, with the information that all the papers pertaining to the claim of the State of Oregon have this day been transmitted to the Secretary of the Treasury.

JAMES BIDDLE,  
Lieutenant-Colonel Fifth Cavalry, Senior Examiner.

## EXHIBIT No. 81

*Report of the Third Auditor in the matter of the war claim of the State of Oregon. Act July 27, 1861.*

[In the matter of the repayment to the State of Oregon (war claims, second installment) for moneys paid on account of military forces in Oregon during the war of the rebellion and interest thereon \$390,820.10.]

TREASURY DEPARTMENT,  
THIRD AUDITOR'S OFFICE,  
March 10, 1888.

The war claim of the State of Oregon (second installment) for moneys paid on account of military forces during the war of the rebellion, and interest thereon, was filed in this office August 21, 1884, under the act of Congress, approved June 27, 1862 (12th Stat., 267).

All the papers in the matter of this claim were laid before the honorable Secretary of War, of date November 3, 1884, by the Third Auditor, for administrative action, under the act to "re-imburse certain States and Territories for expenses incurred in repelling invasion and suppressing Indian hostilities." The War Department returned the papers, declining to take any action upon them for the reason that the expenses did not fall within the provisions of that act. (Letter of Secretary of War, November 12, 1887.)

The act of July 27, 1861, under which the claim was originally presented, and is now examined, authorized re-imbursement to the States for the cost of such troops as were employed in aiding to suppress the present insurrection, and the rule and practice of the accounting officers in applying provisions of said act have extended only to the cost of troops mustered and received into, or actually employed in, the service of the United States, at the request or under the authority of the President or Secretary of War.

The items of the claim are as follows:

Pay of troops .....		\$9,907.00
Supplies .....		3,998.46
Transportation .....		727.42
Services .....		2,276.63
Clerical expenses .....		805.66
Postal expenses .....		121.72
		<hr/>
		17,836.89
Interest thereon to September 1, 1883 .....		24,971.64
		<hr/>
		42,808.63
Bounty bonds to volunteers .....	\$129,041.02	
Interest thereon to September 1, 1883 .....	62,466.45	
		<hr/>
		191,507.47
Relief bonds to officers and men .....	90,392.99	
Interest thereon to redemption .....	44,745.20	
		<hr/>
		135,138.19
Expenses in adjutant-general's department .....	9,731.33	
Interest thereon to January 1, 1885 .....	11,635.58	
		<hr/>
		21,366.91
		<hr/>
Total .....		390,820.10

By no reasonable construction can the provisions of the act of July 27, 1861, be extended to embrace any of the amounts mentioned above. The items for the claim "for pay of troops, supplies, transportation, services, clerical and postal expenses" appear to have been expenditures on account of troops for State purposes, or home guard,

not mustered and received into or actually employed in the services of the United States at the request or under the authority of the President and Secretary of War; many of the vouchers show this. It also appears by a report of the Adjutant-General, U. S. Army, dated March 7, 1888 (herewith), that only one regiment of cavalry, one regiment of infantry, and one independent company, were raised in the State of Oregon during the war of the rebellion, and that the expenses thereto were paid by the United States disbursing officers stationed at Portland, Oregon, and San Francisco, Cal., out of the appropriation for collecting, drilling, and organizing volunteers.

There is no evidence that the expenses mentioned above for "pay of troops, etc.," or any part thereof, were for any of the organizations named in the report of the Adjutant-General.

Passing to the items of claims for re-imbursement on account of bounty and relief bonds issued to volunteers (bounty), I do not find that Congress has made any provision for the repayment of this class of claims. Such bounties as were authorized by law were paid by the United States directly to the men authorized to receive them.

It will be seen from the tabulated statement that the State of Oregon claims re-imbursement on account of interest amounting to \$132,183 29. In respect to the charge of interest, it is sufficient to say that, as the United States is not liable to the State for any part of the principal upon which the interest is computed, there can be no possible ground for a claim for interest. But even upon sums due by the United States interest is not allowable, unless when specially provided for by an act of Congress. The act of July 27, 1861, made no such provision, and interest has never been allowed to any State upon any war claim unless under express statute.

The entire amount of this claim, viz, \$390,820.10, is therefore disallowed, and certified to the Second Comptroller for his action thereon.

JOHN S. WILLIAMS,  
*Auditor.*

HON. SIGOURNEY BUTLER,  
*Second Comptroller.*

[Exhibit No. 81—Continued.]

DIFFERENCES.

[War claim, State of Oregon, second installment, act July 27, 1861.]

The examination of the claim of the State of Oregon shows as follows:

*Abstract A, volume 1 to 17.—Disallowed.*

Claim is for amount paid by the State for services of Company A, First Regiment, First Brigade, and other organizations of Oregon militia in camp drill at State agricultural fair grounds, Dead Indian Prairie, and other places, and at various times during the years 1863, 1864, and 1865, and also amounts advanced as premiums to best-drilled companies in a competitive drill, in all \$9,907. Such expenses are not recognized as proper charges for re-imbursement under provisions of the act of July 27, 1861. (12 Stat., 276.)

There is no evidence that the organizations named in the accompanying abstract and vouchers were mustered and received into, or actually employed in, the service of the United States, at the request or under the authority of the President or Secretary of War. On the other hand it appears from a communication from the Adjutant-General, U. S. Army, dated March 7, 1888, that the militia referred to were not received into or actually employed in the service of the United States. The expenses incurred appeared to have been in maintaining State troops for State purposes, or home guard. (See rule 2 of the rules for the preparation and settlement of State war claims, under act of Congress approved July 27, 1861.)

\$9,907.

*Abstract B, vouchers 1 to 51.—Disallowed.*

Claim is for cost of miscellaneous supplies, such as arms, ammunition, camp equipment, forage, stationery, etc. It appears by a report of the Adjutant-General, U. S. Army, date March 7, 1888 (herewith), that one regiment of cavalry, one regiment of infantry, and one independent company were raised in the State of Oregon during the late war of the rebellion, and that the expenses incident thereto were paid by United States disbursing officers, stationed at Portland, Oregon, and San Francisco, Cal., out of the appropriation for collecting, drilling, and organizing volunteers. There is no evidence that the expenses incurred for supplies enumerated on Abstract B and vouchers therewith, or any part thereof, were for the organization named in the report of the Adjutant-General. Indeed many of the charges are shown to have on account of Oregon militia, not mustered and received into or actually employed in the service of the United States, at the request or under the authority of the Presi-

dent or Secretary of War. The item therefore does not form a proper charge for re-imbursment under act of July 27, 1861.

\$3,998.46.

*Abstract C, Vouchers 1 to 35.—Disallowed.*

Claim is for transportation on ordnance, tents, stationery, etc. The item does not form a proper charge for re-imbursment for reasons stated above, Abstract B and vouchers 1 to 51.

\$724.42.

*Abstract D, Vouchers 1 to 30.—Disallowed.*

Claim is for services rendered by various parties making tents, cleaning guns, printing, etc. The item does not form a proper charge for re-imbursment for reasons stated above, Abstract B and vouchers 1 to 51.

\$2,276.63.

*Abstract E, Vouchers 1 to 14.—Disallowed.*

Claim is for services in adjutant-general's office, clerk hire, etc. The item does not form a proper charge for re-imbursment for reasons stated above, Abstract B, vouchers 1 to 51.

\$805.66.

*Abstract F, Vouchers 1 to 12.—Disallowed.*

Claim is for postal expenses adjutant-general's office, stamps and box-rent. The item does not form a proper charge for re-imbursment for reasons stated above, Abstract B, voucher 1.

\$121.72.

*Account current, Item G.—Disallowed.*

Claim is for interest on \$17,836.89. Total expenditure on Abstracts A, B, C, D, E, and F to September 1, 1883. The United States does not pay interest, except in cases where Congress has authorized it in express terms. This rule seems to be generally accepted. It will not be contended by the State that any express authority to allow interest is contained in the act of July 27, 1861, and under the rule laid down by the late Attorney-General Black (9 Op., 59) that authority can not be taken by mere inference. Congress alone has power to grant relief. The item does not therefore form a proper charge for re-imbursment under the act July 27, 1861.

\$24,971.64.

*Abstract H.—Disallowed.*

Claim is for payment made by the State of Oregon (see State act of October 24, 1864), on account of bounty bonds issued to volunteers, \$129,041.02, and interest thereon from the date of issue thereof, January 2, 1865, to September 1, 1883, \$62,466.45. Total, \$191,507.47. The regular pay and allowances to Oregon volunteers in the service of the United States at the request or under authority of the President or Secretary of War were paid by the United States. (See report Adjutant-General, U. S. Army, April 3, 1882.) The General Government has made no provision for the re-imbursment of the States on account of extra pay (bounty). Such bounties as were authorized by law were paid by the United States directly to the men authorized to receive them. The item therefore does not form a proper charge for re-imbursment under the act of July 27, 1861. The amount of interest charged in this abstract is also disallowed for reasons stated above, account current, Item G.

\$191,507.47,

*Abstract K.—Disallowed.*

Claim is for payments made by the State of Oregon (see State act of October 24, 1864), on account of relief bonds issued to volunteers, \$90,392.99, and interest thereon from the date of issue thereof (January 2, 1865), to September 1, 1883, \$44,745.20. Total, \$135,138.19. The item does not form a proper charge for re-imbursment for reasons stated above, account current, Item G, and Abstract H.

\$135,138.19.

*Abstract L.—Disallowed.*

Claim is for payment of certain expenses in adjutant-general's department and other disbursements on account of personal service, \$9,731.33, and interest thereon from date of payment to January 1, 1885, \$11,634.58; total, \$21,565.91.

(No vouchers have been furnished showing the periods of service. The salary of the adjutant-general before the war has not been stated.)

There is no information filed showing that the expenses incurred for the personal services stated above, or any part thereof, were for and on account of the organizations named in the report of the Adjutant-General, U. S. Army, dated March 7, 1888. The item therefore does not form a proper charge for re-imbursement under act of July 27, 1861. The item for interest is also disallowed for reasons stated above, account current, Abstract G.

\$21,365.91.

Total claim disallowed, \$390,820.10.

Treasury Department, Third Auditor's Office, March 10, 1888.

LEE W. FUNK.

EXHIBIT No. 82 (Part 1).

WAR DEPARTMENT, *Washington City, July 11, 1888.*

SIR: I have the honor to acknowledge the receipt of your letter of the 13th ultimo, inclosing, for the views of this Department, Senate bill 3119, Fiftieth Congress, first session, amendatory of the act for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory, and to state in reply that I can not recommend the passage of the proposed bill.

The subject is fully discussed in the inclosed report of the Acting Judge-Advocate-General, and I particularly invite attention to the following portion of his report:

"It seems to be the object of the proposed legislation to bring about a settlement of rejected claims of the class just cited, and to facilitate this object the rules governing such matters in the original act are discarded and the State laws made the rule and guide by which the allowances are to be determined. Beyond following the provisions of these laws there seems to be no inquiry contemplated on the part of the United States as to the necessity, propriety, and reasonableness of the expenditures.

"This legislation not only discriminates in favor of the State of California, but it also ignores all doctrines of *res judicata*."

I beg also to invite attention to my letter of January 28, 1888, relative to Senate bill 215.

I must reiterate what I there stated, that any bill allowing claims now settled under the act of July 27, 1861, to be placed in the same category as those now settled under the acts of June 27, 1882, and August 4, 1886, should combine all limitations as to nature and scope of claims to be acted upon which are found in the three acts named.

I am of opinion that the States should not be re-imbursed for expenses defrayed or obligations assumed in raising, supplying, etc., their troops if such expenses would not have been incurred in the raising and supplying of troops directly under the orders of the Secretary of War.

I inclose a report of January 7, 1888, from the senior examiner State war claims with reference to the proposed bill.

Very respectfully,

WILLIAM C. ENDICOTT,  
*Secretary of War.*

Hon. J. R. HAWLEY,  
*Chairman Committee on Military Affairs, U. S. Senate.*

EXHIBIT No. 82 (Part 2).

WAR DEPARTMENT,  
JUDGE-ADVOCATE-GENERAL'S OFFICE,  
*Washington, D. C., July 7, 1888.*

Respectfully returned to the Secretary of War.

The first section of Senate bill 3119 is intended to cover the examination of the war claims of the States of Oregon and California against the United States for expenses incurred and obligations by them assumed "in recruiting, enlisting, enrolling, organizing, arming, equipping, supplying, clothing, subsisting, drilling, furnishing, transporting, and paying the volunteer and militia forces and home guards of said States for the purpose of guarding the overland and inland mail and emigrant routes, and for preparing their volunteer and militia forces and home guards in camp and field to be ready to perform military services for the United States in said States and elsewhere, whenever called upon, etc., subsequent to April 15, 1861."

This section also provides "that there shall be allowed said States the amounts of money which in good faith have been by them actually paid, to the extent and in the



manner and for the purposes authorized by the laws of said States in relation to any of their aforesaid war claims." \* \* \*

The remainder of the section is devoted to a provision granting such interest to the States named as they shall have paid up to the date of re-imbursement of the principal by the United States on all moneys which were borrowed by these States for any of the purposes named in the section quoted.

The legislation of Congress since 1812 shows the recognition of the principle that States should be re-imbursed for expenses incurred or obligations assumed in providing for the general defense of the Republic. Under the act of Congress of July 27, 1861 (12 Stat., 276), the majority of States have been re-imbursed the expenses incurred for enrolling, subsisting, clothing, arming, equipping, paying, and transporting its troops employed in aiding to suppress the insurrection against the United States. But it is claimed that this act is not broad enough in its provisions to cover all the claims of the States of Oregon and California. Among these claims not covered by this act, as construed by the Secretary of the Treasury, are expenses incurred by the States in paying to their soldiers bounties, premiums, and extra pay.

An examination of the statutes of the States of Oregon and California shows the following enactments, viz:

#### IN THE STATE OF OREGON.

By the act of October 24, 1864, every soldier who thereafter enlisted for three years or during the war, in any organization raised as a part of the quota of the volunteers of the State under the laws of Congress and the order of the President during the existence of the rebellion, was granted, in addition to other bounties and pay then provided for and authorized by the laws of the State and of the United States; the sum of \$150.

By the act of October 24, 1864, the legislature granted to every commissioned officer and enlisted soldier of the companies of Oregon volunteers raised in the State for the service of the United States to aid in repelling invasion, suppressing insurrection, enforcing the laws, and protecting the public property from the time of their enlistment to the time of their discharge, the sum of \$5 per month. The compensation so allowed was not to be paid until honorably discharged from the service, but such enlisted married men as had families depending upon them for support had the power to allot the whole or part of such pay, which sums so allotted were authorized to be paid at once.

By the act of December 15, 1864, the provisions of the act granting bounties was extended to all volunteers in service of the First Regiment of Oregon Cavalry and the First Regiment of Oregon Infantry who enlisted for one year only, so that they became entitled to receive a bounty of \$50.

#### IN THE STATE OF CALIFORNIA.

By the act of April 4, 1864, the legislature granted every soldier, who thereafter enlisted for three years or during the war, in any regiment, etc., then or thereafter organized as part of the quota of the volunteers of the State under the laws of Congress and the orders of the President of the United States, during the then existing rebellion, a bounty of \$160, in addition to all other bounties and pay then provided for and authorized by the laws of the State or the United States. Every enlisted veteran soldier who theretofore or subsequently served more than six months in the Army of the United States and who was honorably discharged therefrom and re-enlisted in any regiment, etc., organized as part of the quota of the State, was granted an additional bounty in the further sum of \$140.

By the act of April 4, 1864, line officers engaged in raising troops were allowed by the State pay and allowances from date of commission to date of muster into the service of the United States according to the same rates as were then paid by the United States to the officers of the Army.

By the act of April 26, 1862, \$250 per month were appropriated to sustain and support a mounted battery of artillery in the city and county of San Francisco.

The act of April 10, 1863, appropriated \$24,000 to assist in filling up the regiments of California volunteers and to aid certain officers for that purpose.

The act of April 27, 1863, created a "soldiers' relief fund" for the purpose of paying to the soldiers of the companies of California volunteers raised or thereafter to be raised for the service of the United States, from the time of their enlistment to the time of their discharge, a sum of \$5 per month. But soldiers who were drafted or enlisted as substitutes were excluded from the benefits of this act. Payment under this act was not to be made until after honorable discharge, except to such married enlisted men who had families depending upon them for support.

The money thus expended by the States of Oregon and California are contemplated by the legislation proposed to constitute a legitimate charge against the United States. In the act of the 3d of March, 1863, entitled "An act for enrolling and calling out the

national forces and for other purposes," Congress declared that all able-bodied male citizens of the United States between certain ages, under certain restrictions, constituted the national forces and made them liable to perform military duty in the service of the United States when called out by the President for that purpose.

The same act made provisions for apportioning the quotas to be furnished and for drafting the number which may be required. The legislation of the States of Oregon and California granting bounties and extra pay to their soldiers partook either of the nature of inducements to men to volunteer or of the character of donations to the men already enlisted and for the relief of those who had families. And in this respect these States are not alone; it is believed that nearly all the Northern States that furnished troops for the suppression of the rebellion incurred large expenditures for like purposes; but this office believes that thus far no attempt on the part of any of these States has been made to charge the General Government with such expenses. Being in the nature of voluntary contributions, they are believed not to constitute a charge against the United States.

In reference to the charge of the States of Oregon and California for expenses incurred in preparing their militia forces to be ready to perform military service whenever called upon, it is to be remarked that the laws of the United States (sec. 1625 *et seq.*, Rev. Stat.) required the enrollment of the able-bodied male citizens of the States and their organization into companies, regiments, etc., and Congress annually appropriated money for arming and equipping the same. The expenses for having the militia in a state of readiness for service are believed to be the natural burdens of a State, and so the expenses for instructing and drilling the same.

The question of re-imbusement of interest paid out by States on moneys borrowed for defraying the expenses pertaining to the general defense of the United States has been frequently before Congress, and relief has been granted in many cases. Nearly all the Northern States are in the same position. House bill No. 1474, Fiftieth Congress, first session, providing for the relief of all the States, is now pending in the House of Representatives and has been favorably reported by the House Committee on War Claims. (See Report 309, H. R., Fiftieth Congress, first session, inclosed.)

The second section of the bill under consideration has for its object the examination of the Indian war claims of the State of California arising prior to April 15, 1861. A number of acts for the relief of the State of California in this respect have been passed. (10 Stat., 583; 11 *ib.*, 91; 12 *ib.*, 199, 200; 13 *ib.*, 83; 22 *ib.*, 400.) The proposed legislation recognizes no former examination and settlement of claims and subjects to examination all claims for expenditures incurred or obligations assumed and unpaid by the State, irrespective of any examination which may have heretofore taken place. For instance, the second section of the act of March 2, 1861 (12 Stat., 199), directed the auditing and settlement, under certain rules, of certain claims of the State of California for expenses incurred in the suppression of Indian hostilities, and provided "that the acceptance of the indemnity hereby provided shall operate as a final and complete discharge and satisfaction of all claims or matters hereinbefore referred to."

According to a letter of the Third Auditor of January 24, 1883, addressed to the Hon. J. H. Slater, United States Senate, the State of California filed, in August, 1861, under this law, her claim, amounting to \$449,605.74. After an examination of the same an award of \$229,987.67 was made and a warrant (No. 8591) dated June 26, 1863, was issued by the Secretary of the Treasury, ordering a draft for the amount awarded to be sent to the treasurer of the State of California. The balance of the claim, amounting to \$219,075.98, was disallowed by the auditing officers, being excessive charges above the rates paid by the United States during the time and at the place where these expenses occurred.

It seems to be the object of the proposed legislation to bring about a settlement of rejected claims of the class just cited, and to facilitate this object the rules governing such matters in the original act are discarded and the State laws made the rule and guide by which the allowances are to be determined. Beyond following the provisions of these laws there seems to be no inquiry contemplated on the part of the United States as to the necessity, propriety, and reasonableness of the expenditures.

This legislation not only discriminates in favor of the State of California, but it also ignores all doctrines of *res judicata*.

A bill allowing the examination and settlement of any unadjudicated Indian war claims of the State of California ought to set out, in the opinion of this office, the nature and scope, when and how arising, of the claims to be examined, together with such definite rules concerning their examination and the allowances to be made as are usually found in legislation of similar character. In the settlement of these claims the principle has heretofore obtained that the States should be re-imbursed all expenses defrayed or obligations assumed in raising, supplying, etc., their troops which the United States would have incurred if such troops had been raised, supplied, etc., directly under the orders of the Secretary of War.

G. NORMAN LEIBER,  
Acting Judge-Advocate-General.

## EXHIBIT No. 82 (Part 3).

WAR DEPARTMENT, EXAMINER STATE WAR CLAIMS,  
Washington, D. C., June 22, 1888.

SIR: I have the honor to submit the following statement with regard to Senate bill No. 3119.

Under the acts of Congress now in force providing for the indemnification of States and Territories, for war expenses incurred by them in suppressing insurrections and Indian hostilities, the class of war claims presented by Oregon and California would have to be disallowed if examined under the provisions of said acts, such claims being for reimbursement of interest, extra pay, and expenses incurred previous to muster into or employment in the service of the United States, expenses which are not specifically provided for in any of the acts referred to, or which would be disallowed under existing decisions construing said acts. Under existing law the War Department has no jurisdiction in claims settled under the acts of July 17, 1861, and July 27, 1861, but the construction of these acts is distinctly set forth by Secretary Chase, in rules for their preparation and settlement at the Treasury Department. An examination of these rules, believed with a few modifications to be now in force, and of the claims (war of the rebellion) of Oregon and California, will show that under these rules the claims must be disallowed. In fact, a claim of Oregon of this class has already been disallowed by the Third Auditor.

From the facts above stated the plain inference is that the scope of the act of July 27, 1861, must be extended if it is desired by Congress to refund to the States of Oregon and California all their expenses incurred on account of the war of the rebellion, and to a less extent the same is true of the act of June 27, 1862, for the settlement of Indian war claims.

In brief, the scope and limitations of existing acts for settlement of war claims do not afford relief to the extent of reimbursing all expenses incurred by States on account of calls for troops, and their employment in aiding to suppress insurrection or Indian hostilities. In my opinion, the restrictions imposed by existing laws are not equitable ones to apply to the adjustment of the claims of Oregon and California, for the reason that the cost to those States of organizing and maintaining troops was greater than it was in other sections of the United States, and the prices of labor and material on the Pacific coast, under the then existing laws of supply and demand, were of necessity greatly in excess of the amounts allowed and paid by the United States to her army serving in that locality. Senate bill No. 3119 includes the Indian war claims of California of date prior to April 15, 1861, which are unadjusted for want of a statute under which they can be settled, the provisions of the act of June 27, 1862, being limited to claims arising subsequent to April 15, 1861.

The evidence is ample that the two States referred to incurred the expenses for which they claim reimbursement, and the bill under consideration would afford them ample relief for the class of claims they present.

The amounts of the claims of Oregon and California included in the proposed bill are as follows:

Oregon, including interest.....	\$390,820.10
California (rebellion), without interest.....	2,938,623.72
Indian war bonds and liabilities, California.....	335,086.88
Indian war claims, California, between 1850 and 1861.....	169,470.24

3,834,000.94

Very respectfully, your obedient servant,

JAMES BIDDLE,  
*Lieutenant-Colonel Fifth Cavalry, Senior Examiner.*

The SECRETARY OF WAR.

## EXHIBIT No. 82 (Part 4).

TREASURY DEPARTMENT, June 21, 1888.

SIR: In reply to your communication of the 13th instant, transmitting Senate bill No. 3119, "Amendatory of the act for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory," I have the honor to inclose copy of the report of the Third Auditor in the matter, of the 19th instant, for your information.

Respectfully, yours,

C. S. FAIRCHILD,  
*Secretary.*

HON. JOSEPH R. HAWLEY,  
*Chairman Committee on Military Affairs, U. S. Senate.*

## EXHIBIT No. 82 (Part 5).

THIRD AUDITOR'S OFFICE,  
Washington, D. C., June 19, 1888.

SIR: I have the honor to return herewith Senate bill No. 3119, "Amendatory of the act for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada and the Territories of Washington and Idaho, and Nevada when a Territory," referred by you to me for report, and to state that the only new features which the amendment proposes to introduce seems to be as follows:

The original act limited the re-imbursement to be made to the ten States and Territories to the rates paid by the United States for services and supplies at the same time and places, and made no provision for the allowance of interest.

The amendment proposes in respect to only two of the States (California and Oregon) to allow the rates actually paid by the two States and to allow interest.

In regard to the policy of passing the amendment in behalf of any of the ten States and Territories, or of discriminating in favor of two of the States, I do not consider that it is within the province of the Third Auditor to express an opinion.

Very respectfully,

JNO. S. WILLIAMS,  
Auditor.

Hon. C. S. FAIRCHILD,  
Secretary of the Treasury.

## EXHIBIT No. 82 (Part 6).

TREASURY DEPARTMENT, June 23, 1888.

SIR: Referring to your communication of the 13th instant, inclosing Senate bill 2440, "For the relief of the State of Oregon," and a proposed amendment thereto, and inviting any suggestions or recommendations thereon the Department may have to make, I have the honor to inclose herewith copy of a letter of the Third Auditor of the 22d instant upon the subject for your information.

Respectfully yours,

C. S. FAIRCHILD,  
Secretary.

Hon. JOSEPH R. HAWLEY,  
Chairman Committee on Military Affairs, U. S. Senate.

## EXHIBIT No. 82 (Part 7).

THIRD AUDITOR'S OFFICE,  
Washington, D. C., June 22, 1888.

SIR: I have the honor to return herewith Senate bill No. 2440, "For the relief of the State of Oregon," with an amendment that the provisions of the bill be extended and made to apply to the States of California and Nevada, and to Nevada when a Territory, referred on the 14th instant to me for report, and to state, that the act of June 27, 1882 (22 Stat., 111), authorizes examination and report to Congress the amount of all claims of the States named, and Nevada when a Territory, for the moneys expended and indebtedness assumed in repelling invasions and suppressing Indian hostilities, to be adjusted at the rates paid by the United States for similar services and supplies, for the same time and places, in the U. S. Army.

In addition to the claims authorized by the act of 1882 to be examined and reported upon, it is proposed in the inclosed bill as amended to extend the re-imbursement so as to include the amount of moneys which it is claimed the States of California, Nevada, and Oregon, and Nevada when a Territory, expended on account of all pay (including bounty and relief) to their volunteers, and interest on the amounts allowed from the time of payment, together with interest on the bounty and relief bonds.

In my opinion, it is not within the province of the Third Auditor to advise Congress as to the policy to be pursued in these respects.

Very respectfully,

JNO. S. WILLIAMS,  
Auditor.

Hon. C. S. FAIRCHILD,  
Secretary of the Treasury.

## EXHIBIT No. 82 (Part 8).

[Extract.]

WAR DEPARTMENT,  
OFFICE STATE AND TERRITORIAL WAR CLAIMS,  
Washington, D. C., January 7, 1888.

SIR: I have the honor to return herewith Senate bill No. 215, with the following report:

The purposes of this bill may be stated as follows:

First. By amending section 2 of the act of August 4, 1886, in the way proposed, provision is made for an examination of the claims of certain States and Territories named in this bill, which arose under the act of July 27, 1861 (12 Stats., 276), in the manner prescribed in the act of June 27, 1882, *i. e.*, by the Secretary of War, assisted by three army officers.

If this change is made by Congress the claims of the States of Oregon and California, presented under the act of July 27, 1861, can be examined and reported upon by the Secretary of War, and the army officers detailed to assist him.

To the State of Oregon the act of August 4, 1886, is a dead letter, because her claims arise under the act of July 27, 1861. The same is true in regard to the State of California, if we except the small claim for the Humboldt Indian war, now being examined under the provisions of the acts of 1882 and 1886.

An examination of the history of the enactment by Congress of the act of June 27, 1882, will show that the delegations in Congress from Oregon and California earnestly advocated or supported that measure. It is believed that they considered the provisions of this act (1882) would meet all the requirements necessary to secure an investigation of the claims of their respective States.

The fact is, that neither the act of 1861 nor that of 1882 is exactly suited to that class of claims presented by Oregon and California. The explanation for this is as follows: These States put troops in the field or in garrisons to enable the General Government to relieve its regular force from Indian service, and to employ it to aid in suppressing the rebellion. The service of a portion of the State troops of these States was for defense against Indians, while some of the force was used against rebels and Indians in New Mexico; so that it is almost impossible to separate the kinds of service performed.

In both cases the exigencies for such service arose on account of the war of the rebellion.

From the fact of the withdrawal of the regular Army, the duty devolved upon these States to raise troops for the common defense, and it is for expenses incident to such action that re-imbusement is claimed. \* \* \*

Second. By the proposed addition of a section to the act its provisions would be extended to include the examination of claims against the United States, \* \* \* whether they arose prior or subsequent to the dates mentioned in that act, *i. e.*, April 15, 1861, and June 27, 1882, respectively, unless they have been heretofore provided for by law. California, Oregon, and Nevada have incurred expenses on account of Indian hostilities between the 1st of January, 1851, and April 15, 1861.

The act of June 27, 1882, is not broad enough as to time to embrace such claims, and it is believed that if that act is amended so as to extend the period back to include January 1, 1851, it will be all the legislation necessary in regard to the act of June 27, 1882.

Very respectfully, your obedient servant,

JAMES BIDDLE,  
Lieutenant-Colonel Fifth Cavalry, U. S. Army,  
Senior Examiner State War Claims.

The SECRETARY OF WAR.

## EXHIBIT No. 83 (Part 1).

NAVY DEPARTMENT,  
Washington, July 13, 1888.

SIR: Referring to your letter of the 6th instant, I have the honor to inclose herewith a statement showing the number of United States ships of war stationed on the Pacific coast during the war of the rebellion; from 15th April, 1861, to August 20, 1866, with the number of guns carried by each.

Very respectfully,

W. C. WHITNEY,  
Secretary of the Navy.

Hon. WILLIAM M. STEWART,  
U. S. Senate.



## MEMORANDUM.

## EXHIBIT No. 83 (Part 2).

*List of United States war vessels on Pacific coast during the war of the rebellion between the dates of April 15, 1861, and August 20, 1866.*

*Lancaster*, steam sloop, twenty-eight guns; during whole period. *St. Mary's*, sailing sloop, twenty-two guns; during whole period. *Saranac*, side-wheel steamer, eleven guns; during whole period. *Narragansett*, screw sloop, six guns; until December 28, 1864. *Cyane*, sailing sloop, eighteen guns; until March 5, 1866. *Wyoming*, screw sloop, six guns; until June 22, 1862. *Saginaw*, side-wheel steamer, four guns; from March 23, 1863, to end. *Wateree*, side-wheel steamer, ten guns; from July 23, 1864, to end. *Mohongo*, side-wheel steamer, ten guns; from October 13, 1865, to end. *Suwanee*, side-wheel steamer, ten guns; from May 19, 1865, to end. *Nyack*, screw sloop, six guns; from November 21, 1865, to end. *Vanderbilt*, side-wheel steamer-fifteen guns; from February 13, 1866, to end. *Powhatan*, side-wheel steamer, twenty-two guns; from February 13, 1866, to end. *Tuscarora*, screw sloop, ten guns; from March 1, 1866, to end. *Dacotah*, screw sloop, seven guns; from May 29, 1866, to end.

## EXHIBIT No. 83 (Part 3).

## STORE-SHIPS.

*Farallones*, sailing bark, six guns, from —, 1863, to end; store-ship at Acapulco. *Fredonia*, sailing-sloop, four guns; store-ship at Valparaiso. *Warren*, sailing sloop-eighteen guns; store-ship at Panama.

## RECEIVING SHIP AT SAN FRANCISCO.

*Independence*, sailing frigate, fifty guns, during whole period.

## VESSELS IN ORDINARY AT MARE ISLAND.

*Decatur*, sailing sloop, ten guns. *John Hancock*, screw-sloop, three guns. *James-town*, sailing sloop, twenty-two guns; arrived on station 8th August, 1865; temporarily out of commission after September 17, 1865.

## EXHIBIT No. 84 (Part 1).

*Act of Congress approved September 28, 1850.*

For extra pay to the commissioned officers and enlisted men of the Army of the United States serving in Oregon or California, three hundred and twenty-five thousand eight hundred and fifty-four dollars, on the following basis, to wit: That there shall be allowed to each commissioned officer as aforesaid, whilst serving as aforesaid, a per diem, in addition to their regular pay and allowances, of two dollars each, and to each enlisted man as aforesaid, whilst serving as aforesaid, a per diem, in addition to their present pay and allowances, equal to the pay proper of each as established by existing laws, said extra pay of the enlisted men to be retained until honorably discharged. This additional pay to continue until the first of March, eighteen hundred and fifty-two or until otherwise provided. (From U. S. Stat., vol. 9, p. 504.)

## EXHIBIT No. 84 (Part-2).

*Act of Congress approved August 31, 1852.*

SEC. 3. *And be it further enacted*, That so much of the act making appropriations for the support of the Army for the year ending thirtieth of June, eighteen hundred and fifty-one, approved the twenty-eighth of September, eighteen hundred and fifty, as provides extra pay to the commissioned officers and enlisted men of the United States serving in Oregon or California be, and the same is hereby, continued in force for one year from the first day of March, eighteen hundred and fifty-two, and that the provision of the last-mentioned act be, and is hereby, extended to New Mexico during the current year, provided for by this section, and that three hundred thousand dollars be, and is hereby, appropriated for that purpose.

*Provided further*, That said officers and men shall receive only one-half of the increased amount over the regular pay allowed by law. (From U. S. Stat., vol. 10, p. 106.)

## EXHIBIT No. 84 (Part 3).

*Act of Congress approved March 3, 1853.*

SEC 6. *And be it further enacted*, That the provisions of the first section of the act entitled "An act making appropriations for the support of the Army for the year ending the thirtieth of June, one thousand eight hundred and fifty-one," approved September twenty-eight, eighteen hundred and fifty, granting extra pay to the officers and enlisted men of the Army serving in Oregon or California be extended to the officers and men of the two companies of regiment of mounted riflemen that garrisoned the post of Fort Laramie, Oregon route, during the time they occupied said post; and the amount which may be found due them under this act shall be paid out of any moneys in the Treasury not otherwise appropriated. (From U. S. Stat., vol. 10, p. 218.)

## EXHIBIT No. 84 (Part 4).

*Act of Congress approved March 3, 1853.*

And the pay of a purser, when attached to and doing duty at the naval station of California, shall be four thousand dollars per annum, and he shall be allowed a clerk, at a compensation not exceeding two thousand dollars per annum. And the proper accounting officers of the Treasury be, and they are hereby, authorized and directed to allow and pay, out of any moneys in the Treasury not otherwise appropriated, to the officers, petty officers, and seamen of the United States Navy, to the officers, non-commissioned officers, musicians, and privates of the Marine Corps, and to the officers and men of the Revenue Service who served in the Pacific Ocean, on the coast of California, and Mexico, during the late war with Mexico and since the conclusion of the war up to the twenty-eighth of September, eighteen hundred and fifty, the same additional compensation as has been by law directed to be paid to the officers and soldiers of the Army who served in California; and that this provision, allowing the extra pay, as well as that contained in the navy appropriation act of August thirty-first, eighteen hundred and fifty-two, shall extend to and include all naval store-keepers who were stationed on the Pacific coast; and the additional compensation authorized by the foregoing provision, and by the naval appropriation act of eighteen hundred and fifty-two, shall be paid to the legal representatives of all deceased persons who would have been entitled to receive the same if living. (From U. S. Stat., vol. 10, p. 220.)

## EXHIBIT No. 84 (Part 5).

*Act of Congress approved March 3, 1855.*

SEC. 5. *And be it further enacted*, That the provisions of the first section of the act entitled "An act making appropriations for the support of the Army for the year ending the thirtieth of June, one thousand eight hundred and fifty-one," approved September twenty-eight, eighteen hundred and fifty, granting extra pay to the officers and enlisted men of the Army serving in Oregon and California be extended to the officers and men composing the garrison of the post of Fort Laramie, on the Oregon route, for the same period of time as was allowed by the sixth section of the act of third March, eighteen hundred and fifty-three, to the officers and men of the two companies of regiment of mounted riflemen that garrisoned Fort Laramie; and that the provisions of the same section of the same act be also extended to the officers and men composing the escort to the Mexican boundary commission while they were serving as such escort.

SEC. 6. *And be it further enacted*, That the laws granting extra pay to officers and soldiers who served in California apply to chaplains who were attached to the Army in California during the period embraced by such laws. (From U. S. Stat., vol. 10, p. 639.)

## EXHIBIT No. 85.

*From act of Congress approved June 17, 1850.*

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized, by voluntary enlistment, to increase the number of privates in each or any of the companies of the existing regiments of the Army at present serving, or which may hereafter serve, at the several military posts on the Western frontier and at remote and distant stations. \* \* \*

SEC. 3. *And be it further enacted*, That whenever enlistments are made at, or in the vicinity of the said military posts and remote and distant stations, a bounty equal in amount to the cost of transporting and subsisting a soldier from the principal recruiting depot in the harbor of New York to the place of such enlistment be, and the same is hereby, allowed to each recruit so enlisted. \* \* \*. (From U. S. Stat., vol. 9, p. 438.)

---

EXHIBIT No. 86.

No. XXV.—*Concurrent resolution.*

[Adopted March 17, 1866.]

Whereas it has been represented to us, and we believe correctly, that the California volunteers who served the General Government in the Territories of Utah, Arizona, and New Mexico with honor to themselves and credit to the State during the late rebellion were, at the expiration of their term of service, contrary to their will and desire, discharged in those Territories, at from fifteen hundred to two thousand miles from their homes and places of enlistment and were denied either rations or transportation and compelled to accept from sixty-three to one hundred and twenty-five dollars (according to distance) in lieu thereof; and whereas the necessary outfit for the return of these men through a country infested by hostile Indians and at a time when provisions and other equipments necessary to the journey were to be had only at exorbitant prices caused them to expend from four to five hundred dollars each in order to reach their homes, an amount of at least three hundred dollars over and above the amount received for mileage and transportation; and whereas it has heretofore been the policy of the Government to discharge the volunteer at the place of enlistment, and a pledge was made to these soldiers when they enlisted that they should be so discharged; therefore, be it

*Resolved by the assembly, the senate concurring*, That in view of the foregoing facts we earnestly request that the General Government award to these soldiers of the Union so discharged as aforesaid the sum of three hundred dollars each as payment for their actual expenses in returning to their homes and places of enlistment.

*Resolved*, That our Senators and Representatives in Congress are hereby instructed and requested to use their influence and earnest endeavors to procure the passage of an act by Congress carrying into effect the above resolution.

*Resolved*, That his excellency the governor is hereby requested to furnish each of our Senators and Representatives in Congress with a copy of the foregoing preamble and resolutions.

---

EXHIBIT No. 87.

No. IV.—*Concurrent resolution.*

[Approved February 19, 1868.]

Whereas the First Battalion of Mountaineers, California Infantry Volunteers, commanded by Lieut. Col. S. G. Whipple, were mustered into the service of the United States on the 22d day of June, A. D. 1863, and were received by the United States Government as a part of the quota of troops required of California during the late civil war and did service for the Government in suppressing Indian disturbances in the counties of Humboldt, Trinity, Klamath, and Del Norte in the years 1863 and 1864 and 1865, and that while so engaged at said service the said battalion were fed, armed, and paid by the General Government and in all respects were regarded and treated by the Government as a part of the volunteer force at that time in the United States service; and whereas it has been decided by the War Department at Washington City that the men composing this aforesaid battalion are not entitled to bounty, thereby discriminating against those meritorious citizen-soldiers: Therefore,

*Resolved by the assembly, the senate concurring*, That our Senators in Congress be instructed and our Representatives requested to take such proper action, by bill or otherwise, as may seem best, to have the men who composed the said First Battalion Mountaineers, California Infantry Volunteers, placed on the same footing with other volunteer soldiers.

*Resolved*, That his excellency Governor H. H. Haight be requested to forward a copy of these resolutions to each of our Representatives and Senators in Congress.

## EXHIBIT No. 88.

No. XVIII.—*Memorial concerning the payment of damages by the United States done by Indians in eighteen hundred and sixty-one, eighteen hundred and sixty-two, and eighteen hundred and sixty-three, in the counties of Humboldt, Klamath, Trinity Del Norte, etc.*

[Adopted March 27, 1868.]

The memorial of the legislature of the State of California to the Congress of the United States of America respectfully represents :

That the United States Government has failed, in the years of our Lord eighteen hundred and sixty-one, eighteen hundred and sixty-two, eighteen hundred and sixty-three, and eighteen hundred and sixty-four, to protect the citizens of Humboldt, Klamath, Del Norte, and Trinity from the violence of the Indians of that quarter of the State, and that many lives were lost during the period named of some of the best citizens of the State, for which recompense is not possible.

It is further represented that during the time named a large amount of property was destroyed by these Indians. It is believed that the property so lost was of the value of \$150,000.

This memorial respectfully asks that steps be authorized and taken by the General Government to ascertain the amount of property so destroyed in the period named, with the names of owners, date of destruction, and other proper information relative thereto, to the end that the parties in interest may be re-imbursed.

The direct proof of what is here alleged can be easily afforded; but a difficulty is felt in having no tribunal or authority to take such proof.

## EXHIBIT No. 89.

No. XX VII.—*Senate joint resolution No. 4, relative to arms issued to the State of California by the United States Government.*

[Adopted February 3, 1872.]

Whereas a certain quantity of arms, valued at nearly \$300,300, was issued to the State of California by the General Government during the late civil war for the maintenance of the Government and the preservation of the Union; and

Whereas the said arms at the time of issue were of inferior quality and pattern, and very shortly after the receipt of same by the proper State officers some of the arms and munitions of war were destroyed by fire at Sacramento City, which fire was due to incendiarism, and large sums of money were expended by the State for the purpose of restoring said arms, etc.; and

Whereas the State had these arms charged to her account of annual quota of arms due under act of Congress of date April 23, 1808; and

Whereas some relief is necessary, as it will take many years for the annual amount credited to the State of California to balance this large extra expenditure: Therefore, be it

*Resolved by the senate, the assembly concurring,* That our Senators in Congress be instructed and our Representatives requested to immediately take such proper action, by bill or otherwise, as may seem best, to have the State of California relieved from this debt, and to have all arms issued to our said State during the late civil war credited to the State in full.

*Resolved,* That his excellency Governor Newton Booth be requested to immediately forward a copy of the foregoing preamble and resolutions to each of our Senators and Representatives in Congress.

## EXHIBIT No. 90.

*House joint resolution No. 11.*

Whereas the hostile Indians are committing frequent depredations on the defenseless inhabitants of the counties east of the mountains: Therefore,

*Be it resolved by the house, the senate concurring,* That if the General Government does not send troops to their protection within thirty days from this date, that his

excellency the governor is hereby requested, in his discretion, to call out a sufficient number of volunteers to protect the frontier settlers in eastern Oregon.

Adopted by the house October 7, 1866.

F. A. CHENOWETH,  
Speaker House of Representatives.

Adopted by the senate October 9, 1866.

T. R. CORNELIUS,  
President of the Senate.

(From "Laws of Oregon and Decisions Sup. Court," page 80.)

#### EXHIBIT No. 91.

CHAPTER CCXXXVII.—*An act to pay the expenses necessarily incurred in suppressing Indian hostilities in the counties of Humboldt and Trinity in the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine.*

[Approved March 11, 1872.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. The sum of \$2,000 of any money in the State treasury not otherwise appropriated is hereby appropriated and set apart to defray the actual and necessary expenses incurred and outlays made by citizens of Humboldt and Trinity Counties in suppressing Indian hostilities in said counties in the years 1868 and 1869, which said outlay and expenditures were made in equipping, supplying, and maintaining in the field a company under the command of Stephen Flemming.

SEC. 2. At any time after the passage of this act, whenever A. D. Bayliss, of Trinity County, shall file with the controller of state a bond in the sum of \$4,000, conditioned for the faithful disbursement of the money hereby appropriated, which said bond shall be justified to by the sureties and approved by the county judge of Trinity County, the said controller shall draw his warrant in favor of the said A. D. Bayliss for the sum of \$2,000 on the treasurer of state, who shall, on the surrender of said warrant indorsed by said Bayliss, pay to him, the said Bayliss, or to his order, the sum of \$2,000.

SEC. 3. On receipt of said money said Bayliss shall advertise for one month in the Trinity Journal for all persons having claims for money and supplies advanced to said Flemming and his company in suppressing said Indian hostilities to present said claims to him, with their proofs and vouchers in support of the same, within three months after the first insertion of said advertisement. At the expiration of said three months said Bayliss shall proceed to audit and allow said claims as may be correct, either in whole or in part, and shall proceed to pay the same so far as said money will suffice therefor, and if not sufficient then he shall pay pro rata upon all claims allowed so far as said money will pay the same.

SEC. 4. Said Bayliss shall, within six months after he draws the money from the State treasury, file with the controller of state a report of his doings and payments under this act, together with his proofs and vouchers. For any misapplication of funds under this act said Bayliss shall be liable upon his bond to the State of California, to be recovered by suit under the direction of the State controller.

SEC. 5. Said Bayliss shall only pay the claims of those who contributed money, subsistence, forage, transportation, munition, or other necessary supplies to said Flemming or to the members of his company under his direction while they were actually engaged in the field or preparing therefor.

SEC. 6. The controller of state is authorized and required to preserve the proofs and vouchers relating to said payment by said Bayliss, filed in his office, so that the same may be used at any time hereafter in procuring re-imbusement to the State from the Congress of the United States for the moneys hereby appropriated.

SEC. 7. The amount appropriated by this act shall be accepted as a final settlement of all claims arising from expenses incurred in suppressing Indian hostilities as recited in this act.

SEC. 8. This act shall take effect from and after its passage.



[S. 3420. Fiftieth Congress, first session.]

August 6, 1888, Mr. Stewart introduced the following bill; which was read twice and referred to the Committee on Military Affairs.

August 10, 1888, Reported by Mr. Stewart with an amendment, viz: Insert the part printed in *italics*.

A BILL authorizing the Secretary of War to ascertain what amount of money has been expended by the States of California, Oregon, and Nevada for military purposes in aid of the Government of the United States during the war of the rebellion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War, through the Board of War Claims Examiners, appointed under section two of the act of Congress entitled "An act for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory," approved August fourth, eighteen hundred and eighty-six, be, and he is hereby, authorized and directed to examine all accounts, papers, and evidence which heretofore have been, or which hereafter may be, submitted to him in support of the war claims of the States of California, Oregon, and Nevada, and Nevada when a Territory, growing out of the war of the rebellion, and in suppressing Indian hostilities and disturbances during the war of the rebellion, and of guarding the overland mail and emigrant routes during and subsequent to the war of the rebellion, and to ascertain and state what amount of money each of said States and Nevada when a Territory actually expended, and what obligations they incurred for the purposes aforesaid, whether such expenditures were made or obligations incurred in actual warfare, or in recruiting, enlisting, enrolling, organizing, arming, equipping, supplying, clothing, subsisting, drilling, furnishing, transporting, and paying their volunteers, militia, and home guards, and for bounty, extra pay, and relief paid to their volunteers, militia, and home guards, and in preparing their volunteers, militia, and home guards in camp and field to perform military service for the United States.*

The Secretary of War is also directed to ascertain what amount of interest has been paid by each of said States and Nevada when a Territory on obligations incurred for the purposes above enumerated. The Secretary of War shall report to Congress the amount of money which may be thus ascertained to have been actually paid by each of said States and Nevada when a Territory on account of the matters above enumerated, and also the amount of interest actually paid or assumed by each of said States and Nevada when a Territory on moneys borrowed for the purposes above enumerated. *And the Secretary of War shall also report the circumstances and exigencies under which, and the authority by which, such expenditures were made, and what payments have been made on account thereof by the United States; and the money necessary to enable the Secretary of War to comply with the provisions of this act is hereby appropriated out of any money in the Treasury not otherwise appropriated.*

[Senate Report No. 2014. Fiftieth Congress, first session.]

Mr. Stewart, from the Committee on Military Affairs, submitted the following report, to accompany bill S. 3420:

*The Committee on Military Affairs, to whom was referred the bill (S. 3420) authorizing the Secretary of War to ascertain what amount of money has been expended by the States of California, Oregon, and Nevada for military purposes in aid of the Government of the United States during the war of the rebellion, having considered the same, report as follows:*

During the war of the rebellion the States of California, Oregon, and Nevada were separated from the Atlantic States by over 1,500 miles of almost uninhabited country. Much apprehension was felt on account of the exposed condition of those distant States, and the Government called upon them to assist in guarding the overland mail and emigrant routes, in preventing Indian outbreaks in the States, and to aid the United States in various ways during the war of the rebellion.

At the beginning of the war Nevada was a Territory, and was admitted into the Union as a State in 1864; but for the purposes of this report Nevada will hereafter be referred to as a State.

These States complied promptly with all the requirements of the General Government, and volunteered all the aid in their power to assist the United States. On the Pacific coast during this time, and particularly in Nevada, prices of all commodities (and also the price of labor) were exceedingly high, and as a mining excitement existed in these States, it became necessary to extend aid in many ways in organizing,

arming, equipping, furnishing, and maintaining volunteer soldiers and militia beyond the amount required for those purposes in the Eastern States. California, Oregon, and Nevada passed numerous acts to organize and equip soldiers in compliance with the requests of the Government, for which they were compelled to expend large sums of money. They were also compelled to borrow money, upon which a large amount of interest has been paid.

An examination of all the facts connected with these claims, a statement of accounts showing for what the money was paid, and under what authority involves too much detail for a committee of Congress to investigate. They, therefore, recommend the passage of the accompanying bill, which simply provides for an examination and report upon the facts of the claims of each of these States, so as to enable Congress to take such action as may be just and proper in the premises.

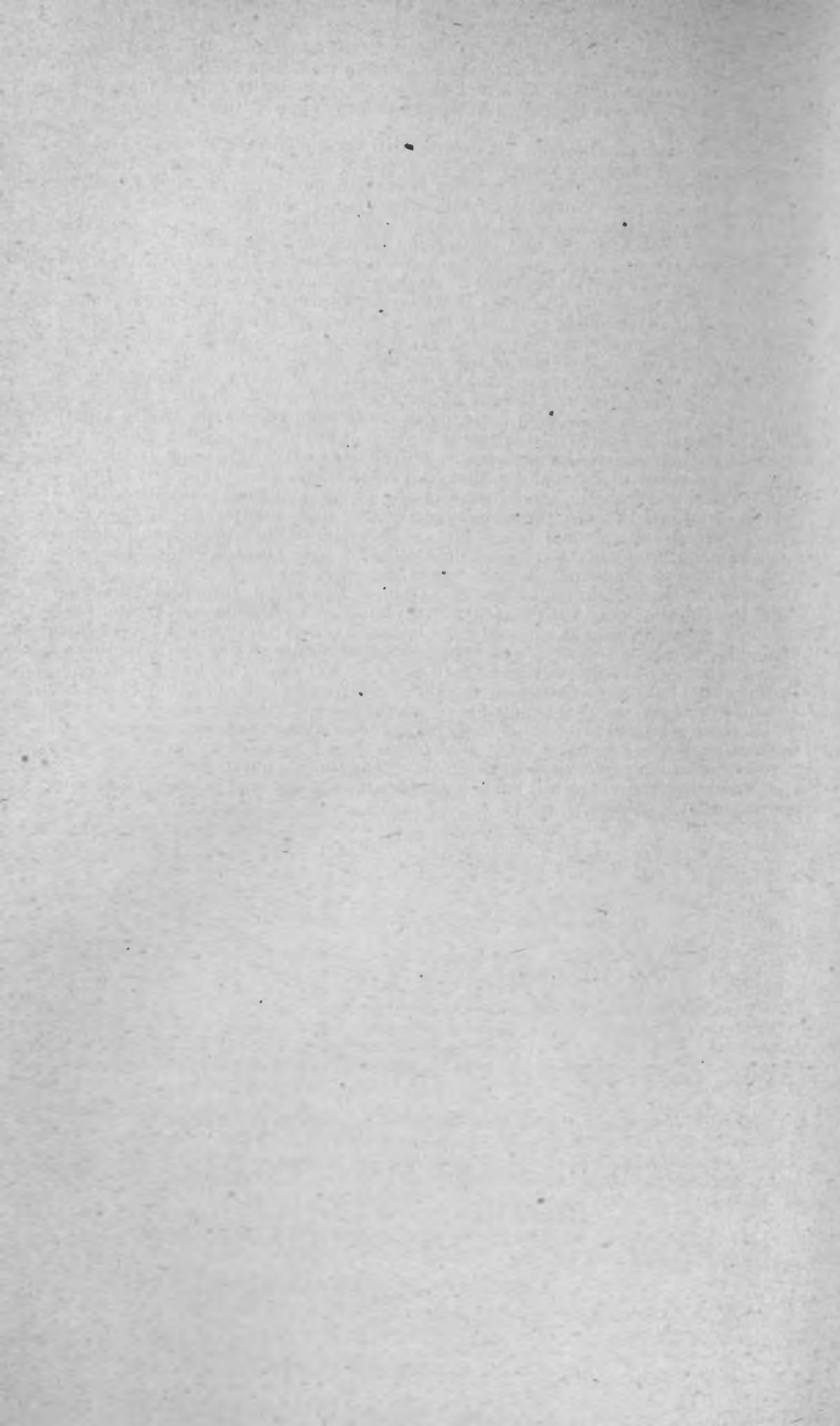
The bill does not commit Congress to the payment of these claims in advance, nor a settlement upon any particular theory. It does not commit Congress in advance to re-imburse these States for bounty or extra money expended by them in furnishing troops to assist the United States in suppressing the war of the rebellion, nor to the payment of interest on moneys borrowed. It simply provides for an ascertainment of such facts as to enable Congress to legislate intelligently.

A bill for the payment of the claims of Nevada has already been reported by a majority of your committee and is now on the Calendar of the Senate. The report in that case is very elaborate, and some members of your committee desire, before action is taken on it, a more authoritative statement of the case, which will be obtained by the examination now proposed. The claims of California and Oregon are of a similar character to those of Nevada. All these States were differently situated during the rebellion from the other States of the Union, and your committee, therefore, thought proper to have the same investigation and report made in each case and have them all incorporated in one bill. The writer of this report has prepared an elaborate statement of the claims of California and Oregon, which has been printed, by order of the Senate, for the use of the committee.

The report on the Nevada claim, known as Senate Report No. 1286, and dated May 14, 1888, and the statement with regard to the claims of California and Oregon will assist the War Department in collecting the laws and orders under which these States expended the money in question, and your committee desire to call the attention of the Secretary of War to these documents in case this bill should become a law.

The laws that have been passed for the investigation of claims of other States are not applicable to the peculiar conditions of these States during the war of the rebellion, and there is no authority under them for the ascertainment of the necessary facts to enable Congress to determine what allowances should be made under the peculiar circumstances which surrounded these States at the time in question.

Your committee report the bill back with an amendment, and when so amended recommend that it do pass.



CALIFORNIA, OREGON, AND NEVADA STATE WAR CLAIMS.

INDEX.

A.

	Page.
Anxiety, national.....	4
Authority of Congress to pay California, Oregon, and Nevada war claims....	17
Acting, Judge-Advocate-General, G. Norman Leiber, views of .....	24
Auditor, Third, of Treasury, Hon. John S. Williams, views of .....	23
Oregon State war claims disallowed by.....	22
Act of Congress July 27, 1861.....	22
Act of Congress June 27, 1882.....	22
Act of Congress August 4, 1886 .....	21
Bills for relief of California.....	19
Bill for relief of Oregon.....	18
Bill for relief of Nevada .....	18
Bills for relief of California and Oregon.....	1
Adjutant-general of California, reports by.....	8
Adjutant-general of Oregon, reports by.....	13
Adjutant-general ex., of Oregon, sworn statement by .....	14
Arms supplied by United States to California insufficient in number and inferior in quality and pattern .....	132
Agent of California and counsel for State war claims .....	20
Agent of Oregon and counsel for State war claims .....	20
Agent of Nevada and counsel for State war claims .....	20
Army volunteers, register extracts from, relating to California and Oregon volunteers .....	11, 14
Army, pay of officers of, increased 33½ per cent.....	26

B.

Bill, Senate, No. 3420, objects of .....	1
Baylor, John R., C. S. A., letter of .....	5
Bounty paid by United States to United States regular troops enlisting in California, Oregon, and Nevada prior to April 15, 1861 .....	27, 130
Bounty paid by California, Oregon, and Nevada to their volunteers enlisting in California, Oregon, and Nevada when in the military service of the United States subsequent to April 15, 1861, disallowed by United States .....	22
Board, United States War-Claim Examiners created by Congress .....	21
Biddle, James, Lieut. Col. U. S. Army:	
Chief of United States Board of War-Claim Examiners .....	23
Views of, on California, Oregon, and Nevada State war claims .....	126
Recommendations of, on California, Oregon, and Nevada State war claims.	24, 126
Bayard, Secretary of State, submits to President Cleveland copy of Secretary Seward's circular letter.....	4

C.

Claims, State war:	
Payment on account, not a valid basis for repudiating balance.....	15
Precedents for paying .....	15
Allowed by Congress after having been disallowed by Treasury Department .....	15
.....	15

	Page.
<b>Committee, Senate Military :</b>	
Report of, in 1882.....	19
Views of, in 1884, of act of June 27, 1882.....	21
Views and conclusions in 1888, submitted to,.....	24
Recommendations of, in 1888, submitted to.....	25
<b>Congress :</b>	
Proceedings of, in 1881, to pay California, Oregon and Nevada State war claims.....	18
Resolution in 1881 by Senator Grover, State war claims.....	18
Resolutions in 1881 by Senator Fair, State war claims.....	18
Action of, June 27, 1882. State war claims.....	19
Action of, August 4, 1886, State war claims.....	21
<b>California :</b>	
Rebellion war claims aggregates \$2,938,623.72.....	11
Rebellion claim now before Secretary of War but not adjudicated.....	23
Results of legislation by.....	16
Proclamation of Governor Downey, of.....	3
Proclamation of Governor Low, of.....	11
Proclamation of Governor Stanford, of.....	7
Special camps for military instructions during rebellion recommended.....	6, 41
No special camps therein for military instruction prior to late rebellion.....	13
No special camps therein for military instruction subsequent to late rebellion.....	13
Additional legislation needed by, in California, Oregon, and Nevada war claims.....	23
Cleveland, Grover, President, submits to Senate copy of Secretary Seward's circular letter.....	4
Loyalty of.....	2
Condition of rendering call for volunteers necessary.....	2
First call upon, for volunteers.....	3
Second call upon, for volunteers.....	3
Third call upon, for volunteers.....	7
Fourth call upon, for volunteers.....	7
Fifth call upon, for volunteers.....	7
Sixth call upon, for volunteers.....	7
Seventh call upon, for volunteers.....	10
Eighth call upon, for volunteers.....	11
Constitution, of California, Oregon, and Nevada limits as to debts exceeded for the benefit of the United States.....	29
Columbia River, England's right to navigate as guarantied by treaty..	25
California, Oregon, and Nevada's war governors, responsibilities and duties of.....	26
Conclusions in 1888 on California, Oregon, and Nevada War Claims.....	28
Controller of California, reports by, on California war claims.....	12
Common defense secured by.....	28
California State war claims presented by John Mullan, State Agent and counsel for, to United States authorities.....	20
Cosby, George B., General, Adjutant-general of California.....	20

## D

<b>Dunn, John, Hon., controller of California.....</b>	<b>20</b>
<b>Diligence used by California, Oregon, and Nevada to present their State war claims, etc.....</b>	<b>18</b>
<b>Downey, governor of California :</b>	
Proclamations of.....	3
Messages of.....	3
Sworn statements of.....	4
Submits to legislature Secretary Seward's circular letter.....	4
<b>Defense, military, of :</b>	
San Francisco, appropriation for.....	7
State, appropriation for.....	44
State, appropriation for.....	47
<b>Delay by United States in examination of California, Oregon, and Nevada State war claims.....</b>	<b>20</b>
<b>Dolph, J. N., United States Senator, resolution by.....</b>	<b>4</b>
<b>Dolph, J. N., United States Senator, Senate bill 36 introduced by.....</b>	<b>1</b>
<b>Dolph, J. N., United States Senator, Senate bill 2440 introduced by.....</b>	<b>1</b>
<b>Dolph, J. N., United States Senator, Senate bill 3119 introduced by.....</b>	<b>1</b>



## E.

	Page.
Enrollment of volunteers, cost of, disallowed.....	22, 8
Examiners State and Territorial war claims, board of:	
Authorized by act of August 4, 1886.....	21
Detailed by Secretary of War.....	21
Have had immediate custody of papers relating to State war claims of California, Oregon, and Nevada.....	23
Want of jurisdiction to fully or equitably allow California, Oregon, and Nevada State war claims under act of June 27, 1882.....	22
Want of jurisdiction to allow interest under act of June 27, 1882.....	22
Want of jurisdiction to allow extra pay, bounty and relief, act of June 27, 1882.....	22
Want of equitable jurisdiction generally under act of June 27, 1882, and August 4, 1886.....	22
Views of chief of, on California, Oregon, and Nevada State war claims..	24
English flag in North Pacific Ocean.....	25
English Navy in North Pacific Ocean.....	25
English Army on North Pacific.....	25
Extra pay made by United States to United States troops in times of peace. Exigencies under which done.....	26
Extra pay by Oregon, California, and Nevada to their volunteers serving the United States. Exigencies under which done.....	27
Earhart, R. P., Hon., secretary of state and <i>ex officio</i> adjutant-general of Oregon.....	20
Exhibit:	
1. California, resolution January 30, 1860.....	30
2. California, resolution May 17, 1861.....	30
3. California, resolution May 17, 1861.....	30
4. Telegraphic requisition upon governor of California.....	31
5. Telegraphic requisition upon governor of California.....	31
6. Letter to governor of California.....	31
7. Proclamation of John G. Downey, governor of California.....	31
8. Proclamation of John G. Downey, governor of California.....	32
9. California State contingent.....	32
10. California Indian hostilities.....	33
11. Affidavit of Gov. J. G. Downey.....	34
12. Message from President of United States in 1888.....	35
13. Letter to Secretary of State of United States from Governor Downey.....	36
14. Telegram from Secretary of War to Governor Downey.....	37
15. Letter from General George Wright to Governor Stanford.....	37
16. Telegram from Secretary of State of United States to Governor Stan- ford.....	37
17. Letter from Brigadier-General Hebert to General Cooper.....	38
18. Extract from message of the governor of California.....	39
19. California, resolutions February 6, 1862.....	39
20. California, resolutions February 24, 1862.....	40
21. California, resolutions February 25, 1862.....	40
22. Act of California, April 4, 1864.....	40
23. Reports in favor of California encampments for military instruction.....	41
24. California, act April 26, 1862.....	44
25. Letter General Ketchum to General Wright.....	44
26. Letter General Vincent to General Wright.....	44
27. Letter General Wright to Governor Stanford.....	45
28. Letter General Wright to Governor Stanford.....	45
29. Proclamation of Governor Stanford.....	45
30. Proclamation of Governor Stanford.....	46
31. California, resolutions March 10, 1863.....	46
32. California, act April 10, 1863.....	47
33. California, act April 25, 1863.....	47
34. California, act April 27, 1863.....	49
35. Extracts of reports of adjutant-general of California, 1862 and 1863..	51
36. California, resolutions February 6, 1864.....	64
37. California, act March 15, 1864.....	64
38. California, resolutions April 1, 1864.....	65
39. Letter from Secretary Whitney, United States Navy.....	66
40. California, act April 4, 1864.....	66
41. California, act April 4, 1864.....	67
42. California, act April 4, 1864.....	67
43. California, act April 4, 1864.....	69
44. Proclamation of Governor Low.....	72

## Exhibit:

Page.

45. Proclamation of Governor Low .....	73
46. California, act March 31, 1866 .....	74
47. Report adjutant-general of California, 1867 .....	75
48. Report controller of California, 1867 .....	79
49. Extracts from volunteer army register (Cal.), 1861-1865 .....	79
50. Report of controller of California on letter of Hon. James G. Blaine .....	81
51. First call for Oregon volunteers .....	82
52. Proclamation of governor of Oregon .....	83
53. Second call for Oregon volunteers .....	83
54. Letter of Colonel Cady to governor of Oregon .....	83
55. Recruiting expenses of Oregon volunteers .....	84
56. Oregon, memorial October 14, 1862 .....	85
57. Oregon, resolutions October 16, 1862 .....	85
58. Oregon, memorial October 17, 1862 .....	86
59. Oregon, resolutions October, 1862 .....	86
60. Extract from message of governor of Oregon, 1862 .....	86
61. Third call for Oregon volunteers .....	86
62. Extracts from message of governor of Oregon, September 15, 1863 .....	87
63. Oregon resolutions, October 20, 1864 .....	87
64. Oregon, act October 21, 1864 .....	88
65. Oregon, act October 21, 1864 .....	88
66. Oregon, act October 21, 1864 .....	88
67. Oregon, act October 22, 1864 .....	89
68. Oregon, act October 24, 1864 .....	89
69. Oregon, act October 24, 1864 .....	89
70. Extracts from adjutant-general's report, 1863, Oregon .....	93
71. Extracts from adjutant-general's report, 1864, Oregon .....	96
72. Extracts from adjutant-general's report, 1865, Oregon .....	99
73. Extract message governor of Oregon, December 5, 1865 .....	102
74. Extract from volunteer army register (Oregon volunteers) .....	102
75. Extract from report adjutant-general Oregon, 1866 .....	102
76. Stations of Oregon volunteers .....	109
77. Letter in relation to information called for by governor of Oregon ..	114
78. Resolutions of Senator Dolph calling for information and replies thereto in United States in regard to Oregon and California war correspondence .....	114
78½. Sworn statement of Cyrus A. Reed, ex adjutant-general of Oregon ..	116
79. { Resolutions No. 10, by Senator Grover, December 12, 1881 .....	118
{ Resolutions No. 13, Senator by Fair, December 12, 1881 .....	118
80. War Department on Oregon war claims .....	119
81. Report Third Auditor, Oregon war claims .....	120
82. Views of Treasury and War Departments on California, Oregon, and Nevada war claims .....	123
83. Letter of Secretary Whitney referring to Pacific Coast Navy .....	126
84. Extracts from acts of Congress .....	129
85. Extracts from acts of Congress .....	130
86. California, resolutions March 17, 1866 .....	131
87. California, resolutions February 19, 1868 .....	131
88. California, memorial March 27, 1868 .....	132
89. California, resolutions February 3, 1872 .....	132
90. Oregon, resolutions October 9, 1866 .....	132
91. California, act March 11, 1872 .....	133

## F.

Foreign complications feared by authorities of United States and California, Oregon, and Nevada .....	5
French flag in Mexico during war of the rebellion .....	25
French army in Mexico during war of the rebellion .....	25
French navy on Mexican Pacific coast during war of the rebellion .....	25
French navy on Pacific Ocean during war of the rebellion .....	25

## G.

Grover, L. F., Senator, resolution by .....	18
Governors of:	
California, reports on California war claims .....	12
Oregon, reports on Oregon war claims .....	13
California, messages to legislature, California war claims .....	6

	Page.
Governors of—Continued.	
Oregon, messages to legislature, Oregon war claims .....	14
California's recommendation on California war claims .....	6
Oregon's recommendation on Oregon war claims .....	14
General Addison C. Gibbs, governor of Oregon .....	14

## H.

Herbert, Paul O., C. S. A., letter of, to General Cooper, C. S. A. ....	5
Hallock, I. F., Hon., controller of Nevada .....	20

## I.

Indians, hostile, on overland mail and emigrant routes .....	2
Interest:*	
By California, Oregon, and Nevada, paid on war loans .....	15
On war-claims, precedents to pay .....	15
With principal constitutes a complete indemnity .....	15
Principles upon which payment rests .....	15
Allowed on State war claims previously allowed without interest .....	15
Allowed to foreign Governments .....	15
Allowed to Indian tribes .....	15
Interest allowed on war claims to:	
States .....	15
Counties .....	15
Corporations .....	15
Individuals .....	15
Interest, Senate report in favor of paying, as made by:	
Senator Hoar .....	15
Senator Dolph .....	15
Senator Spooner .....	15
Senator Jackson .....	15
Senator Hampton .....	15
Senator Cameron .....	15
Interest, House reports in favor of paying, as made by:	
Judiciary Committee .....	15
Claims Committee .....	15
War Claims Committee .....	15
Instruction, military, camps of, recommended, and reasons for, etc .....	15

## J.

Jones, Senator, of Nevada, bill introduced by, in Senate .....	20
--	----

## K.

Kansas, war claims of, allowed and paid nearly in full under act of June 27, 1862 .....	21
---	----

## L.

Lincoln, President, directs circular letter to be sent by Secretary Seward .....	4
Labor, price of, in California, Oregon, and Nevada, etc .....	3
Legislation by California and Oregon, results of, to the United States .....	16
Low, F. F., governor of California .....	11
Legislation by California:	
In 1860 .....	30
In 1861 .....	30
In 1862 .....	39, 40
In 1863 .....	47-49
In 1864 .....	64-69
In 1865 .....	74
In 1866 .....	74
In 1867 .....	79
In 1868 .....	131, 132
In 1872 .....	133

\* Under head of interest generally, see Senate Report No. 1286, Fiftieth Congress, first session.

## Legislation by Oregon:

	Page.
In 1862 .....	85, 86
In 1863 .....	87
In 1864 .....	88
In 1865 .....	88
In 1866 .....	132

## M.

Moreland, W. W., Hon., private secretary to Governor Stoneman .....	20
Mormons, loyalty to United States suspected or doubted .....	2
Mail, overland, route, condition of .....	2
Money, United States, depreciation of, in California and Oregon .....	26
McDowell, General, U. S. Army, requisition of .....	11
Miller, John F., United States Senator, amendment to include California .....	19
Mullan, John, State agent and counsel for California, Oregon, and Nevada, presents the State war claims of said States to the authorities of the United States .....	20

## N.

Navy, Secretary Welles of, order of .....	9
Navy, officers of, pay increased 33 $\frac{1}{3}$ per cent .....	26
Navy, United States, on Pacific coast during rebellion .....	26
Navy, Secretary Whitney, of, letters of .....	26
Nevada's State war claims presented by John Mullan, agent, to U. S. authorities .....	20
Nevada, Report No. 1286, on State war claims, by Senator Stewart, made .....	23
Nevada, Report No. 1286, on State war claims, by Senator Stewart, authorities cited therein .....	23
Nevada State war claims, amount of, \$341,137.88 .....	15

## O.

Oregon:	
Adjutant-general of, none <i>eo nomine</i> prior to rebellion .....	13
Adjutant-general, office of, none <i>eo nomine</i> subsequent to closing up the affairs of the rebellion .....	13
Adjutant-general, ex-, sworn statement by .....	14
Oregon, California, and Nevada volunteers:	
Kind and numbers enrolled for United States service .....	11
Character of service performed by .....	11
Method of enrollment of .....	11
Cost for enrollment of California .....	47
Authority of legislature to pay California .....	47
Method of payment of California .....	47
Amount of payment to California .....	47
Oregon, California, and Nevada, State war claims of:	
Basis of, and authority and justification of Congress to pay .....	17
Principal, precedents established by Congress to pay .....	17
Senate report on, in 1882 .....	19
Presented by State officers .....	20
Oregon, California, and Nevada:	
Act June 27, 1882, passed by Congress .....	19
Act of June 27, 1882, for benefit of California, Oregon, and Nevada, inoperative as a "relief measure" for said States .....	19
Common defense secured by .....	28
O'Reilly, M. I., Hon., deputy controller of California .....	20
Oullahan, D. I., Hon., State Treasurer of California .....	20
Oregon's rebellion State war claim:	
Amount of, \$390,820.10 .....	16
Presented to United States authorities by John Mullan, counsel, etc. ....	20
Disallowed by United States authorities .....	22
Oregon:	
Regular army withdrawn from .....	12
Governor of, submits to legislature Secretary Seward's circular letter .....	4
War claims of .....	12
First call upon, for volunteers .....	12
Governor of, proclamation by, in 1861 .....	12

## Oregon—Continued.

	Page.
Second call upon, for volunteers.....	12
Expenses of A. P. Dennison in recruiting volunteers of.....	12
Legislation by, in 1862.....	13
Legislation by, in 1864.....	13
Legislation by, set forth.....	85-132
Condition of affairs in, by Governor Whiteaker, of.....	13
Condition of affairs in, by Governor Gibbs, of.....	13
Third call upon, for volunteers.....	13
Governor Gibbs of, to the legislature of, in 1864.....	13
Volunteers of, manner of serving United States.....	14
Condition of affairs in, from 1861 to 1866, set forth by adjutant-general thereof.....	13
No adjutant-general <i>eo nomine</i> therein prior to civil war.....	13
No adjutant-general <i>eo nomine</i> therein subsequent to civil war.....	13
War claims transmitted by Secretary of War to Secretary of Treasury.....	20
War claims disallowed by Third Auditor of Treasury.....	22
War claims of record in office of Second Comptroller of Treasury.....	22
War claims suspended in office of Second Comptroller at request of State agent for Oregon's war claims.....	22
War claims, proceedings thereon by War and Treasury Departments.....	23
War governors, responsibilities and duties of.....	26

## P.

Pay, extra, paid by Oregon, California, and Nevada to their volunteers when in the military service of the United States, disallowed by United States under act of June 27, 1882.....	22
Precedents by Congress:*	
Authorizing the payment of State war claims, Indian and War 1812, etc.....	15
Authorizing payment of State war claims, Revolutionary and Mexican, etc.....	15
Authorizing payment of State war claims, rebellion, etc.....	15
Authorizing payment of State war claims after having been disallowed by Treasury Department.....	15
Authorizing the payment of interest on State war claims, which claims had been allowed at prior dates without interest.....	15
Authorizing payment of interest on State war claims in same act that authorized payment of principal.....	15
Authorizing payment of interest on State war claims.....	15
Protection, military, want of, on plains and Rocky Mountains.....	2
Prices, labor, supplies, transportation.....	3
Pennoyer, Sylvester, governor of Oregon.....	14

## R.

Reports on California, Oregon, and Nevada state war claims by:	
Senate Military Committee.....	19
Report No. 1286, first session Fiftieth Congress, on Nevada State war claims, by Senator Stewart.....	23
Report No. 2014, first session Fiftieth Congress, on California, Oregon, and Nevada war claims, by Senator Stewart.....	135
Routes, overland mail and emigrant, threatened and attacked by hostile Indians.....	2
Routes, sea to the Pacific, danger to, from Confederate privateer cruisers during the rebellion.....	2
Rebellion records, extracts from, as to California and Oregon volunteers.....	11, 14
Railroad, Pacific, surveys and location of, protected by volunteers.....	10
Relief paid by California, Oregon, and Nevada to their volunteers when in the military service of the United States, disallowed by the United States under act of June 27, 1882.....	22
Recommendations in 1888 of Senate Military Committee on California, Oregon, and Nevada State war claims.....	28
Reed, Cyrus A., ex-adjutant-general of Oregon, sworn statement of.....	14

\* For precedents generally, see Senate Report No. 1286, Fiftieth Congress, first session.



## S.

	Page.
Stoneman, Hon. George, governor of California .....	20
Seward, Secretary, circular letter of .....	4, 35
Snows on Sierra Nevada and Cascade Mountains .....	3
Silver discoveries in Nevada .....	2
Sea routes to Pacific .....	2
Stanford, Leland, governor of California .....	6
Stewart, William M., Senator, report by (No. 1286, first session Fiftieth Congress), on Nevada war claim .....	23
Stewart, William M., Senator, Senate bill 3420, by .....	134
Stewart, William M., Senator, Senate report No. 2014, by .....	135

## T.

Transportation overland, cost of .....	10
Telegraph line, first continuous overland, stimulated by California .....	5
Treasury, Secretary Fairchild, bills for relief of California and Oregon submitted to .....	23
Treasury, Secretary Fairchild, views of, thereon .....	23

## U.

United States aided by legislation of California, Oregon, and Nevada .....	16
United States kept constantly informed by California, Oregon, and Nevada of their State war claims .....	28

## V.

Volunteers:	
California, Oregon, and Nevada, cost of recruiting .....	8, 22
Of California, Oregon, and Nevada, relief of .....	27
Additional legislation for relief of .....	27
Services of .....	14, 11
Number of .....	11
Of California, Oregon, and Nevada, alacrity to respond .....	14
Of California, Oregon, and Nevada, strength of .....	11
Of California, Oregon, and Nevada, manner of serving United States .....	11
Fields of operation occupied by .....	11
Rebellion State war claim of Oregon, amount of, \$390,820.10 .....	16
California, Oregon, and Nevada, extra pay, relief, and bounty to, disallowed by the United States, under act of June 27, 1882 .....	22

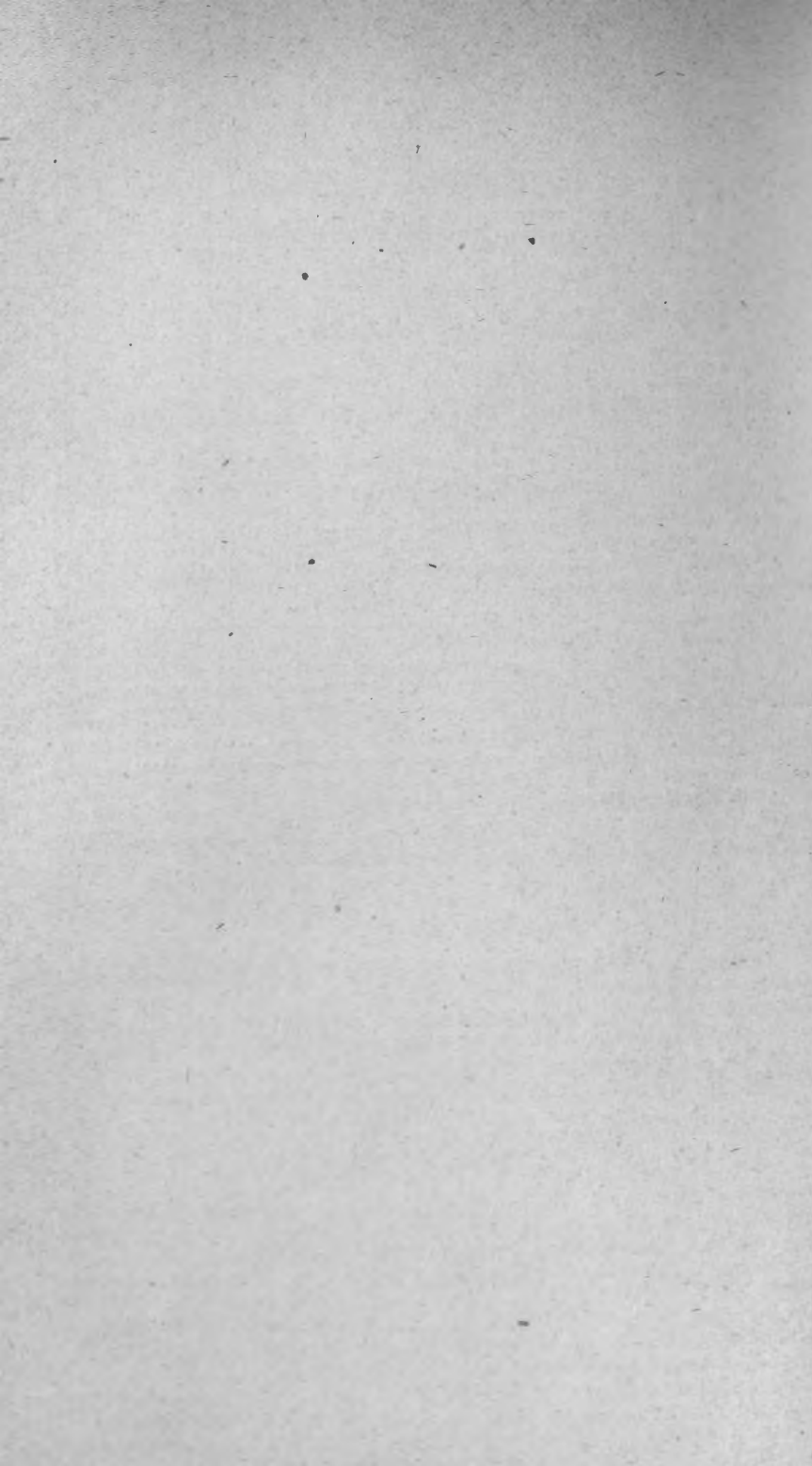
## W.

War measures of California, Oregon, and Nevada reviewed in 1888 .....	28
Whiteaker, governor of Oregon .....	13
War:	
Secretary Lincoln's construction of act of June 27, 1882 .....	22
Secretary Endicott's construction of act of June 27, 1882 .....	22
Secretary Endicott's decision disallowing interest .....	22
Secretary Endicott's decision disallowing extra pay (relief and bounty) .....	22
Secretary Endicott, bills for relief of California and Oregon submitted to .....	23
Secretary Endicott, views of, for relief of California and Oregon, submitted to .....	23
Secretary, letter of, to Senate Military Committee, January 26, 1884 .....	20
Secretary, letter of, to Senate Military Committee, July 11, 1888 .....	123
Wright, General George, letter of:	
To governor of California .....	45
Requisition upon governor of Oregon .....	82
War claims heretofore authorized by Congress to be paid to the State of—	
Alabama .....	15
Arkansas .....	15
California .....	15
Colorado .....	15
Connecticut .....	15
Delaware .....	15
Florida .....	15
Georgia .....	15
Illinois .....	15

## War claims heretofore authorized by Congress to be paid to the State of—

Page.

Indiana .....	15
Iowa .....	15
Kansas .....	15
Kentucky .....	15
Louisiana .....	15
Maine .....	15
Maryland .....	15
Massachusetts .....	15
Michigan .....	15
Minnesota .....	15
Mississippi .....	15
Missouri .....	15
Nebraska .....	15
Nevada .....	15
New Hampshire .....	15
New Jersey .....	15
New York .....	15
North Carolina .....	15
Ohio .....	15
Oregon .....	15
Pennsylvania .....	15
Rhode Island .....	15
South Carolina .....	15
Tennessee .....	15
Texas .....	15
Vermont .....	15
Virginia .....	15
West Virginia .....	15
Wisconsin .....	15
Idaho .....	15
Montana .....	15
New Mexico .....	15
Utah .....	15
Washington .....	15



IN THE SENATE OF THE UNITED STATES.

MAY 14, 1888.—Ordered to be printed.

Mr. STEWART, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany bill S. 2918.]

The majority of the Committee on Military Affairs make the following report in support of the bill offered herewith:

OBJECT OF THIS BILL.

The object of this bill is to re-imburse the State of Nevada for moneys paid and contracted to be paid by the Territory of Nevada and afterwards assumed and paid by that State, and also for moneys actually expended by Nevada after becoming a State for the general defense and in furnishing troops to the United States during the suppression of the war of the rebellion, and for guarding the overland mail and emigrant route between the Missouri River and California, and for suppressing Indian hostilities under circumstances hereinafter set forth.

APPEAL OF PRESIDENT LINCOLN, THROUGH SECRETARY SEWARD, TO THE NATION FOR AID.

On October 14, 1861, Mr. Seward, Secretary of State, addressed a circular letter to the governors of the loyal States and Territories, calling for assistance for the General Government in suppressing hostilities in the so-called Confederate States, and for the improvement and perfection of the defenses of the loyal States respectively. A copy of this letter is printed in the appendix hereto, marked Exhibit No. 1, page 23.

ACTION TAKEN BY NEVADA IN RESPONSE TO THE FOREGOING APPEAL OF SECRETARY SEWARD.

Upon the receipt of this letter the legislative assembly of Nevada Territory at its first session passed appropriate resolutions pledging the support of the people of that Territory to the Union cause to the extent of their means, which resolutions are printed in the appendix, marked Exhibit No. 2, page 24.

On the 28th day of November, 1861, three days after the passage of the resolutions above mentioned, the legislative assembly of Nevada also passed an elaborate law for the enrollment and organization of a militia force to aid the United States when called upon in the suppression of the rebellion, and to carry out the spirit and intent of the aforesaid circular letter of Secretary Seward. This law will be found on

pages 106 to 125 of the Laws of Nevada Territory, 1861. This act provided that the militia of the Territory organized under its provisions should be subject to be called into the service of the United States by the President, or any officer of the United States Army commanding a division or a department. A militia force was immediately organized under its provisions. H. P. Russell was appointed adjutant-general, and was succeeded by Col. John Cradlebaugh, who is mentioned in the resolutions above referred to and printed in the appendix as Exhibit No. 2, page 24.

It will thus be seen that Nevada made the necessary preparations, organized her militia, and was ready to answer any call that might be thereafter made upon her by the General Government, and also to protect the Territory against a large portion of its inhabitants who desired to join the Confederacy.

#### CONDITION OF AFFAIRS THAT RENDERED A CALL FOR NEVADA VOLUNTEERS NECESSARY.

The Territory of Nevada was organized by Congress on March 2, 1861 (12 U. S. Stats., 209). At the breaking out of the rebellion it became a serious question what attitude Nevada would occupy, and home guards were immediately organized. These guards afterwards formed a portion of the militia of the Territory as provided for in the aforesaid militia law, and protected the inhabitants from violence, without any expense to the Government.

In the early part of April, 1863, the overland mail and emigrant route was attacked by Indians, and communication was closed between the Atlantic States and the Pacific coast. This route extended from the Missouri River to California via the Platte River, Salt Lake City, through Nevada to Sacramento, in California, and was the only means at that date of direct overland communication between the Missouri River and California. At this time the gold discoveries in California continued to invite a large immigration, the interest in which was more or less intensified by the continued extensive silver discoveries in Nevada Territory, and principally on the Comstock lode in the western part of the Territory. The routes via Cape Horn, and especially that via the Isthmus of Panama, were rendered extremely doubtful, dangerous, and expensive, on account of Confederate privateer cruisers hovering around the West India Islands and along both these sea routes, and in anticipation of other Confederate cruisers infesting the waters of the Pacific (which soon thereafter became the theater of the operations and extensive depredations of the Confederate privateer cruiser *Shenandoah*) the overland route; therefore, although in itself both dangerous and difficult, was yet considered the better and preferable route by which to reach the Pacific.

On account of a general uprising of the Indians along the entire overland route, and especially that portion between Salt Lake City, in the Territory of Utah, and the Sierra Nevada Mountains, and because of the doubts as to the loyalty of the Mormons to the Government of the United States, the maintenance and protection of the mail and emigrant route through that section of the country and along the aforesaid line was regarded by the Government as a military necessity. Apparently in anticipation of no immediate danger of attack on the Pacific coast, nearly all the troops of the regular Army at this time had been withdrawn from service throughout this entire region of country and transferred to other fields of military operations. This left the entire coun-



try between Salt Lake City and the Sierra Nevada Mountains without adequate and efficient military protection. The Government thus having but few troops of its regular Army in that region, was therefore compelled to call upon the inhabitants of Nevada Territory to raise and organize volunteer military companies to suppress Indian disturbances which threatened the entire suspension of all mail facilities and emigration from the East, as will be hereafter shown.

At the time of the calls upon Nevada for troops the prices of labor and supplies of all descriptions in Nevada were extremely high. There were then no railroads, and the snow on the Sierra Nevada Mountains formed an almost impassable barrier against teams from about the 1st of December until about June. The average cost of freight from San Francisco, the main source of supply for western Nevada, was about \$80 a ton, and it was necessary to lay in supplies during the summer and fall for the remainder of the year. A great mining excitement prevailed at this time, occasioned by the marvelous development of the great Comstock lode, and wages were from \$4 to \$10 a day in gold. The people who had emigrated to the new gold and silver fields went there for the purpose of mining and prospecting for mines, and were generally reluctant to enter the irregular military service of guarding the overland mail and emigrant route. Besides, on account of the extraordinary high price of supplies of every description, and also of wages and services of every kind, it was impossible for them to maintain themselves and families without involving much more expense than any compensation which could be paid them as volunteer troops under the laws of the United States, and, as will be seen by the letters of General Wright, hereafter quoted, they were expected, as volunteer troops, to furnish themselves with horses and equipments, in addition to what could be furnished by the Government.

The military authorities of the United States well knew at that time the exact condition of the country and of the roads across the mountains leading thereto and of the cost of transportation and of the prices of labor and of supplies and of their own inability to furnish either horses or equipments for a military service that required mounted troops.

#### FIRST CALL BY THE UNITED STATES FOR NEVADA VOLUNTEERS.

In view of the necessities of the situation, and with all the facts fully known to the military authorities of the United States, General Wright, commanding the Department of the Pacific, was authorized by the War Department to raise volunteer military companies in Nevada Territory for the protection of said overland mail and emigrant route, and on April 2, 1863, he addressed the following requisition for troops to the governor of the Territory:

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., April 2, 1863.*

His Excellency O. CLEMENS,  
*Governor of Nevada Territory, Carson City, Nev.:*

SIR: I have been authorized by the War Department to raise volunteer companies in Nevada Territory for the purpose of moving east on the overland mail route in the direction of Great Salt Lake City. If it is possible to raise three or four companies in the Territory for this service I have to request your excellency may be pleased to have them organized. I should be glad to get two companies of cavalry and two of infantry. The mounted troops to furnish their own horses and equipments. Arms, ammunition, etc., will be furnished by the United States. Should your excellency consider it improbable that this volunteer force can be raised, even one company will be

accepted. I will send you a plan of organization, and an officer with the necessary instructions for mustering them into the service.

With great respect, I have the honor to be, your most obedient servant,  
G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Official copy.

J. C. KELTON,  
*Colonel, A. A. G.*

While correspondence was being conducted between the governor of Nevada and General Wright as to the method of organizing Nevada's troops, the following telegram was dispatched by General H. W. Halleck, general-in-chief of the U. S. Army, to General Wright:

HEADQUARTERS OF THE ARMY,  
*Washington, D. C., April 15, 1863.*

Brig. Gen. G. WRIGHT,  
*San Francisco, Cal.:*

The Secretary of War authorizes you to raise additional regiments in California and Nevada to re-enforce General Conner and protect overland route. Can not companies be raised in Nevada and pushed forward immediately? General Conner may be able to raise some companies in Utah or out of emigrant trains.

H. W. HALLECK,  
*General-in-Chief.*

Whereupon General Wright addressed the governor of Nevada Territory the following communication:

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., April 16, 1863.*

His Excellency ORION CLEMENS,  
*Governor of Nevada Territory, Carson City, Nev.:*

SIR: I have the honor to acknowledge the receipt of your excellency's communication of the 9th instant.

The Indian disturbances along the line of the overland mail route, east of Carson City, threaten the entire suspension of our mail facilities, as well as preventing any portion of the vast immigration approaching from the east reaching Nevada. The interest and prosperity of your Territory depend much upon maintaining free and safe access to it from all directions. My force immediately available for operation on that line is small. A company of cavalry stationed at Fort Churchill, and under orders to move towards Ruby Valley, I was compelled to divert for temporary service to assist in quelling an Indian outbreak in the Owen's Lake district. As soon as the services of this company can be dispensed with there, it will operate on the mail and emigrant line. Some infantry companies will also be thrown forward from this side of the mountains as soon as transportation can be prepared and the roads are in order. In the mean time it is of such importance to keep the mail and emigrant route east of you open, that I would earnestly recommend that one or two companies of cavalry be promptly organized and prepared for muster into the service of the United States. It is impossible for us at this moment to purchase horses and equipments. Each man would have to furnish his own.

I can furnish arms, ammunition, forage, clothing, provisions, etc.; in fact, everything except horses and equipments.

The organization of a company or troop of cavalry is: one captain; one first lieutenant, one second lieutenant, one first sergeant, one quartermaster-sergeant, one commissary sergeant, five sergeants, eight corporals, two teamsters, two farriers or blacksmiths, one saddler, one wagoner, and seventy-eight privates.

This is the first appeal that has been made to Nevada Territory, a Territory soon to add another star to that glorious galaxy which adorns our beautiful banner, and I doubt not this call will be nobly responded to by the loyal and patriotic citizens of the Territory.

With great respect, your excellency's most obedient servant,

G. WRIGHT,  
*Brigadier-General U. S. Army, Commanding.*

Official copy.

J. C. KELTON,  
*Colonel, A. A. G.*

## NEVADA'S RESPONSE TO THE FOREGOING CALL FOR TROOPS BY THE UNITED STATES.

Immediately upon the receipt of the foregoing requisition for troops the governor of Nevada issued the following proclamation:

## PROCLAMATION.

EXECUTIVE DEPARTMENT,  
Carson City, April 24, 1863.

Whereas Brigadier-General George Wright, United States Army, commanding officer of the Department of the Pacific, has, by authority of the War Department called upon me for two companies of infantry and two companies of cavalry to serve three years, or during the war:

Now, therefore, I, Orion Clemens, governor of the Territory of Nevada and commander-in-chief of the militia thereof, do hereby authorize and call upon the citizens of the Territory, as many as shall be necessary to fill up the preceding requisition, to immediately organize themselves into companies as required hereby.

In witness whereof I have hereunto set my hand and affixed the great seal of the Territory.

Done at Carson City, Territory of Nevada, this 24th day of April, in the year of our Lord one thousand eight hundred and sixty-three.

ORION CLEMENS,  
Secretary and Acting Governor.

In answer to these calls and requisitions of General Wright and said proclamation of the governor of Nevada four companies of cavalry were completely organized, two of which were sent to Camp Douglas, Utah Territory, for military service, and the remaining two were sent to station Fort Churchill, Nev.

## SECOND CALL AND REQUISITION OF THE UNITED STATES FOR NEVADA VOLUNTEERS.

Thereafter General Wright made a further requisition upon the governor of Nevada for two additional companies of cavalry and a regiment of infantry, as will appear from the following:

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, December 22, 1863.

SIR: The four companies of cavalry called for from the Territory of Nevada have completed their organization; two of the companies have reached Camp Douglas, Utah, and the remaining two are at Fort Churchill, Nev. On the representations of Governor Nye that additional troops can be raised in Nevada, I have, under the authority conferred upon me by the War Department, called upon the governor for a regiment of infantry and two more companies of cavalry.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brig. Gen., U. S. Army, Commanding.

ADJUTANT-GENERAL, U. S. ARMY,  
Washington, D. C.

## WHAT WAS DONE BY NEVADA UNDER THE SECOND CALL AND REQUISITION BY THE UNITED STATES FOR NEVADA VOLUNTEERS.

In response to General Wright's second requisition for troops made in the latter part of November, 1863, the governor of Nevada issued the following proclamation:

## PROCLAMATION.

Whereas a requisition having been made upon me by Brig. Gen. George Wright, U. S. Army, commanding the Department of the Pacific, for one regiment of volunteer infantry and two companies of cavalry, for service in the employ of the General Government of the United States;

Now, therefore, I, James W. Nye, governor of the Territory of Nevada and com-

mander-in-chief of the militia thereof, by virtue of the authority in me vested, do issue this my proclamation, calling upon the people of this Territory to forthwith proceed to organize a regiment of infantry, consisting of ten companies, and two companies of cavalry, in full compliance of said requisition.

All applicants for line officers will present themselves before the Army examining board for examination, and report to me with certificate of such examination as soon as practicable.

Given under my hand and seal at Carson, Nev., this 4th day of December, A. D. 1863.

JAMES W. NYE,  
*Governor of the Territory of Nevada.*

Attest:

ORION CLEMENS,  
*Secretary of the Territory.*

Under this last requisition of General Wright and last proclamation of the governor of Nevada two additional cavalry companies and the First Battalion Nevada Infantry Volunteers, composed of four companies, were raised and assigned to duty to such fields of military service in Utah and Nevada as were determined upon by General Wright, as will appear from the correspondence printed in the appendix, marked "Exhibit 3, pages 24 to 29.

It will thus be seen that the people of the Territory of Nevada responded promptly to and complied fully with the appeals of the United States Government for troops and in accordance with the requisitions and calls of the War Department. The action of the people of Nevada was reported to Mr. Seward, Secretary of State, by the governor of Nevada on March 25, 1864. He wrote to Mr. Seward the condition of affairs in the Territory, which letter was transmitted to the Senate by President Lincoln on April 29, 1864 (see Senate Ex. Doc. No. 41, 38th Cong., 1st sess.). In his report Governor Nye said:

We have raised in the Territory within the last two years one company of infantry, now attached to a California regiment, a battalion of cavalry, consisting of six companies, four of which are in the field; the remaining two will be there also as soon as they can be mounted. In addition we are raising a regiment of infantry, now in a good state of forwardness, and we can raise a brigade easily if necessary.

#### SOME OF THE DUTIES OF THE TROOPS CALLED TO AID THE UNITED STATES AT THIS TIME.

The first duty of these troops was to open and guard the overland mail and emigrant route from the Sierra Nevada Mountains to Utah. The campaign in which this was accomplished was under the command of General Conner. The volunteer troops under this gallant officer had already conducted a most successful campaign against the Indians of eastern Nevada, Utah, and Idaho, in the region where the Mormon influence was most potential, conquered many Indian tribes, and secured lasting peace.

The Secretary of War, in reporting to Congress the condition of things in that region of country, then under the military command of General Conner, said as follows, to wit:

#### DEPARTMENT OF THE PACIFIC.

This department has been most signally exempt from the evils of civil war, and consequently has enjoyed unexampled prosperity. Some thefts and robberies having been committed by roving bands of Indians on the overland stage route in January last, General Conner marched with a small force to Bear River, Idaho, where, on the 26th, he overtook and completely defeated them in a severe battle, in which he killed 224 of the 300 and captured 175 of their horses. His own loss in killed and wounded was 63 out of 200. Many of his men were severely injured by the frost. Since this severe punishment the Indians in that quarter have ceased to commit depredations on the whites. (Secretary of War's report, first session Thirty-eighth Congress.)

ADDITIONAL CAUSES THAT LED TO A THIRD CALL AND REQUISITION  
BY THE UNITED STATES FOR NEVADA VOLUNTEERS.

Congress having on July 1, 1862, chartered the Union Pacific Railroad Company, to which, and also to the Central Pacific Railroad Company, aid was given to build one continuous line of railroad from the Missouri River to the Pacific Ocean through this region of country, did, on July 2, 1864, still further foster these enterprises by additional grants. These two companies thereupon placed in the field numerous corps of surveyors, civil engineers, and employes to explore said country in the effort to discover the most practicable and economical railroad route from the Missouri River to the Pacific, and to run trial lines and definitely locate the lines of the two subdivisions of said railroad route. In regard to these roads the Secretary of War, in his annual report for 1864-'65, page 144, said:

It is, in a military sense, of the utmost importance that the Pacific Railroad should be pressed to the earliest possible completion.

The exploration and location for a Pacific railroad through that region of country then mostly uninhabited except by large tribes and roving bands of hostile Indians, called for additional military protection and rendered it necessary for the United States to again call upon Nevada to raise additional troops. Accordingly General McDowell, commanding the Department of the Pacific, made the following call on October 13, 1864, upon the Governor of Nevada Territory:

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*Virginia City, October 13, 1864.*

SIR: I have the honor to acquaint you that I have received authority from the War Department to call on you, from time to time, as the circumstances of the service may require, for not to exceed in all, at any one time, one regiment of volunteer infantry and one regiment of volunteer cavalry, to be mustered into service of the United States as other volunteer regiments, under existing laws and regulations.

Under this authority I have to request you will please raise, as soon as possible, enough companies of infantry to complete, with those already in service from Nevada, a full regiment of infantry.

Brigadier-General Wason will confer with you and give all the information necessary to details for this service.

I have the honor to be, governor, very respectfully, your most obedient servant,

IRWIN MCDOWELL,  
*Major-General, Commanding Department.*

His Excellency JAMES W. NYE,  
*Governor of Nevada Territory.*

WHAT WAS DONE BY NEVADA IN RESPONSE TO THIS CALL.

The governor of Nevada responded to this call by issuing the following proclamation:

PROCLAMATION.

TERRITORY OF NEVADA, EXECUTIVE DEPARTMENT,  
*Carson City, October 19, 1864.*

Whereas I have received a requisition from Maj. Gen. Irwin McDowell, commanding Department of the Pacific, the same having been made under authority from the War Department, to raise, as soon as possible, enough companies of infantry to complete, with those already in service from Nevada, a full regiment of infantry:

Now, therefore, I, James W. Nye, governor of the Territory of Nevada, and commander-in-chief of the militia thereof, do hereby call upon the citizens of this Territory to organize themselves into seven companies, sufficient to fill the battalion of infantry now in service from this Territory, and the requirements of said requisition.

In witness whereof I have hereunto set my hand and caused the great seal of the



Territory of Nevada to be affixed. Done at Carson City this 19th day of October, 1864.

JAMES W. NYE,  
Governor and Commander-in-Chief of the Territory of Nevada.

Attest:

ORION CLEMENS,  
Secretary of the Territory.

Afterward the Indians became troublesome between Utah and the Missouri River. During the years 1865-'66 the Nevada cavalry were actively engaged in Colorado, Wyoming, Kansas, and Nebraska in the Indian wars in that region. The writer of this report crossed the continent in the summer of 1865, and met several small detachments of Nevada cavalry in active service against the Indians, and was much gratified to learn that they were quite celebrated for their gallantry and faithful services in that kind of warfare, which subjects the soldier to the severest test of endurance, and requires individual exertion and watchfulness unknown in civilized war.

METHOD RECOGNIZED BY NEVADA FOR THE ENROLLMENT OF HER TROOPS CALLED INTO THE MILITARY SERVICE OF THE UNITED STATES AND HER MODE OF DEFRAYING THE EXPENSES OF SUCH ENROLLMENT FOR SUCH SERVICE.

The citizens of Nevada were never drafted, nor did they ever hire substitutes, but were organized into military companies by commanding officers, most of whom had undergone an examination for commission before military boards instituted for that purpose and satisfactory to the general of the United States Army commanding the military Department of the Pacific.

As a compensation to and a re-imbusement for all the costs by them for raising and organizing said volunteer military companies, and in lieu of all other kinds of expenses necessarily incident to enrolling and enlisting the members of said companies for the military service of the United States, the legislature of Nevada passed an act providing for the payment to the commanding officers of said companies of \$10 per capita for each volunteer soldier by them for said purposes enrolled and enlisted, aggregating the sum of \$11,840. This provision in said statute was improperly called a "bounty;" but this expenditure was not in any sense whatsoever a "bounty," but, on the contrary, it was an actual disbursement by Nevada to cover all the legitimate expenses of every kind incident to enrolling and enlisting Nevada's troops to perform military service for the United States.

The history of this expenditure and of this mode of enrollment of troops by the Territory of Nevada, and the economy and reasons therefor, are all fully set forth in a memorial to Congress signed by all the State officers of Nevada, which is printed in the appendix, marked Exhibit No. 4, page 29.

METHOD ADOPTED BY NEVADA TO PAY THE TROOPS CALLED INTO THE MILITARY SERVICE OF THE UNITED STATES BY THE TERRITORY OF NEVADA, AND THE EXTENT TO WHICH THE STATE OF NEVADA PLEDGED HER FAITH TO PAY THE OBLIGATIONS CONTRACTED BY THE TERRITORY OF NEVADA TO AID THE UNITED STATES.

This same act of the legislature of Nevada, among other things, provided that each citizen of Nevada so volunteering and enlisting as a private soldier for the military service of the United States, not being

drafted or acting as a substitute for another, should, during each and every month while honorably serving the United States, be paid out of the treasury of Nevada the sum of \$5 per month, gold coin. It further provided that, in the case of an enlisted married man, an allotment of the whole or a portion of the extra monthly pay could be drawn by his family dependent upon him for support (see Laws of Nevada Territory, 1864, page 81, or appendix, Exhibit No. 5, page 31).

On March 11, 1865, after Nevada became a State, an act similar to this Territorial act, but more liberal in its provisions, was passed, to take the place of the Territorial law. The State legislature having deemed the situation so important to maintain the good faith of the Territory, that had been pledged to aid the United States, it passed this act *over the veto of Governor Blasdel*, who alleged in his veto message his fear that the expense might exceed the constitutional limit, etc.

This act provided for the assumption and payment by the State of Nevada of all obligations of every kind that had been incurred and contracted to be paid by the Territory for the enlistments, enrollments, bounties, extra pay, etc., of volunteer soldiers that had been theretofore called into the military service of the United States. The bonds now outstanding and still due by Nevada, though at a smaller rate of interest than that named in the original issue and still drawing interest, were issued under the provisions of this latter act (see Statutes, Nevada, 1864-'65, page 389, or appendix, Exhibit No. 6, page 34).

#### RESULTS OF THE FOREGOING LEGISLATION BY NEVADA.

By these legislative enactments of Nevada substantial and effectual aid was given and guaranteed by Nevada, both as a Territory and State, to the Government of the United States in guarding its overland mail and emigrant route and the line of the proposed transcontinental railroad in furnishing troops during the war of the rebellion and for suppressing Indian hostilities and maintaining peace in the country inhabited by the Mormons, and for the general defense as contemplated in said circular letter of Secretary Seward along an exposed, difficult, and hostile Indian frontier, and then but sparsely populated. These enactments were fully known to the authorities of the United States and to Congress; they have ever been acquiesced in and met with the sanction and practical indorsement of the United States, in whose interest and for whose benefit they were made. As a partial compensation to these volunteers for this irregular, hazardous, and exposed service in the mountains and on the desert plains, and to aid them to a small extent to maintain families dependent upon them for support, first the Territory and afterwards the State of Nevada offered and paid this small stipend, never suspecting that the United States would not promptly and willingly respond when asked to re-imburse the same. These citizens of Nevada who volunteered and enlisted and did military service for the United States were compelled in many cases to abandon their employments, in which their wages were always lucrative and service continuous, so that nothing less than the individual patriotism of these volunteers enabled the Territory and State of Nevada to cheerfully and promptly respond to every call and requisition made upon them for troops by the United States.

The records of the War Department, in addition to what is already quoted and referred to in substantiation of the facts herein stated, are printed in the appendix, marked Exhibit No. 3, pages 24 to 29.

THE BASIS AND AUTHORITY OF NEVADA'S CLAIM AGAINST THE UNITED STATES AND THE PRECEDENTS IN SUPPORT THEREOF.

These enactments of Nevada both as a Territory and a State, and various acts done under them in and execution thereof, when complying according to her own methods with the various calls and requisitions of the United States for troops, have resulted in the expenditure of a large sum of money which constitutes the present claim of Nevada against the United States. The authority upon which this claim rests is found in the fourth section of the fourth article of the Constitution of the United States, which provides that—

The United States shall guaranty to every State in the Union a republican form of government, and shall protect each of them against invasion, and, on application of the legislature, or of the executive (when the legislature can not be convened), against domestic violence.

And upon the latter part of the tenth section of the first article of the Constitution; which is as follows:

No State shall, without the consent of Congress, lay any duty on tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded or in such imminent danger as will not admit of delay.

And also upon the act of July 28, 1795, chapter 36, section 1, page 424, now section No. 1642, U. S. Revised Statutes, which provides that—

Whenever the United States are invaded or are in imminent danger of invasion from any foreign nation or Indian tribe, or of rebellion against the authority of the Government of the United States, it shall be lawful for the President to call forth such number of the militia of the State or States most convenient to the place of danger or scene of action, as he may deem necessary to repel such invasion or to suppress such rebellion, and to issue his orders for that purpose to such officer of the militia as he may think proper.\*

In reference to the foregoing the courts have held that—

When a particular authority is confided to a public officer, to be exercised by him in his discretion, upon an examination of the facts of which he is made the appropriate judge, his decision upon the facts in the absence of any controlling provision, is absolutely conclusive as to the existence of those facts (*Allen vs. Blunt*, 3 Story, U. S. Circuit Court Reports, 745).\*

And again the supreme court of the State of New York (Hon. Chancellor Kent presiding as chief justice) held in the case of *Vanderheyden vs. Young*, 11 Johnson's New York Reports, 157, that—

It is a general and sound principle that when the law vests any person with a power to do an act, and constitutes him a judge of the evidence on which that act may be done, and at the same time contemplates that the act is to be carried into effect through the instrumentality of agents, the person thus clothed with power is invested with discretion and is *quoad hoc* a judge.

His mandates to his legal agents on his declaring the event to have happened will be a protection to those agents, and it is not their duty or business to investigate the facts thus referred to their superior, and to rejudge his determination.\*

The United States Supreme Court in *Martin vs. Mott*, 12 Wheaton, 19, unanimously held—

That the authority to decide upon what occasions and upon what emergencies Federal calls should be made and Federal assistance given, "belongs exclusively to the President, and that his decision is conclusive upon all other persons."\*

And Chief Justice Taney, in *Luther vs. Borden*, 7 Howard, referred approvingly to the opinion of the United States Supreme Court in *Martin vs. Mott*, as expressed in these words:

That whenever a statute gives a discretionary power to any person to be exercised by him upon his own opinion of certain facts, it is a sound rule of construction that the statute constitutes him the sole and exclusive judge of the existence of those facts.\*

\* NOTE.—The acts of heads of Departments of the Government are in law the acts of the President (*Wilcox vs. Jackson*, 13 Peters, 496).

The obligations arising under these provisions of the Constitution and laws and decisions have been recognized by the Government from its foundation, as will fully appear from the authorities cited by Senator Dolph in a report made by him from the Senate Committee on Claims on February 25, 1885 (Forty-eighth Congress, second session), Report No. 1438. These authorities are printed in the appendix, marked Exhibit No. 7, page 37 *et sequiter*.

#### NEVADA'S DILIGENCE IN THESE PREMISES.

The State of Nevada has not slept upon her rights in any of these premises nor been guilty of any *laches*; on the contrary, at all proper times she has respectfully brought the same to the attention of Congress by memorials of her legislature and of her State authorities, and through her representatives in Congress. On March 29, 1867, her legislature first asked for the payment of the claims of the State by a joint resolution, which is printed in the appendix, marked Exhibit No. 8, page 64. And again, on February 1, 1869, the legislature of Nevada passed a memorial and joint resolution renewing her prayer in these premises, which is also so printed in the appendix, marked Exhibit No. 9, page 65.

The Journals of the United States Senate show that on March 10, 1868, the writer of this report presented the first-mentioned memorial and resolution to the Senate, accompanied with an official statement of the amount of the claims of the State referred to therein. These papers were referred to the Committee on Claims, but the records fail to show that any action was ever taken upon them. On May 29 of the same year the writer of this report introduced a joint resolution (S. 138) providing for the appointment of a board of examiners to examine the claims of the State of Nevada against the United States, and on June 18 of the same year the Committee on Claims, to whom this joint resolution was referred, was discharged from its further consideration. The official statement of the moneys expended by the State of Nevada on account of the United States, and presented to the Senate on March 10, 1868, can not now be found on the files of the Senate.

On February 11, 1885, and January 26, 1887, the legislature of Nevada, renewing its prayer for a re-imbusement of the money by her expended for the use and benefit of the United States, further memorialized Congress, asking for the settlement of her claims, which are printed in the appendix and marked Exhibits Nos. 10 and 11, pages 65 and 66.

#### PROCEEDINGS IN CONGRESS TO REDEEM THE OBLIGATIONS OF THE UNITED STATES DUE TO NEVADA IN THIS CASE.

The circumstances under which these expenditures were made by the Territory and State of Nevada being exceptional, and their re-imbusement not being provided for by any existing law, general or special, Senator Fair, of Nevada, on December 13, 1881, introduced a joint resolution in the Senate providing for the equitable adjustment of these claims of Nevada now under consideration, which was referred to the Committee on Military Affairs. A copy of said resolution will be found in the appendix, marked Exhibit 12, page 67.

This committee, instead of reporting back this joint resolution, reported back a substitute in the form of a bill providing for the payment of the claims of several States and Territories, including the State of Nevada, and which bill finally resulted in the act of June 27, 1882. This bill was reported on May 12, 1882, by Hon. L. F. Grover, and

Nevada believed then and believes now that it was then the intention of Congress to equitably and explicitly provide for the re-imbursement to her of the amount of money which she had actually and in good faith expended in these premises. This bill was accompanied by a report in which the following statement is made in relation to the claims of the State of Nevada:

NEVADA.

It appears by the report of the Adjutant-General U. S. Army, of February 25, 1882, that one regiment of cavalry and one battalion of infantry were raised in the late Territory of Nevada during the late war of the rebellion, and that the expenses of raising, organizing, and placing in the field said forces were never paid by said Territory, but were assumed and paid by the State of Nevada, and that none of said expenses so incurred by said Territory, and assumed and paid by said State, have ever been re-imbursed the State of Nevada by the United States, and that no claims therefor have ever been heretofore presented by either said Territory or said State for audit and payment by the United States. Under section 3489 of the Revised Statutes, hereinbefore referred to, the payment of these claims is barred by limitation.

These forces were raised to guard the overland mail route and emigrant road to California, east of Carson City, and to do other military service in Nevada, and were called out by the governor of the late Territory of Nevada upon requisitions therefor by the commanding general of the Department of the Pacific, and under authority of the War Department, as appears by copies of official correspondence furnished to your committee by the Secretary of War and the general commanding the Division of the Pacific. \* \* \*

PRESENTATION BY NEVADA TO THE UNITED STATES OF HER CLAIM.

This bill reported from this committee having become a law in an amended form on June 27, 1882, thereupon the governor and controller of the State of Nevada transmitted to the Secretary of the Treasury and Secretary of War a detailed account of the moneys actually expended and actual indebtedness assumed and paid by the State of Nevada on account of the volunteer military forces enrolled by the Territory and State of Nevada, as shown by the books of the State controller.

This statement of the claim of Nevada against the United States was prepared with great care by the proper officers of the State of Nevada, being first submitted by them to the legislature thereof in printed form at the expense of the State, and thereafter transmitted, as above stated, with proper original vouchers and evidence of every kind then in her possession, to the authorities of the Government of the United States and as provided for in said act of June 27, 1882. This statement is printed in the appendix, marked Exhibit No. 13, page 67.

DELAY OF THE UNITED STATES IN THE EXAMINATION OF NEVADA'S CLAIM AND THE CAUSES THEREOF.

This claim, with said vouchers and evidence, was first presented to the Secretary of the Treasury in 1883, where, being properly stamped, it was duly transmitted to the Secretary of War for examination and action thereon. It remained of record in the War Department unacted on up to and after August 4, 1886, because, as was stated to Congress by Hon. Robert T. Lincoln, Secretary of War, he required the aid of a board of at least three army officers to assist his Department in such examination, and he requested Congress to make an appropriation of \$25,000 to defray expenses of the examination of the different State and Territorial claims presented under the act of June 27, 1882. Congress delayed action upon these requests of the Secretary of War until August 4, 1886, on which date acts were passed providing for said board of



army officers, as asked for, and also appropriated \$10,000 to defray the expenses of said examinations (see vol. 24, Stats. at Large, pages 217 and 249.)

SECRETARY LINCOLN'S CONSTRUCTION OF THIS ACT OF JUNE 27, 1882,  
FOR THE RELIEF OF NEVADA, ETC.

Prior to any action by the War Department on this claim of the State of Nevada, and prior to any action by Congress on the request of the Secretary of War for a board of Army officers to examine said claim, a bill was introduced in Congress by Senator Jones, of Nevada, and referred to the Secretary of War for report, providing for the payment of certain individual claims of citizens of Nevada on account of Indian hostilities in Nevada in 1860, upon which the Secretary of War reported as follows:

WAR DEPARTMENT,  
Washington City, January 26, 1884.

SIR: In response to so much of your communication of the 22d ultimo as requests information concerning Senate bill 657, "to authorize the Secretary of the Treasury to adjust and settle the expenses of Indian wars in Nevada," I have the honor to invite your attention to the following report of the Third Auditor of the Treasury, to whom your request was duly referred:

"The State of Nevada has filed in the office abstracts and vouchers for expenses incurred on account of raising volunteers for the United States to aid in suppressing the late rebellion amounting to \$349,697.49, and for expenses on account of her militia in the 'White Pine Indian war' of 1875, \$17,650.98. Also, expenses of her militia in the 'Elko Indian war' of 1878, amounting to \$4,654.64, presented under act of Congress approved June 27, 1882 (22 Statutes, 111, 112).

"These abstracts and vouchers will be sent to your Department for examination and report as soon as they can be stamped, as that statute requires a report from the Secretary of War as to the necessity and reasonableness of the expenses incurred. This statute is deemed sufficiently broad enough to embrace all proper claims of said State and Territory of Nevada."

Very respectfully, your obedient servant,

ROBERT T. LINCOLN,  
Secretary of War.

Hon. S. B. MAXEY,  
Of Committee on Military Affairs, United States Senate.

In accordance with this letter the Committee on Military Affairs reported back the bill referred to (S. 657), and asked that it be indefinitely postponed, and because of the explanation made by said committee, as follows, to wit:

It will be observed that it is deemed by the Department that the act approved June 27, 1882, is sufficiently broad to embrace all proper claims of Nevada, whether as State or Territory.

For convenience of reference the above act accompanies this report, and an examination thereof, and of the construction thereon, satisfies the committee that no additional legislation is necessary.

The State of Kansas presented her claim to Secretary Lincoln under this act, which claim was by him examined, audited, and allowed for almost exactly the sum that Kansas had actually expended for the use and benefit of the United States, and all of which allowance has since been paid to Kansas by the United States, and aggregating the sum of \$332,308.13 (23 U. S. Stats., 474).

AFTER OVER FOUR YEARS DELAY, SUBSEQUENT TO THE PASSAGE OF THE ACT OF JUNE 27, 1882, THE UNITED STATES TAKES UP NEVADA'S CLAIM FOR EXAMINATION, WHEN THE VERY FIRST QUESTION RAISED IS ONE OF JURISDICTION, AND WHICH IS DECIDED AGAINST NEVADA.

After the passage of said act of August 4, 1886, the War Department detailed a board of three Army officers under Special Orders No. 232,

dated October 6, 1886, to proceed to examine the claims arising under the act of June 27, 1882, and in the manner contemplated and as provided for in said acts. The claim of the State of Nevada was the first claim submitted to and examined by said board. This board being in doubt whether, under the terms of said act of June 27, 1882, they could allow a re-imbursement to Nevada of the amount by her expended for interest and extra pay to her troops while in the military service of the United States, referred these two questions to the Secretary of War for his decision. On February 8, 1887, after argument was submitted to him in support of these two elements of Nevada's claim against the United States, the Secretary of War decided "that after a careful consideration of the subject" he was "of opinion that neither the extra pay nor the interest can, under the provisions of the act, be allowed," meaning the act of June 27, 1882, and refused the same (see appendix, Exhibit No. 14, page 83).

TWO SEPARATE REPORTS (A MAJORITY AND MINORITY) MADE BY THE ARMY BOARD OF WAR CLAIMS EXAMINERS, THE MINORITY REPORT ALLOWING ONLY ABOUT 2½ PER CENT. OF THE AMOUNT ACTUALLY EXPENDED BY NEVADA, AND WHICH MINORITY REPORT IS APPROVED BY THE SECRETARY OF WAR.

It will be borne in mind that on January 26, 1884, Secretary Lincoln was of opinion that the act of June 27, 1882, was sufficiently broad to embrace all proper claims of the State of Nevada, and the Committee on Military Affairs, in consequence thereof, reported to the Senate that that committee was satisfied that no additional legislation was necessary in regard thereto, while Secretary Endicott, on February 8, 1887, decided that the claims for expenditure for interest and extra pay to said troops while in the service of the United States could not be allowed by him under said act, and further, by approving the award made by the minority examiner, and, as will hereinafter be more particularly referred to, also disallowed the amount expended by Nevada and by her paid as her costs for the enrollment of those very troops so called into the service of the United States.

The day following the decision of the Secretary of War, to wit, February 9, 1887, and contrary to a practice usual in similar cases, said board of Army officers, instead of submitting one report to the Secretary of War, submitted two separate and independent reports, one signed by the majority of said board and the other in the nature of a minority report. These two reports are submitted herewith, and printed in the Appendix, marked Exhibits Nos. 15, 16, and 17, pages 89 to 90.

The total of this particular claim of the State of Nevada so presented to said board amounted to \$349,697.49. The amount thereof that was allowed in said minority report was only \$8,559.61. This minority report was approved by the Secretary of War, thereby disallowing or suspending all of Nevada's claim except the paltry sum of about 2½ per cent. of the money actually expended by Nevada for troops called into the service of the United States and at the urgent solicitation of the Government of the United States in its hour of need, while this same board allowed nearly \$1,000,000 of the claim of Texas, to wit, \$927,242.30, being about 50 per cent. of the claim of that State of \$1,867,259.13, as presented for re-imbursement for the expenses of her Indian wars, which occurred since the rebellion, and prosecuted chiefly, if not solely, for the protection of the inhabitants of the State of Texas. It is worthy of remark that no minority report was submitted in the case of Texas.

It will be observed by a perusal of the reports of the board of war claims examiners that the great mass of this claim of the State of Nevada for re-imbursement for moneys, expended under very extraordinary circumstances, was rejected by the board of examiners on either purely technical grounds or for an alleged want of jurisdiction to make an award under what has since been admitted and found to be the most restrictive act that was ever drawn since 1789 intended as an "act of relief."

*Only \$8,559.61 was finally awarded to Nevada by the Secretary of War.*

The want of specific information on the part of the officer making the minority report which reduced the amount of the claim to the sum named may be shown in part by the mistakes made in reference to the statutes of Nevada, which are in several public libraries here, and could have been easily examined. For example, he seems to have inferred that the act of the Nevada legislature of March 4, 1865, was the first act of the Territory providing for the organization of its militia, whereas, as we have already shown, there was an elaborate act for that purpose passed by the Territorial legislature as early as November 28, 1861, and apparently on the assumption that there was no law creating the office of adjutant-general prior to 1865, and upon the fact that no evidence was furnished that Nevada previous to April 2, 1863, had soldiers, that therefore the salary of that officer ought not to commence prior to the time when the volunteers were actually called for service into the Army. But it will be observed that he was mistaken as to the time the law was passed creating the office of adjutant-general. The second section of the act of November 28, 1861, provides that—

The adjutant-general shall be appointed by the commander-in-chief, and shall hold his office for the term of two years. He shall be *ex officio* chief of staff, quartermaster-general, commissary-general, inspector-general, and chief of ordnance. He shall receive a salary of \$1,000 annually, to be paid out of moneys appropriated for that purpose. He shall reside at the seat of government, and shall keep his office open for the transaction of business every day (Sundays excepted) from 10 o'clock a. m. to 3 o'clock p. m.

The minority examiner is again mistaken if he assumed that the secretary of state of Nevada became *ex officio* adjutant-general on March 3, 1866. It is true that an act devolving the duties of adjutant-general upon the secretary of state was passed on that date, but the second section of said act provides that—

This act shall take effect and be in force from and after the first day of January, 1867 (Stats. Nev., 1866, p. 206).

Thus it appears that the secretary of state did not in fact or in law become *ex officio* adjutant-general until January 1, 1867. The original section of the militia law of 1861 in regard to the office of adjutant-general was afterward amended, changing the length of time that officer was to hold office and increasing his salary to \$2,000 per annum, but the abolishment of the office did not take effect until January, 1867.

PROBABLY CONFOUNDING THE ACT OF JUNE 27, 1882, WITH THE ACT OF JULY 27, 1861.

The minority examiner in terminating the salary of adjutant-general on August 20, 1866, undoubtedly had in mind the act of July 27, 1861, and not the act of June 27, 1882, under which last act alone said board was authorized to make an examination and award; otherwise he would not have limited the salary to August 20, 1866, the end of the war of the rebellion, as heretofore officially declared, but would have certainly al-

lowed Nevada a re-imbursement for the money actually paid by her as salary to that officer until his services terminated, and the Indian wars on the plains were actually suppressed and the office of adjutant-general abolished, which was done on December 31, 1866, since which time either the secretary of state or lieutenant-governor has acted as *ex officio* adjutant-general.

Attention is called to these discrepancies simply to show that the minority examiner apparently fell into error, unintentionally, of course, in his examination of the statutes of Nevada, or failed to consider all the circumstances under which this claim of the State arose. The majority of the board who made the same award and allowance as the minority, with the exception of \$1,233.50 for salary of adjutant-general prior to the time when the troops were mustered in the service, made a very thorough examination of all the vouchers showing each item of expenditure made by the State, and this examination may be assumed as correct and as establishing the fact that the State expended all the moneys for which this claim is made, leaving the question as to the liability of the Government to re-imburse the State to the discretion of Congress. There is but one item stated in the account by the board of examiners which appears to have been charged by mistake. It was undoubtedly paid by the State, but if the board are correct, it was such a palpable mistake of the State officers that the State ought to lose it. It was a double charge for rent, amounting to \$38.33. This amount, together with the \$8,559.61 allowed by the minority of the board of examiners, and already paid to the State, making a total of \$8,597.94, should be deducted from the claim now presented by the State. The State, however, should have the benefit of the fact that no other error in the accounts was discovered. All the other disallowed claims were rejected, not because the State did not pay the money, but because the board of examiners thought they were not authorized to allow the same under the act of June 27, 1882. We print in the appendix, Exhibit No. 17, page 92, the table accompanying report of the majority of the board of war claims examiners showing the amounts allowed and disallowed, together with the reasons therefor.

The question is now presented in this case whether it is the duty of the Government to re-imburse the State for moneys honestly expended, at the request of the United States, under circumstances which rendered it impossible for the Territory and State of Nevada to comply with such request without making the expenditures in question. It must be conceded that if the State or Territory made larger expenditures than would have been required to secure like services in any other section of the country, the services secured by these expenditures at the time, place, and under the circumstances were a necessity and could not have been furnished by the State on more favorable terms, and it seems that the State and Territory did not make any expenditure that appeared at the time unnecessary.

WHAT NEVADA THOUGHT WAS INTENDED BY CONGRESS TO BE AN ACT FOR HER RELIEF AND BENEFIT IS NOW FOUND TO BE AN ACT "SO WELL AND CAREFULLY AND CLOSELY GUARDED" BY RESTRICTIONS THAT WHEN CONSTRUED BY THOSE CALLED UPON TO EXECUTE IT, IS FOUND TO BE INOPERATIVE AS A RELIEF MEASURE, AND A PRACTICAL DENIAL OF JUSTICE.

We fully concur with the officer who made the minority report, that "the restrictions imposed in the second section of the act of June 27,

1882, have been complied with as far as was possible," whatever question there may be as to his complying with the provisions of the act itself. The argument that the Government might have bought supplies cheaper under its contract system than were furnished in Nevada is one which your committee are unwilling to urge under the circumstances. The Government was not situated so as to obtain troops or supplies by contract or otherwise, but was compelled to call upon the Territory to furnish both troops and supplies. All prices of all supplies, and also of all services, at that time in Nevada were on a gold basis, and coin was the only circulating medium. The roads over the mountains were blocked by snow and no considerable amount of supplies could be transported over them. The supplies in the Territory had been carried there during the previous summer for the use of the inhabitants, and the troops had to be furnished from the limited stock of individuals found in the Territory, and at a moment's notice. The Government could not wait to advertise. The overland mail route was closed and immediate action was required. The cheapest, most effective, and in fact the only immediate relief that could be had was furnished by the militia and volunteer troops of Nevada, who, leaving their workshops and employments of every character, and the high wages for their services, were organized and marched immediately in the direction of Salt Lake City to open the mail and emigrant route. They subsequently joined General Conner's forces from California, subdued the Indians, fortified Camp Douglas, overlooking Salt Lake City, and were in the field, subject to call, to go wherever ordered or needed.

PAYMENT BY THE UNITED STATES OF ABOUT 2½ PER CENT. OF THIS CLAIM ON ACCOUNT IS NOT A VALID BASIS FOR THE UNITED STATES TO REPUDIATE THE BALANCE THEREOF, OR TO REFUSE TO PAY THE SAME, AND SHOULD NOT, IN GOOD CONSCIENCE, BE EVER PLEADED BY AN HONEST DEBTOR, FOR WHOSE RELIEF AND AT WHOSE URGENT SOLICITATION SUCH DEBT WAS INCURRED.

The fact that a small fraction only of this claim has been allowed and paid on account, to wit, about 2½ per cent., and the great bulk thereof rejected for want of jurisdiction only, is no valid objection to an authorization by Congress for the payment of what is honestly due the State of Nevada, and for this there are numerous precedents, some of which are cited in the appendix in Exhibit No. 18, pages 96 to 98.

"INTEREST" PAID IN THIS CASE BY NEVADA IS IN REALITY, IN JUSTICE, IN REASON, AND IN LAW A PROPER PART OF THE DEBT DUE NEVADA BY THE UNITED STATES, THE PAYMENT OF WHICH, TOGETHER WITH THAT OF THE PRINCIPAL IS NECESSARY TO A COMPLETE INDEMNITY.

The embarrassments under which Nevada paid the principal of the money involved in this claim is shown by the enormous rates of interest which the Territory and State were compelled to pay in order to raise money to fully comply with these calls and requisitions made for troops and as hereinbefore recited. The rates of interest which were actually paid by Nevada are shown by the official statement of her controller and as furnished to the Secretary of the Treasury and the Secretary of War, as before stated, as follows:



**ABSTRACT G.**—*Showing the amount actually paid by the State of Nevada and as successor to the Territory of Nevada on account of interest money on disbursements and liabilities for Nevada volunteers in the service of the United States, and employed in the defense of the United States during the war of the rebellion.*

	Amount.
<i>First</i> —Interest paid on \$46,950.12 from February 10, 1865, to March 3, 1866, at 2 per cent. per month .....	\$11,924.33
[See acts legislature of Nevada for 1864-'65, page 82, act January 4, 1865.]	
<i>Second</i> —Interest paid on \$46,950.12 from March 3, 1866, to May 30, 1867, at 15 per cent. per annum .....	8,744.46
[See acts legislature of Nevada for 1866, page 47, act January 19, 1866.]	
<i>Third</i> —Interest paid on \$119,800.12 from May 30, 1867, to March 28, 1872, at 15 per cent. per annum .....	86,755.25
[See acts legislature of Nevada for 1867, pages 50 and 65, act February 6, 1867.]	
<i>Fourth</i> —Interest paid on \$119,800.12 from March 28, 1872, to January 1, 1883, at 9½ per cent. per annum .....	122,472.33
[See acts legislature of Nevada for 1871, page 84, act February 27, 1871.]	
	229,897.37

Your committee, however, deem it unwise to establish a precedent under any circumstances, however extraordinary, and they admit that the recitals in support of this claim render it one extraordinary in character, of refunding interest to the full extent as paid by the Territory and State of Nevada, and as shown by the foregoing statement. The legal rate of interest of the Territory and State of Nevada was, at all the times herein stated, 10 per cent. per annum where no different rate was fixed by contract.

Your committee therefore do not feel warranted in recommending re-imbursing the State of Nevada for a higher rate of interest than the legal rate fixed by her own statutes during the period of time in which these disbursements were made, and including the period up to the date of the re-imbusement of the principal by the United States, and for that reason they have incorporated in this bill, herewith reported, a provision that the aggregate of interest accruing to Nevada between the date of the expenditure by her of the principal and of the date of the re-imbusement of such principal by the United States shall not exceed the actual amount of interest paid by the State and Territory, nor the amount of interest which would accrue to her on said principal if interest thereon were calculated during said period at the legal rate as established by the statutes of the Territory and State of Nevada. In support of the proposition that interest and principal are simply but two elements of one and the same unit and constituting a complete indemnity, your committee cite Senate Report 1069, made by Senator Spooner during the first session of the Forty-ninth Congress from the Committee on Claims (see appendix, Exhibit No. 19, pages 98 to 109.)

**PRECEDENTS FOR THE PAYMENT TO STATES OF INTEREST ON THE PRINCIPAL BY THEM EXPENDED FOR THE USE AND BENEFIT OF THE UNITED STATES UNDER SIMILAR CIRCUMSTANCES.**

The United States has in all cases, where the question has been properly presented, re-imbursed States for interest paid by such States on moneys by them borrowed and expended for the purpose of either enrolling, subsisting, clothing, supplying, arming, equipping, paying, furnishing, or transporting volunteer and militia forces called into the service of the United States. If it be suggested that the bill under consideration providing for the payment of both principal and interest is against precedent, we answer that, in the opinion of your committee, it is the better

practice to deal with a case in its entirety in a single act, and your committee state that there are abundant precedents for this practice, some of which your committee cite in the appendix, Exhibit 20 on page 109.

We call particular attention to the precedents collected in the appendix, authorizing the payment of claims of States for interest on moneys by them expended for the use and benefit of the United States (see appendix, Exhibits Nos. 18, 19, 20, and 21, pages 96 to 149).

In addition to the authorities cited in the appendix in support of Nevada's claim for interest, your committee also refer to the case before the Second Comptroller of the Treasury in 1869, in which that officer made the following decision:

Interest can in no case be allowed by the accounting officer upon claims against the Government either in favor of a State or an individual. But in cases where the claimant has been compelled to pay interest for the benefit of the Government, it then becomes a part of the principal of his claim, and as such is allowable. Such is the case of a State which has been obliged to raise money upon interest for the suppression of hostilities against which the United States should protect her. In such cases the amount of interest actually and necessarily paid will be allowed, without reference to the rate of it (section 997, Dec. 2, Comp. Ed. 1869, p. 137).

This ruling is in harmony with a long line of precedents established by Congress, beginning in 1812, and printed in the appendix hereto attached and marked Exhibit Nos. 18 to 21, inclusive, pages 96 to 145.

In addition to the foregoing, your committee cite in support of Nevada's claim for interest the following, to wit:

1. Forty-eighth Congress, first session, House Report No. 1670, from Committee on Judiciary (see appendix, Exhibit 21, page 112).
2. Forty-eighth Congress, second session, House Report No. 1102, from Committee on War Claims (published in Exhibit No. 14, page 86).
3. Forty-ninth Congress, first session, Senate Report No. 183, from the Committee on Military Affairs (see appendix, Exhibit 21, page 135).
4. Forty-ninth Congress, first session, Senate Report No. 2, from the Committee on Claims (published in Exhibit No. 14, page 85).
5. Forty-ninth Congress, first session, House Report No. 303, from Committee on Claims (see appendix, Exhibit 21, page 119).
6. Forty-ninth Congress, first session, House Report No. 3126, from Committee on Claims (see appendix, Exhibit 21, page 120).
7. Fiftieth Congress, first session, Senate Report No. 518, from the Committee on Military Affairs (see appendix, Exhibit 21, page 138).
8. Fiftieth Congress, first session, House Report No. 309, from the Committee on War Claims (see appendix, Exhibit 21, page 137).
9. Fiftieth Congress, first session, House Report No. 1179, from the Committee on Claims (see appendix, Exhibit 21, page 145).
10. Fiftieth Congress, first session, House Report No. 2198, from the Committee on War Claims (see appendix, Exhibit 21, page 144).

The precedents cited or referred to in the appendix herewith abundantly establish the fact that the United States has paid the claims of States incurred under circumstances such as those in which Nevada ex-

pended her money for the benefit of the United States, and that in all cases properly presented to Congress, where the States were compelled to borrow money and pay interest thereon and expended the same for the use and benefit of the United States, that either at the time of providing payment for the principal or subsequently the United States has invariably assumed and paid such interest.

As before stated, the claim of the State of Nevada, provided for in this bill, has been thoroughly examined by a board of Army officers appointed for that purpose. The evidence upon which this claim was founded was submitted to said board, and the evidences of payment found by them to be correct; but said board of war-claims examiners, while finding these facts, did not, under the very restrictive and prohibitory provisions and conditions of the acts of June 27, 1882, and August 4, 1886, recommend an award to Nevada of the amount of money which they found that Nevada had actually expended for the use and benefit of the United States and in the manner as set forth in the claim as presented by Nevada for the examination of and allowance by the Treasury and War Departments; and under the terms of these acts, as construed and declared by the Secretary of War, the proper accounting officers of the Treasury could not allow Nevada any sum, either as principal or interest, not allowed by the War Department as assisted by said Army board of war-claims examiners.

**COST OF TRANSPORTATION OF ARMY SUPPLIES FROM FORT LEAVENWORTH WESTWARD IN 1864-'66.**

It is evident that the supplies and services furnished could not at the times and places have been obtained on more reasonable terms. And in support of this statement your committee refer to the report of the Secretary of War made during that period, and in reference to a region of country much more favorably situated than was even Nevada at that time, to wit:

The troops operating on the great western plains and in the mountain regions of New Mexico, Colorado, Utah, and Idaho are supplied principally by the trains of the Quartermaster's Department from depots established on the great routes of overland travel, to which depots supplies are conveyed by contract.

Travelers by the stage from Denver to Fort Leavenworth, a distance of 683 miles, in the month of July, 1865, were never out of sight of wagons trains belonging either to emigrants or to the merchants who transport supplies for the War Department, for the Indian Department, and for the miners and settlers of the central Territories.

The cost of transportation of a pound of corn, hay, clothing, subsistence, lumber, or any other necessary from Fort Leavenworth—

To Fort Riley is.....	\$0. 0244
To Fort Union, the depot for New Mexico .....	. 1425
To Santa Fé, N. Mex.....	. 1685
To Fort Kearny.....	. 0644
To Fort Laramie.....	. 1410
To Denver City, Colo.....	. 1542
To Salt Lake City, Utah.....	. 2784

The cost of a bushel of corn purchased at Fort Leavenworth and delivered at each of these points was as follows:

Fort Riley.....	\$2. 79
Fort Union .....	9. 44
Santa Fé .....	10. 84
Fort Kearny.....	5. 03
Fort Laramie .....	9. 26
Denver City .....	10. 05
Great Salt Lake City.....	17. 00

(Secretary of War's report, 1865-'66, part 1, pages 23 and 112; also see General Halleck to Adjutant-General, and General McDowell to Adjutant-General U. S. Army, report of Secretary of War, October 18, 1866, pages 31 and 32.)

This table is cited to show the costs of maintaining troops in that section of the country, and also to show the comparative costs of furnishing troops and supplies in Nevada and the points immediately east thereof during the periods of time involved herein.

The details concerning the peculiar and difficult and expensive service on the plains and mountains by the troops doing military service, similar in all respects to those performed by these Nevada volunteers, are fully set forth in the report of the Secretary of War respecting the protection of the overland mail and emigrant route to the Pacific from the molestations and depredations by hostile Indians, and set forth in Ex. Docs. Nos. 9 to 24, second session Thirty-ninth Congress, 1866-'67.

#### CONCLUSIONS AND RECOMMENDATIONS.

Nevada has not demanded a bounty, nor presented a claim against the United States for re-imbusement of any expenditure she did not in good faith actually make for the use and benefit of the United States, and made, too, only subsequent to the date of the aforesaid appeal of Secretary Seward to the nation, and made, too, in consequence of said appeal and of the subsequent calls and requisitions made upon her then scanty resources and sparse population, and wherein the good faith of the United States was to be relied upon to make to her ungrudgingly a just re-imbusement whenever the United States found itself in a condition to redeem all its obligations.

Nevada has been diligent in making her claim known to Congress, but she has not with an indecorous speed demanded her pound of flesh, but has waited long and patiently, believing upon the principle that the higher obligations between States, like those among men, are not always "set down in writing, signed and sealed in the form of a bond, but reside rather in honor," and that the obligation of the United States due her in this case was as sacred as if it had originally been in the form of a 4 per cent. United States bond, now being redeemed by the United States at \$1.27 upon each \$1 of this particular form of its unpaid obligations.

Nevada has not solicited any charity in this case, but, on the contrary, by numerous petitions and memorials she has respectfully represented to Congress why the taxes heretofore levied upon her people and paid out of her own treasury to her volunteer troops in gold and silver coin to aid the United States at its own solicitation to protect itself and maintain the general welfare should be now returned to her by the General Government.

Congress should not forget that during the long period of the nation's peril the citizens of Nevada, like those of California (when not engaged in the military or naval service of the United States) not only guarded the principal gold and silver mines of the country then discovered, and prevented them from falling into the hands of the public enemy, but also worked them so profitably for the general welfare as to enable the United States to make it possible to resume specie payment, and to redeem its bonds at 27 per cent. above par, and to repay all its money-lenders at a high rate of interest, and that, too, not in the depreciated currency with which it paid Nevada's volunteer troops, but in gold coin of standard value.

As these expenditures were honestly made by the Territory and State of Nevada, your committee do not think that, under all the peculiar and exceptional circumstances of this case, the action of the Territory and State of Nevada should be hewn too nicely or too hypercritically by the United States at this late date. These expenditures were

all made in perfect good faith and for patriotic purposes, and secured effectual aid to the United States which otherwise could not have been obtained without a much larger expenditure. The State of Nevada in good faith assumed and paid all the obligations of the Territory of Nevada to aid the United States, and issued and sold its own bonds for their payment, upon which bonds it has paid interest until the present time. The only question now for consideration is, shall the United States in equal good faith and under all the circumstances herein recited relieve the State of Nevada from this obligation, or shall the United States insist and require it to be paid by the people of that State alone?

The majority of the committee therefore recommend the passage of the bill herewith reported.



# APPENDIX.

## EXHIBIT No. 1.

CIRCULAR LETTER OF WILLIAM H. SEWARD, SECRETARY OF STATE,  
ADDRESSED TO AND CALLING ON ALL THE LOYAL STATES AND TER-  
RITORIES TO AID IN SUPPRESSING REBELLION.

DEPARTMENT OF STATE,  
Washington, October 14, 1861.

His Excellency \_\_\_\_\_,  
Governor of the State of \_\_\_\_\_:

SIR: The present insurrection had not even revealed itself in arms when disloyal citizens hastened to foreign countries to invoke their intervention for the overthrow of the Government and the destruction of the Federal Union. These agents are known to have made their appeals to some of the more important states without success. It is not likely, however, that they will remain content with such refusals. Indeed, it is understood that they are industriously endeavoring to accomplish their disloyal purposes by degrees and by indirection. Taking advantage of the embarrassments of agriculture, manufacture, and commerce in foreign countries, resulting from the insurrection they have inaugurated at home, they seek to involve our common country in controversies with states with which every public interest and every interest of mankind require that it shall remain in relations of peace, amity, and friendship. I am able to state, for your satisfaction, that the prospect of any such disturbance is now less serious than it has been at any previous period during the course of the insurrection.

It is nevertheless necessary now, as it has hitherto been, to take every precaution that is possible to avert the evils of foreign war to be superinduced upon those of civil commotion, which we are endeavoring to cure. One of the most obvious of such precautions is that our ports and harbors on the seas and lakes should be put in a condition of complete defense, for any nation may be said to voluntarily incur danger in tempestuous seasons when it fails to show that it has sheltered itself on every side from which the storm might possibly come.

The measures which the Executive can adopt in this emergency are such only as Congress has sanctioned and for which it has provided. The President is putting forth the most diligent efforts to execute these measures, and we have the great satisfaction of seeing that these efforts, seconded by the favor, aid, and support of a loyal, patriotic, and self-sacrificing people, are rapidly bringing the military and naval forces of the United States into the highest state of efficiency.

But Congress was chiefly absorbed during its recent extra session with these measures and did not provide as amply as could be wished for the fortification of our sea and lake coasts.

In previous wars, loyal States have applied themselves by independent and separate activity to support and aid the Federal Government in its arduous responsibilities. The same disposition has been manifested in a degree eminently honorable by all the loyal States during the present insurrection.

In view of this fact, and relying upon the increase and continuance of the same disposition on the part of the loyal States, the President has directed me to invite your consideration to the subject of the improvement and perfection of the defenses of the State over which you preside, and to ask you to submit the subject to the consideration of the legislature, when it shall have assembled.

Such proceedings by the State would require only a temporary use of its means. The expenditures ought to be made the subject of conference with the Federal authorities.

Being thus made, with the concurrence of the Government for general defense, there is every reason to believe that Congress would sanction what the State should do, and would provide for its re-imbusement. Should these suggestions be accepted, the President will direct proper agents of the Federal Government to confer with you and to superintend, direct, and conduct the prosecution of the system of defense of your State.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

## EXHIBIT No. 2.

RESOLUTIONS OF THE LEGISLATIVE ASSEMBLY OF NEVADA TERRITORY  
PLEDGING FULL SUPPORT TO THE GOVERNMENT IN THE UNION  
CAUSE.

*Be it resolved by the governor and legislative assembly of the Territory of Nevada, as follows:* That whereas the peace and harmony of our beloved Union, after years of prosperity unprecedented in the annals of national history, have been suddenly disturbed, and revolutionary theories destructive of all constitutional liberty, heretofore unthought of, are now unblushingly announced and advocated; and whereas the first legislative assembly ever convened within this Territory, which owes so much to the fostering care of our maternal Government, is now in session; Therefore,

*Resolved,* That the legislative assembly fully concur in the just and patriotic sentiments so eloquently expressed by the governor in his message, and that we earnestly sympathize with and cordially and heartily approve the national administration in its efforts to maintain the integrity of the Government and the perpetuity of the Union.

*Resolved,* That we deem a full, fair, and candid expression of our sentiments as not only highly proper, but also demanded by the exigencies of the times.

*Resolved,* That the people of the United States owe paramount allegiance to the national, and a subordinate allegiance to their State governments.

*Resolved,* That the present efforts of traitors and rebels to demolish the Government and to sever the union of the States is a lamentable illustration of the fruits of reckless ambition and the insane folly that would carry us back to barbarism for the sake of retaining in rebel hands the spoils of office and the brief prerogatives of power.

*Resolved,* That the doctrine that a majority should rule is the only one upon which a revolution can be avoided after the recurrence of each election, and that it is safer to trust to the intelligence of an educated community of voters than to force of arms.

*Resolved,* That this Government was formed for the purpose of a more perfect union, and declared to be so formed by the people of the United States, and, therefore, that the doctrine that a State may secede from the same is not only vitally at war with the principles upon which it was founded, but also a dangerous heresy.

*Resolved,* That the formidable rebellion which now seeks to destroy the best political system on earth has no terrors for the loyal and true citizen; that the Government whose infancy has been nursed in the tempest and rocked by the whirlwinds of national strife, and whose young vigor and mature strength has thus far been more than a match for its enemies at home and abroad, is not destined to expire ingloriously at the hands of rebels and traitors.

*Resolved,* That the readiness with which the people have everywhere responded to the call of the Government, and the alacrity with which men and money have been furnished for the impending struggle, give cheering promise of future victory and final triumph.

*Resolved,* That the Territory of Nevada sends greeting to her sister Territories and the whole family of States, and pledges the strength of her mountains, the wealth of her mines, the unswerving loyalty of the popular heart, and the intense energy of her people to the service of our common country in its present hour of trial.

*Resolved,* That our Delegate to Congress, Hon. John Cradlebaugh, is hereby requested to present the foregoing resolutions to the President, and that he have full authority at all times to pledge Nevada Territory for her full share in the existing struggle for the perpetuity of the Union and the integrity of the Government.

(Adopted November 25, 1861. See Laws Nevada Territory, 1861, p. 616.)

## EXHIBIT No. 3.

MISCELLANEOUS CORRESPONDENCE AS TO MILITARY OPERATIONS IN  
NEVADA.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., May 4, 1863.

His Excellency O. CLEMENS,  
Governor of Nevada Territory, Carson City, Nev.:

SIR: The examination of David McGowan, E. B. Zabriskie, John H. Dalton, Almond B. Wells, and William H. Dodds, before the board instituted for that purpose, is satisfactory to the general commanding the department.

The general desires you to report by telegraph as soon as the companies are in readiness to be mustered in, when an officer will be sent to Fort Churchill for that purpose. Inclosed you will receive the order prescribing the organization of cavalry and infantry, which you will see differs from that stated in your proclamation.

Very respectfully, your obedient servant,

R. C. DRUM,  
*Assistant Adjutant-General.*

Official copy:

J. C. KELTON,  
*Colonel, Assistant Adjutant-General.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., May 15, 1863.*

GOVERNOR OF NEVADA TERRITORY,

(Through Commanding Officer Fort Churchill, Nev.):

SIR: The examination of Noyes Baldwin and Joseph A. Mathewson for commission in Nevada Territory contingent, is satisfactory to the general commanding.

Very respectfully, your obedient servant,

R. C. DRUM,  
*Assistant Adjutant-General.*

Official copy:

J. C. KELTON,  
*Colonel, Assistant Adjutant-General.*

---

WAR DEPARTMENT,  
*Washington City, March 11, 1862.*

SIR; I have the honor to acknowledge the receipt of your letter of the 16th of January last, inclosing S. R. 13, Forty-seventh Congress, first session, a "joint resolution to authorize the Secretary of War to ascertain and report to Congress the amount of money expended and indebtedness assumed by the State of Nevada in repelling invasions, suppressing insurrection and Indian hostilities, enforcing the laws, and protecting the public property," and requesting full information concerning the matters mentioned in said resolution.

In reply, I beg to invite your attention to the inclosed report on the subject, dated the 25th ultimo, from the Adjutant-General, and accompanying copies of all correspondence of record in this Department relating to matters referred to in the resolution.

Very respectfully, your obedient servant,

ROBERT T. LINCOLN,  
*Secretary of War.*

Hon. L. F. GROVER,  
*Subcommittee of the Committee on Military Affairs,  
United States Senate.*

---

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
*Washington, D. C., February 25, 1862.*

SIR: I have the honor to return herewith a letter of the Hon. L. F. Grover, of Senate Committee on Military Affairs, of the 16th ultimo, inclosing a copy of a joint resolution (S. R. 13, Forty-seventh Congress, first session) "to authorize the Secretary of War to ascertain and report to Congress the amount of money expended and indebtedness assumed by the State of Nevada in repelling invasions, suppressing insurrection and Indian hostilities, enforcing the laws, and protecting the public property," and to report the following concerning the matters referred to in the resolution:

It appears from the records of this office that one regiment of cavalry and one battalion of infantry were raised in the Territory of Nevada, under authority granted by the Secretary of War in the early part of 1863.

The following statement shows the dates of musters in and out and the strength of the companies of the organizations referred to:

*First Regiment Nevada Cavalry Volunteers, composed of six companies.*

Company.	When mustered in.	Strength.		When mustered out.
		Commissioned.	Enlisted.	
A .....	August 9, 1863 .....	2	82	July 12, 1865.
B .....	June 22, 1863 .....	3	82	July 12, 1865.
C .....	December 24, 1863 .....	2	61	July 12, 1865.
D .....	September 25, 1863 .....	3	84	Nov. 18, 1865.
E .....	April 7, 1864 .....	3	83	Nov. 18, 1865.
F .....	April 4, 1864 .....	3	79	July 21, 1865.
	Field and staff .....	4	3	
	Recruits enlisted subsequent to muster-in of companies .....		307	

*First Battalion Nevada Infantry Volunteers, composed of four companies.*

Company.	When mustered in.	Strength.		When mustered out.
		Commissioned.	Enlisted.	
A .....	June 30, 1864 .....	3	86	Dec. 22, 1865
B .....	do .....	3	91	Dec. 15, 1865
C .....	do .....	3	89	Dec. 23, 1865
D * .....	Recruits enlisted subsequent to muster-in of companies .....		100	

\* Company D was not organized; the men recruited for it were transferred to the other three companies in July or August, 1865.

The Territory of Nevada is credited on the records of the late Provost-Marshal-General's office with having furnished 1,180 three years' volunteers during the late war.

The records of this office fail to show that any troops, volunteer or militia, other than the cavalry regiment and infantry battalion before referred to, were raised in either the Territory or State of Nevada during the late war of the rebellion or since, or that any Nevada troops excepting those named performed military service of any kind for the United States in said Territory or State.

Neither does it appear that any payment has been made by the United States to the Territory or State of Nevada, nor that any demand for such payment has been made on account of money expended or indebtedness assumed by the State in repelling invasions, suppressing insurrection and Indian hostilities, etc.

Some individual claims were made for expenses incurred in recruiting Nevada volunteers—that is, claims for re-imbursement for subsistence and transportation furnished and for rent of rendezvous, etc.—a few which have been allowed, and paid out of the appropriation for "collecting, drilling, and organizing volunteers."

Copies of all correspondence of record in this office relating to the matters named in the resolution are hereto appended.

I am, sir, very respectfully, your obedient servant,

R. C. DRUM,  
Adjutant-General.

The SECRETARY OF WAR.

[Office acting assistant provost-marshal-general of California and Nevada Territory.]

SAN FRANCISCO, CAL., April 11, 1864.

Col. JAMES B. FRY,  
Provost-Marshal-General, Washington, D. C.

[Extract.]

Whilst on this subject, I would state that there is a regiment of infantry authorized for Nevada. Six companies of cavalry have been raised. I would suggest that four

more companies of cavalry be authorized; that the recruits now belonging to the infantry regiment be transferred to them, and that the infantry regiment be disbanded. I do not believe it can ever be raised, and it is creating enormous expenses.

Your obedient servant,

JNO. S. MASON,  
Brig. Gen. Vols., Supt. Vol. Rec'tg Service.

Respectfully submitted to General Halleck, chief of staff, for his views as to the propriety of adopting the suggestions of General Mason.

I have no doubt General Mason is right as to the expense of this long-continued effort to raise an infantry regiment, but I do not know the number or kind of troops required there.

JAMES B. FRY,  
Provost-Marshal-General.

MAY 13, 1864.

I do not understand how converting infantry into cavalry saves expenses, but quite the contrary. Why not consolidate the infantry already raised into a small battalion for immediate service? This would be more economical than increasing the cavalry force.

H. W. HALLECK,  
Major-General, Chief of Staff.

MAY 17, 1864.

SPECIAL ORDERS, }  
No. 181. }

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
Washington, May 19, 1864.

[Extract.]

23. The recruitment of regiment of volunteer infantry authorized to be raised in the Territory of Nevada will be discontinued upon the receipt of this order, and that portion of the regiment which at that date may be recruited will be consolidated into as many companies of maximum strength as the number enlisted will permit, and the battalion thus formed will be reported for immediate service.

The superintendent of recruiting service is charged with the immediate execution of this order.

By order of the Secretary of War.

E. D. TOWNSEND,  
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, April 30, 1864.

ADJUTANT-GENERAL, U. S. ARMY,  
Washington, D. C.:

SIR: I have six companies of cavalry, Nevada Territory Volunteers, mustered into service. Two of these companies I sent to Camp Douglas, Utah Territory, last October; the remaining four are at Fort Churchill. Only one of the companies at Churchill has been mounted. My design was to send all the Nevada cavalry to Utah; but the threatening aspect of our foreign relations, indicating the propriety of my holding all my available force well in hand and prepare for concentration on the Pacific coast, has caused me to hesitate until the policy of my Government is known. In consequence of the enormous cost of forage at Fort Churchill, I have suspended the purchase of horses for mounting the three cavalry companies now there until their destination is determined on.

Under the call I made on the governor of Nevada Territory for a regiment of infantry, two hundred men have been enrolled; they are at Fort Churchill. The governor is quite confident of his ability to complete the organization of the regiment.

During the quiet and peaceful times on this coast we can not expect to raise many volunteers; but if we should have foreign war, there will be no lack of men.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.



WAR DEPARTMENT, *Washington City, March 24, 1868.*

SIR: In response to your letter of the 21st ultimo, requesting such information of record in the Department as relates to the soldiers enrolled and paid by either the Territory or State of Nevada during the war of the rebellion, I have the honor to invite attention to the inclosed report of the 22d instant, and its accompanying paper, from the Adjutant-General's Office, which, it is believed, afford the information desired.

Very respectfully, your obedient servant,

WILLIAM C. ENDICOTT,  
*Secretary of War.*

Hon. WM. M. STEWART,  
*United States Senate.*

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
*Washington, March 22, 1868.*

SIR: I have the honor to return herewith a letter of Hon. William M. Stewart, United States Senate, dated the 21st ultimo, requesting to be furnished with such information as the records of the Department afford relative to soldiers enrolled and paid by either the Territory or State of Nevada during the war of the rebellion, and to report as follows:

The records of this office show that one battalion of cavalry, composed of six companies, and one battalion of infantry, composed of four companies, were raised in the Territory of Nevada under authority granted by the Secretary of War. The cavalry battalion was mustered into the military service of the United States, by companies, from August 9, 1863, to April 7, 1864, to serve three years, and the infantry battalion was mustered into the same service on June 30, 1864, for the same period.

Herewith are copies of letters of Lieut. Col. Milo George, First Battalion Nevada Cavalry, addressed to the adjutant-general of the State of Nevada, dated April 3, and May 3, 1865, referring, respectively, to an appropriation made by the legislature of Nevada Territory in 1863, of \$5 per month to each enlisted man of Nevada volunteers, and to an act of the legislature of the State of Nevada, approved March 11, 1865, to encourage enlistments and provide bounties and extra pay for volunteer troops called into the United States service from Nevada.

Nothing further is found of record in regard to soldiers enrolled and paid by either that Territory or State during the war of the rebellion.

I am, sir, very respectfully, your obedient servant,

J. C. KELTON,  
*Assistant Adjutant-General.*

The SECRETARY OF WAR.

HEADQUARTERS FIRST BATTALION NEVADA VOLUNTEER CAVALRY,  
*Camp Douglas, Utah, April 3, 1865.*

GENERAL: Being desirous of obtaining some information with regard to the appropriation made by the legislature of Nevada Territory in 1863, of \$5 per month to each enlisted man of the Nevada volunteers, I take this opportunity to address you on the subject.

I have been laboring under the impression that this appropriation was to be divided among the troops at the end of the year 1864, but as I am not positive with regard to the matter, you would confer a favor upon this battalion by giving the necessary information.

I am informed that certain companies of my battalion have not reported to the adjutant-general the number of their command, in accordance with the law making the appropriation of \$5 per month, from the fact that the adjutant-general did not notify them of the necessity of so doing.

I am, very respectfully, your obedient servant,

MILO GEORGE,  
*Lieutenant-Colonel, First Battalion Nevada Volunteer Cavalry.*

To Brig. Gen. J. G. CRADLEBAUGH,  
*Adjutant-General State of Nevada, Carson City, Nev.*

HEADQUARTERS FIRST BATTALION NEVADA VOLUNTEER CAVALRY,  
*Camp Douglas, Utah, May 3, 1865.*

GENERAL: I have just read an act passed by the legislature of Nevada and approved March 11, 1865, "to encourage enlistments and provide bounties and extra pay for

our volunteer soldiers called into the service of the United States," and as part of section 2 of said act provided "that no such allowance or monthly pay as hereinbefore provided for shall be made for any service in the Army of the United States rendered prior to the 20th day of February, 1864," as I construe it, cuts off all company commanders whose companies were organized previous to that time from receiving the benefit (\$10 premium) for procuring recruits.

You will see by roster forwarded to-day that Companies A, B, C, and D were organized previous to February 20, 1864; consequently, as I interpret this law, are not entitled to the benefit of this act as far as the \$10 premium is concerned, but as I feel satisfied this law was made for the benefit of all Nevada volunteers, I wish to lay this matter before you, hoping that your decision or interpretation may be such as to include, in this respect, my whole command.

I do not think that the Nevada legislature intended to do injustice to any officer or enlisted man who was patriotic enough to volunteer to serve in the "Sage Brush" as they all have done who entered the service from that State, but think there must be some mistake in printing this law, as it really cuts off the most deserving ones from receiving the benefit which is justly due them.

Organizations started since February 20, 1864, have really not expended one-fourth the amount in filling their commands up to maximum strength that those did who commenced previous to that time, from the fact that, since that time, times have been very dull, and consequently recruits were easily procured; again, they have had the benefit of the provost-marshal's assistance, which has lessened expenses nearly one-half.

By giving me the proper interpretation of this law you will confer a favor upon my command which will be duly appreciated.

I am, very respectfully, your obedient servant,

MIL0 GEORGE,

*Lieut. Col., First Batt. Nevada Vol. Cav. Commanding.*

Brig. Gen. J. G. CRADLEBAUGH,

*Adjutant-General State of Nevada, Carson City, Nev.*

#### EXHIBIT No. 4.

### MEMORIAL OF THE STATE OFFICERS OF NEVADA SHOWING THE MODE OF AND THE MANNER OF THE PAYMENT FOR THE ENROLLMENT OF TROOPS BY NEVADA.

*To the Senate and House of Representatives  
of the United States of America in Congress assembled:*

Your memorialists, now the State executive officers of the State of Nevada (the legislature of Nevada not being now in session), most respectfully represent to your honorable bodies that the State of Nevada has heretofore presented a claim to the United States for expenses by her incurred and by her paid as "costs, charges, and expenses properly incurred for enrolling" her military forces during the war of the rebellion, in response to and under requisitions made by the officer commanding the Military Department of the Pacific, and which "costs, charges, and expenses" so incurred and paid by Nevada aggregate the sum of \$11,840 for enrolling 1,184 men, preliminary to their being mustered into the military service of the United States.

A claim for re-imbursement by the United States for the aforesaid expenditure has been presented by the State of Nevada to the United States, and payment thereof has been refused, and because its examining and accounting and auditing officers seem to have regarded this expenditure simply as a bounty or gratuity paid by Nevada to the officers of her military forces who enrolled said 1,184 men.

Nevada selected as her enrolling agents those officers of her military forces who were to be the commanding officers of the men who might be thereafter enrolled; and there can not be any valid question as to the wisdom or economy of such a course as adopted and uniformly pursued by Nevada, and especially when we consider the importance of each commanding officer being perfectly familiar with the qualifications of those he was to command in the field both as to their mental and physical fitness.

This method of enrollment as adopted by Nevada, and seeming no doubt to her, at the time, as the most ready and economical one for putting her troops in the field for the United States military service, in obedience to requisitions made upon her, was the one followed in all cases; and this claim for re-imbursement by the United States for the "costs, charges, and expenses" so incurred was in lieu of all other "costs, charges, and expenses" that would have to be incurred and as incident to said enrollment—such, for instance, as rent, fuel, furniture, salaries of enrolling officers, sub-

sistence, and all the other detailed and expensive paraphernalia which pertain to the regular military recruiting or enrolling office of a State or of the United States, and such as the United States would herself have been compelled to incur if she had invoked or exercised her own Federal military machinery for the same purpose in the State of Nevada.

No express method of enrolling having been designated to Nevada by the United States, she was left to adopt that method of organizing, collecting, and enrolling her military forces to meet the requisitions so made upon her at the time, and such as appeared to her to be the wisest and the most practicable.

To provide for and to pay the "costs, charges, and expenses" so incurred and to be incurred by Nevada on account of said enrollment, the legislature of Nevada passed a law on March 11, 1865, which provided substantially that each enrolling or recruiting agent of her army intended by her for the military service of the United States should be allowed for all expenses of said enrollment \$10 per capita. The law is as follows, to-wit:

*"The people of the State of Nevada, represented in senate and assembly, do enact as follows:*

"SECTION 1. A sum not exceeding \$100,000 is hereby appropriated and set aside, to constitute a separate fund to be known as the 'soldiers' fund,' for the purpose of paying a compensation to the soldiers of the companies of Nevada volunteers already raised in the Territory and in the State of Nevada, and to be raised in this State, for the service of the United States, to aid in repelling invasion, suppressing insurrections, enforcing the laws, and protecting the public property, in addition to the pay allowed them by the United States.

"SEC. 2. There shall be paid out of the fund created and set apart by the first section of this act \* \* \* a bounty of \$10, to be paid to the captain or commanding officer of any company for every recruit by him enlisted and subsequently mustered into the service of the United States: *Provided*, That the provisions of this section shall not be deemed applicable to any soldier who may be drafted, or enlisted as a substitute, or any person drafted into the Army of the United States. \* \* \*

"SEC. 3. The captains or commanding officers of companies of Nevada volunteers, raised, or to be raised, for service in the Army of the United States, shall, before such officers, as recruiting agents of the Army, can be entitled to secure the benefits of this act, file in the office of the adjutant-general their affidavit, setting forth the number and names of recruits enlisted by them, and accepted by the proper medical examiners (who shall in each case be named), and sworn into the service; and further setting forth that no affidavit of the same character, for the same enlisted men has heretofore been made or filed. The adjutant-general of the State is hereby authorized and directed to certify to the controller of State the number of men enlisted by each captain or commanding officer of a company, whenever the affidavit herein required is filed in his office, indorsed by the provost-marshal of this State or the commanding officer of the post where the enlisted men referred to and enumerated in the affidavit may have been rendezvoused on enlistment. Upon the filing of the adjutant-general's certificate, above required, in the office of the controller of State, the controller shall make out a copy of said certificate, and forward the same to the State board of examiners, and if the State board of examiners shall indorse the certificate as 'approved,' then the controller shall draw his warrant upon the fund herein constituted for the sum set forth in the certificate of the adjutant general in favor of the officers, or their legal assignees, named in the certificate, for the sums respectively set forth to be due them.

"SEC. 6. For the purpose of carrying into effect the provisions of this act and providing for the fund created by section 1 of this act, the treasurer of the State of Nevada shall cause to be prepared bonds of the State to the amount of \$100,000, in sums of \$500 each, redeemable at the office of the treasurer of the State on the 1st day of July, 1870. The said bonds shall bear interest, payable semi-annually, at the rate of 10 per cent. per annum from the date of their issuance, which interest shall be due and payable at the office of the treasurer of this State on the 1st day of January and July of each year: *Providing*, That the first payment of interest shall not be made sooner than the 1st day of January, in the year of our Lord 1866. These said bonds shall be signed by the governor and countersigned by the controller and indorsed by the treasurer of State, and shall have the seal of the State affixed thereto. Such bonds shall be issued from time to time as they may be required for use. The expense of preparing such bonds and disposing of the same shall be audited as a claim against the soldiers' fund created by this act.

"SEC. 10. For the payment of the principal and interest of the bonds issued under this act there shall be levied and collected annually, until the final payment and redemption of the same and in the same manner as other State revenue is or may be directed by law to be levied and collected annually, a tax of 25 cents in gold and silver coin of the United States, on each \$100 of taxable property in the State, in addition to the other taxes for State purposes, and the fund derived from this tax shall be set apart and applied to the payment of interest accruing on the bonds herein provided for and the final redemption of the principal of said bonds; and the public faith of

the State of Nevada is hereby pledged for the payment of the bonds issued by virtue of this act and the interest thereon, and, if necessary, to provide other and ample means for the payment thereof." (Statutes of Nevada, March 11, 1865, pages 389-393.)

This small sum of \$10 per capita, when the peculiar condition of Nevada at that time is considered, in connection with her then limited and expensive means of travel, which was then exclusively by wagon or horseback, and before any railroads were built in this State, will be considered to be not exorbitant, but, as your memorialists now submit, the same was and is very reasonable.

True, the act of the legislature termed this \$10 per capita for enrollment a "bounty" to the captains or commanding officers who might organize a company to be thereafter mustered into the service of the United States, yet as a matter of fact it was not a bounty in the sense of a gratuity and as is frequently used by the United States as meaning money in addition to the pay and allowances as set forth in the agreement with her commanding officers and enlisted men about to enter her military service; on the contrary, it was a lump compensation paid or to be paid by the State to her recruiting or enrolling officers in lieu of all other expenses or compensation for organizing its military forces and such as have been hereinbefore recited, and covered and was intended to cover all expense of travel, subsistence, lodging, and other incidental expenses, and such as United States recruiting and enrolling officers might properly incur in getting together and preparing men for the military service of the State and of the United States.

Your memorialists call attention to the fact that on March 11, 1865, Nevada did not even have in her treasury the money with which to pay this disbursement, but in section 6 of said act she was compelled to issue and to sell her own State bonds with which to raise money to pay this and other expenses of a military character in order to aid in defraying the State expenses in a time of war.

Not only this, but in section 10 of said act Nevada levied a tax in gold or silver coin of the United States upon every \$100 taxable property in the State of Nevada, in addition to other taxes for State purposes, to create a fund with which to pay said expenses, and which tax was to continue until all of said bonds were wholly paid and fully redeemed; and in addition thereto the public faith of Nevada was pledged to pay said bonds and interest thereon, and, if necessary, to provide other and ample means for the payment thereof.

The public faith of Nevada was therefore pledged for the benefit of the United States, and at a time when the public credit of the United States was itself put to the test and its paper largely depreciated in parts of the country outside the limits of Nevada.

Wherefore, your memorialists (the legislature not now being in session) believing that if the attention of Congress were respectfully and properly invited to this matter it would not permit this expenditure to be repudiated by being disallowed or payment refused, now, therefore, petition your honorable bodies to re-imburse Nevada in the sum of \$11,840 so by her expended and paid as "costs, charges, and expenses," and by her incurred for enrolling 1,184 men for the military service of the United States, and who did perform active United States military service during the war of the rebellion wherever their military services were needed.

Respectfully,

C. C. STEVENSON, *Governor.*  
 H. C. DAVIS, *Lieutenant-Governor and Adjutant-General.*  
 JOHN M. DORMER, *Secretary of State.*  
 J. F. HALLOCK, *State Controller.*  
 GEORGE TUFLY, *State Treasurer.*  
 JOHN F. ALEXANDER, *Attorney-General.*  
 JOHN E. JONES, *Surveyor-General.*  
 W. C. DOVEY, *Superintendent Public Instruction.*  
 J. C. HARLOW, *Superintendent State Printing.*

#### EXHIBIT No. 5.

#### ACT OF THE LEGISLATIVE ASSEMBLY OF NEVADA TERRITORY PROVIDING FOR COMPENSATION TO COMMANDING OFFICERS FOR THEIR COSTS FOR THE ENROLLING VOLUNTEERS AND EXTRA PAY TO VOLUNTEERS, ETC.

AN ACT to encourage enlistments and give bounties and extra pay to our volunteer soldiers.

Be it enacted by the governor and legislative assembly of the Territory of Nevada, as follows:

SECTION 1. A sum not exceeding one hundred thousand dollars is hereby appropriated and set aside to constitute a separate fund, to be known as the soldiers' fund,

for the purpose of paying a compensation to the soldiers of the companies of Nevada volunteers already raised and to be raised in this Territory for the service of the United States to aid in repelling invasion, suppressing insurrections, enforcing the laws, and protecting the public property, in addition to the pay allowed them by the United States. All liabilities created by this act shall be paid out of this fund.

SEC. 2. There shall be paid out of the fund created and set apart by the first section of this act, to each and every enlisted soldier of the companies of the Nevada volunteers raised or hereafter to be raised in this Territory under the requisition made on the governor thereof by the officer commanding the Department of the Pacific, for one regiment of volunteer infantry and two companies of cavalry, and the proclamation of the said governor calling for the raising of the same, issued on the fourth day of December, anno Domini eighteen hundred and sixty-three, for the service of the United States, to aid in repelling invasion, suppressing insurrection, enforcing the laws, and preserving and protecting the public property, the sum of five dollars per month, and a bounty of ten dollars to the captain or commanding officer of any company for every recruit by him or his authority enlisted.

SEC. 3. The captain or commanding officers of companies of Nevada volunteers, raised or to be raised under the requisition and proclamation noted in section two of this act shall, before said enlisted men or officers shall be entitled to receive the benefit of this act, file a certificate, signed by the adjutant and commanding officer at the post at Fort Churchill, addressed to the adjutant-general of the Territory, to the effect that the number of men mentioned therein have been enlisted by the captain or commanding officer therein mentioned, or by his authority; that they have passed due medical examination, and been sworn into the service, and that no certificate of the kind has been issued for the men mentioned therein. Upon the filing of the before-mentioned certificate in the office of the adjutant-general of this Territory, the adjutant-general shall make a requisition upon the Territorial auditor, who shall draw his warrant upon the Territorial treasurer, in favor of the adjutant-general, for a sum sufficient to cover the whole amount of money due said officers for bounty, viz, ten dollars for each enlisted soldier of the Nevada volunteers for the number of men mentioned in said certificate, which sum the adjutant-general shall pay, or cause to be paid, to the officer in whose favor the certificate is drawn.

SEC. 4. In addition to the bounty herein provided for, there shall be paid out of the fund created and set apart by the first section of this act, to each and every enlisted soldier of the companies of Nevada volunteers heretofore raised in this Territory, other than those raised or to be raised under the requisition and proclamation mentioned in section two of this act, from the time of the passage of this act, and to each and every enlisted soldier of the companies of Nevada volunteers raised or to be raised under the requisition and proclamation aforesaid, from the time of his enlistment, the sum of five dollars per month for one year: *Provided*, That this provision shall not apply to any soldier who may be drafted or enlisted as a substitute for any person drafted into the service of the United States.

SEC. 5. No money shall be drawn out of the soldiers' fund herein provided for, except as provided in sections three and six of this act.

SEC. 6. The captains or commanding officers of companies of Nevada Volunteers wishing to avail themselves of the provisions of section four of this act shall, after each and every muster, file in the office of the adjutant-general of this Territory a complete muster-roll (duly certified) of their companies from the date of the passage of this act, or of their enlistment, noting desertions, deaths, discharges, and dismissals, and stating the causes of such discharges, deaths, and dismissals from the service. No officer or private shall be entitled to the benefit of this act, in the matter of extra monthly pay mentioned in this act, until the expiration of one year from the passage of this act, or unless he shall sooner receive an honorable discharge or die in the service, except as herein otherwise provided, and no money shall be drawn for extra pay from the fund hereby authorized and set apart until he has been honorably discharged from or die in the service, or until the expiration of one year from the passage of this act: *Provided, however*, That the monthly amount hereby appropriated may be drawn by such enlisted married men as have families depending upon them for support, who shall have the power to allot the whole or a portion of the same for the support of their families. The amount of pay thus allotted shall be paid to the person to whom the same shall be legally allotted upon the following certificate of the adjutant-general of this Territory, with seal of office attached, if said officer have a seal, being indorsed thereon, namely: "I hereby certify that \_\_\_\_\_ is a \_\_\_\_\_ in \_\_\_\_\_ company, \_\_\_\_\_ regiment, Nevada Volunteers, and that he is entitled to the benefit of an act entitled an act to encourage enlistments and give bounties and extra pay to our volunteer soldiers, approved February twentieth, A. D. eighteen hundred and sixty-four, and that this allotment is made according to law." After the term of enlistment shall have been served or an honorable discharge granted to, or on the death of, any enlisted man, a certified copy of his final statement shall be transmitted to the adjutant-general of this Territory, who shall certify



on the back of the same the amount due under this act to the person discharged or deceased, and the auditor shall draw his warrant upon the treasurer of the Territory for the amount so certified, payable out of the fund hereby created: *Provided*, That if a volunteer be discharged for disability that existed at the time of his enlistment, he shall not be entitled to the benefits of this act.

SEC. 7. For the purpose of carrying into effect the provisions of this act, and providing for the fund created by section one of this act, the treasurer of the Territory of Nevada shall cause to be prepared bonds of the Territory to the amount of one hundred thousand dollars each, redeemable at the office of the treasury of the Territory on the first day of July, one thousand eight hundred and sixty-seven. The said bonds shall bear interest, payable semi-annually, at the rate of ten per cent. per annum from the date of their issue, which interest shall be due and payable in the city of San Francisco, California, on the first day of January and July of each year, providing that the first payment of interest shall not be made sooner than the first day of January, A. D. one thousand eight hundred and sixty-five. The said bonds shall be signed by the governor and countersigned by the auditor, and indorsed by the treasurer of the Territory, and shall have the seal of the Territory affixed thereto. Such bonds shall be issued, from time to time, as they may be required for use. The expense of preparing such bonds and disposing of the same shall be audited as a claim against the soldiers' fund created by this act.

SEC. 8. Coupons for the interest shall be attached to each bond, consecutively numbered, and signed by the treasurer of the Territory, and it shall be the duty of the auditor and treasurer of the Territory each to keep a separate record of all such bonds as may be issued, showing the number, date, and amount of each bond, and to whom the same was issued.

SEC. 9. All demands against the soldiers' fund shall be audited by a board of examiners, to consist of the governor secretary, and auditor of the Territory.

SEC. 10. The treasurer of the Territory shall sell and dispose of said bonds for gold and silver coin of the United States, from time to time, as may be necessary to provide for the payment of liabilities against the said soldier's fund. Said bonds may be disposed of either at private or public sale, providing that the fractional part of no bond shall be disposed of by sale; and provided further, that said bonds shall not be sold or negotiated by the treasurer at a greater discount than fifteen cents on the dollar of the par value thereof. On the receipt of the purchase money of said bonds, the treasurer shall deliver the same to the purchaser. All moneys received by the treasurer from the sale of bonds as herein provided shall be by him placed to the credit of the said soldier's fund.

SEC. 11. For the payment of the principal and interest of the bonds issued under this act, there shall be levied and collected annually, until the final payment or redemption of the same, and in the same manner as other Territorial revenue is or may be directed by law to be levied and collected annually, a tax of twenty cents on each one hundred dollars of taxable property in the Territory, in addition to the taxes for Territorial purposes; and the fund derived from this tax shall be set apart and applied to the payment of interest accruing on the bonds herein provided for, and the final redemption of the principal of said bonds; and the public faith of the Territory of Nevada is hereby pledged for the payment of the bonds issued by virtue of this act, and the interest thereon, and, if necessary, to provide other and ample means for the payment thereof.

SEC. 12. Whenever, on the first day of January or July, anno Domini eighteen hundred and sixty-five, or upon the first day of January or July in any subsequent year, there shall remain a surplus after the payment of the interest as hereinbefore provided, of five thousand dollars or more, in the funds created by the twelfth section of this act, it shall be the duty of the treasurer to advertise in two daily newspapers published in English in the Territory of Nevada and two published in the State of California, for sealed proposals for the surrender of bonds issued under the provisions of this act. He shall state in such advertisement the amount of money on hand applicable to the redemption of said bonds, and he shall accept such proposals at rates not exceeding par value, as will redeem the greatest number of bonds, until the amount of cash on hand for redemption is exhausted.

SEC. 13. Full and particular account and record shall be kept by the treasurer of the condition of the funds collected in accordance with the provisions of this act, open at all times to the inspection of the governor and auditor, and of any committee appointed by the legislature, or either branch thereof.

SEC. 14. It shall be the duty of the treasurer of the Territory to make arrangements for the payment of interest of said bonds when the same becomes due, and in the event that the said interest fund shall be insufficient, the said treasurer shall make up the deficiency from the general fund; and in the event of the insufficiency of the general fund, the said treasurer is authorized and required to make such contracts and arrangements as may be necessary for the payment of said interest and the pro-

tection of the credit of the Territory; and in case there should be at any time in the fund created by this act for the payment of said interest and the redemption of said bonds any surplus moneys not needed for the payment of said interest or the redemption of any bonds, it shall be the duty of the treasurer of the Territory to transfer such surplus moneys to the general fund of the Territory. Said bonds shall be redeemed and the interest paid in gold and silver coin of the United States.

SEC. 15. Before the issue or sale of any bonds, as provided in this act, the Territorial treasurer shall execute to the people of the United States, in the Territory of Nevada, a special bond, additional to his other bonds required by law, in the sum of twenty-five thousand dollars, with good and sufficient sureties, to be approved by the governor, conditioned to pay over all moneys belonging to the soldiers' fund at such times and in the manner provided in this act, and also for the faithful performance of all the duties required of him by this act. Said bonds shall be filed in the office of the secretary of the Territory.

SEC. 16. The adjutant-general of the Territory shall, before receiving or paying out of the soldiers' fund any moneys as provided by this act, execute to the people of the United States in the Territory of Nevada a special bond, additional to his other bonds required by law, in the sum of five thousand dollars, with good and sufficient sureties, to be approved by the governor, conditioned to pay over all moneys that may be received by him belonging to the soldiers' fund, in the manner provided in this act, and also for the faithful performance of all the duties required of him by this act. Said bond shall be filed in the office of the secretary of the Territory.

SEC. 17. In case of the refusal or neglect of the treasurer or adjutant-general of the Territory to execute and file the bonds mentioned in the two preceding sections, in the manner therein provided, it shall be the duty of the governor to declare his office vacant, which vacancy shall be filled by the governor appointing some competent person who will comply with the provisions of this act.

SEC. 18. This act shall take effect from and after its passage.  
(See laws Nevada Territory, 1864, page 81.)

### EXHIBIT No. 6.

#### ACT OF THE LEGISLATURE OF THE STATE OF NEVADA PROVIDING FOR THE ASSUMPTION AND PAYMENT OF ALL OBLIGATIONS INCURRED BY THE TERRITORY OF NEVADA FOR ENLISTMENTS, ENROLLMENTS, EXTRA PAY, ETC., OF VOLUNTEER SOLDIERS, ETC., FOR THE MILITARY SERVICE OF THE UNITED STATES.

AN ACT to encourage enlistments and provide bounties and extra pay for our volunteer soldiers called into the service of the United States.

The people of the State of Nevada, represented in senate and assembly, do enact as follows:

SECTION 1. A sum not exceeding one hundred thousand dollars is hereby appropriated and set aside to constitute a separate fund, to be known as the "soldiers' fund," for the purpose of paying a compensation to the soldiers of the companies of Nevada volunteers already raised in the Territory and in the State of Nevada, and to be raised in this State for the service of the United States, to aid in repelling invasion, suppressing insurrections, enforcing the laws, and protecting the public property, in addition to the pay allowed them by the United States.

SEC. 2. There shall be paid out of the fund created and set apart by the first section of this act: To each first and second lieutenant, the sum of twenty-five dollars per month; to each captain, the sum of thirty-five dollars per month; to each major, the sum of forty dollars per month; to each lieutenant-colonel, the sum of forty-five dollars per month; to each colonel the sum of fifty dollars per month; and to each and every enlisted soldier of the companies of the Nevada volunteers, raised for the United States Government, in the Territory or State of Nevada, or hereafter to be raised in this State, under the requisition made on the governor of the Territory of Nevada by the officer commanding the Department of the Pacific, to aid in repelling invasion, suppressing insurrection, and defending the State in a time of war, the sum of five dollars per month; and a bounty of ten dollars, to be paid to the captain or commanding officer of any company for every recruit by him enlisted and subsequently mustered into the service of the United States: *Provided*, That the provisions of this section shall not be deemed applicable to any soldier who may be drafted or enlisted as a substitute, or any person drafted into the Army of the United States: *And furthermore provided*, That no such allowance or monthly payment as is hereinbefore

provided for shall be made for any service in the Army of the United States rendered prior to the twentieth of February, eighteen hundred and sixty-four.

SEC. 3. The captains or commanding officers of companies of Nevada volunteers, raised or to be raised, for service in the Army of the United States, shall, before such officers, as recruiting agents of the Army, can be entitled to secure the benefits of this act, file in the office of the adjutant-general their affidavit, setting forth the number and names of recruits enlisted by them and accepted by the proper medical examiners (who shall in each case be named), and sworn into the service; and further setting forth that no affidavit of the same character, for the same enlisted men, has heretofore been made or filed. The adjutant-general of the State is hereby authorized and directed to certify to the controller of the State the number of men enlisted by each captain or commanding officer of a company, whenever the affidavit herein required is filed in his office, indorsed by the provost-marshal of this State, or the commanding officer of the post where the enlisted men referred to and enumerated in the affidavit may have been rendezvoused on enlistment. Upon the filing of the adjutant-general's certificate, above required, in the office of the controller of State, the controller shall make out a copy of said certificate, and forward the same to the State board of examiners; and if the State board of examiners shall indorse the certificate as "approved," then the controller shall draw his warrant upon the fund herein constituted for the sum set forth in the certificate of the adjutant-general in favor of the officers, or their legal assignees, named in the certificate, for the sums respectively set forth to be due them.

SEC. 4. The captains or commanding officers of companies of Nevada volunteers, in order to secure the soldiers of the Nevada volunteers the benefits of the provisions of section 3 of this act, shall, after each and every muster, file in the office of the adjutant-general of this State a complete muster-roll (duly certified) of their companies, showing the date of their enlistment, noting desertions, deaths, discharges, and dismissals, and stating the cause of such discharges, deaths, and dismissals from the service. The amount of pay herein provided for shall be specially named in the following form of certificate of the adjutant-general of this State, with seal of office attached, if said officer have a seal, being indorsed thereon, namely: "I hereby certify that \_\_\_\_\_ is a \_\_\_\_\_ in \_\_\_\_\_ Company, \_\_\_\_\_ Regiment, Nevada Volunteers, and that he is entitled to the benefit of an act entitled "An act to encourage enlistments and provide bounties and extra pay for our volunteer soldiers called into the service of the United States, and that this allotment is made according to law." After the term of enlistment shall have been served, or an honorable discharge granted to, or on the death of, any enlisted man, a certified copy of his final statement shall be transmitted to the adjutant-general of this State, who shall certify on the back of the same the amount due under this act to the person discharged or deceased, and the controller shall draw his warrant upon the State treasurer for the amount so certified, payable out of the fund hereby created: *Provided*, That if a volunteer be discharged for disability that existed at the time of his enlistment, he shall not be entitled to the benefits of this act.

SEC. 5. The officers of the Nevada volunteers mustered into the service of the United States shall, on the certificate of their actual service, given by the adjutant-general, and its approval and indorsement by the State board of examiners, be entitled to receive their extra pay, as provided for them in section two of this act; and the controller of State is hereby authorized and directed to draw his warrants in favor of such officers, in the sums audited and allowed, as herein provided. These certificates shall be issued every two months on the request of the officers entitled to the same.

SEC. 6. For the purpose of carrying into effect the provisions of this act, and providing for the fund created by section one of this act, the treasurer of the State of Nevada shall cause to be prepared bonds of the State to the amount of one hundred thousand dollars, in sums of five hundred dollars each, redeemable at the office of the treasurer of the State on the first day of July, one thousand eight hundred and seventy. The said bonds shall bear interest, payable semi-annually, at the rate of ten per centum per annum from the date of their issue, which interest shall be due and payable at the office of the treasurer of this State on the first day of January and July of each year; providing, that the first payment of interest shall not be made sooner than the first day of January, in the year of our Lord one thousand eight hundred and sixty-six. The said bonds shall be signed by the governor and countersigned by the controller and indorsed by the treasurer of state, and shall have the seal of the State affixed thereto. Such bonds shall be issued from time to time as they may be required for use. The expense of preparing such bonds and disposing of the same shall be audited as a claim against the soldiers' fund created by this act.

SEC. 7. Coupons for the interest shall be attached to each bond, consecutively numbered and signed by the treasurer of state, and it shall be the duty of the controller and treasurer of state each to keep a separate record, showing the number, date, and amount of each bond, and to whom the same was issued.

SEC. 8. All demands against the soldiers' fund shall be audited by the State board of examiners.

SEC. 9. The State treasurer and secretary of state shall sell and dispose of said bonds, for gold and silver coin of the United States, from time to time, as may be necessary, to provide for the payment of liabilities against the said soldiers' fund. Said bonds may be disposed of either at private or public sale, providing that the fractional part of no bond shall be disposed of by sale, and provided further that said bonds shall not be sold or negotiated by the treasurer and secretary of state at a greater discount than twenty cents on the dollar of the par value thereof. On the receipt of the purchase-money of said bonds the treasurer and secretary of state shall deliver the same to the purchaser. All moneys received by the treasurer and secretary from the sale of bonds, as herein provided, shall be by them placed to the credit of said soldiers' fund.

SEC. 10. For the payment of the principal and interest of the bonds issued under this act there shall be levied and collected annually, until the final payment or redemption of the same, and in the same manner as other State revenue is, or may be directed by law to be levied and collected annually, a tax of twenty-five cents, in gold and silver coin of the United States, on each one hundred dollars of taxable property in the State, in addition to the other taxes for State purposes; and the fund derived from this tax shall be set apart and applied to the payment of interest accruing on the bonds herein provided for and the final redemption of the principal of said bonds; and the public faith of the State of Nevada is hereby pledged for the payment of the bonds issued by virtue of this act, and the interest thereon, and if necessary to provide other and ample means for the payment thereof.

SEC. 11. Whenever, on the first day of January or July, in the year of our Lord one thousand eight hundred and sixty-six, or upon the first day of January and July in any subsequent year, there shall remain a surplus, after the payment of the interest as hereinbefore provided, of five thousand dollars or more in the fund created by the tenth section of this act, it shall be the duty of the treasurer to advertise in two daily newspapers published in English in the State of Nevada, and one published in the city of San Francisco, State of California, for sealed proposals for surrender of bonds issued under the provisions of this act. He shall state in such advertisement the amount of money on hand applicable to the redemption of said bonds, and he shall accept such proposals, at rates not exceeding par value, as will redeem the greatest number of bonds, until the amount of cash on hand for redemption is exhausted.

SEC. 12. It shall be the duty of the State treasurer to make arrangements for the payment of interest on said bonds when the same becomes due, and in the event that the said interest fund shall be insufficient, the said treasurer shall make up the deficiency from the general fund; and in the event of the insufficiency of the general fund, the said treasurer is authorized and required to make such contracts and arrangements as may be necessary for the payment of said interest and the redemption of said bonds. Said bonds shall be redeemed and the interest paid in gold and silver coin of the United States.

SEC. 13. Before the issue or sale of any bonds as provided in this act the State treasurer and secretary of state shall execute to the State of Nevada a special bond, additional to their other bonds required by law, in the sum of twenty-five thousand dollars, with good and sufficient sureties, to be approved by the governor, conditional to pay over all moneys belonging to the soldiers' fund at such times and in the manner provided in this act, and also for the faithful performance of all the duties required by them by this act. Said bond shall be filed in the office of the controller of State.

SEC. 14. All moneys which have been received into the Territorial and State treasuries from the tax levied in and by an act of the Territory of Nevada approved February twentieth, one thousand eight hundred and sixty-four, entitled "An act to encourage enlistments and give bounties and extra pay to our volunteer soldiers," are hereby ordered to be transferred to and made a part of the soldiers' fund named and provided for in section ten of this act.

SEC. 15. All Territorial warrants and all certificates by the adjutant-general of the Territory of Nevada, issued in accordance with an act approved February twentieth, one thousand eight hundred and sixty-four, entitled "An act to encourage enlistments, and give bounties and extra pay to our volunteer soldiers," shall, on their indorsement as approved by the State board of examiners, be received by the controller and canceled; and warrants of the State of Nevada on the soldiers' fund shall be issued, in like sums, in lieu thereof, to the parties lawfully holding the same: *Provided*, That the same form of proof shall be required by the State board of examiners in this as in any other case of claims on the soldiers' fund.

SEC. 16. An act passed by the legislature of the Territory of Nevada, and approved February twentieth, one thousand eight hundred and sixty-four, entitled "An act to encourage enlistments and give bounties and extra pay to our volunteer soldiers,"

is hereby repealed, and all warrants of the Territory of Nevada, duly issued under the provisions of said act, shall be audited, exchanged, and liquidated, and canceled, as provided in the next preceding section of this act. (Statutes of Nevada, 1864-'65, p. 389.)

### EXHIBIT No. 7.

#### PRECEDENTS OF CASES AUTHORIZING PAYMENT OF CLAIMS OF STATES AND TERRITORIES AND TO STATE AND TERRITORIAL TROOPS FOR MONEYS BY THEM EXPENDED FOR TROOPS AND ARISING OUT OF INVASION AND INDIAN HOSTILITIES WHEN DOING MILITARY SERVICE FOR THE UNITED STATES.

1. By act approved March 3, 1797, entitled "An act making appropriations for the military and naval establishments for the year 1797," appropriations were made to satisfy and discharge claims for militia service on the frontiers of Georgia, the sum of \$70,496.35; for militia service on the frontiers of Kentucky, \$3,836.76; and for militia service on the frontiers of South Carolina, the sum of \$8,400.25.

2. By an act approved May 13, 1800, the accounting officers of the Treasury were authorized to settle the accounts of the militia who served on an expedition commanded by Maj. Thomas Johnson against the Indians, in the year 1794, the same to be paid out of any moneys in the Treasury not otherwise appropriated.

3. By section 3 of an act of Congress approved March 14, 1804, making appropriations for the support of Government for the year 1804, it was provided "that the sum which shall be found due on a settlement of the accounts of the militia who served on an expedition commanded by Maj. Thomas Johnson against the Indians in the year 1794, be paid out of any moneys in the Treasury not otherwise appropriated, the appropriation made by the act of the 13th of May, 1800, having been carried to the credit of the surplus fund."

4. By an act approved February 21, 1812, making appropriations for the support of the military establishment of the United States for the year 1812, the sum of \$32,800 was appropriated for the expenses of calling into actual service in the years 1809, 1810, and 1811 the militia of the Louisiana and Indiana Territories and State of Kentucky.

5. By an act approved March 3, 1817, entitled "An act making additional appropriations to defray the expenses of the army and militia during the late war with Great Britain," provision was made for the payment of balances due certain States on account of disbursements for militia employed in the service of the United States during the war of 1812, and under the provisions of which were adjusted and paid the war claims of the States of Rhode Island, Virginia, North Carolina, South Carolina, Mississippi, Vermont, New Hampshire, New York, Maryland, Pennsylvania, Connecticut and Delaware.

6. By an act entitled "An act making appropriations for the military service of the United States for the year 1827," approved March 2, 1827, an appropriation of \$129,375.66, to be paid under the direction of the Secretary of War, was made for the settlement of the claims of the militia of Georgia for services rendered during the years 1793 and 1794, agreeably to the estimates of Constant Freeman.

7. By act approved March 21, 1828, the Secretary of War was required to pay the claims of the militia of the State of Illinois and the Territory of Michigan, called out by any competent authority, on the occasion of the then recent Indian disturbances, and that the expenses incident to the expedition should be settled according to the justice of the claims (see Laws of the United States, vol. 4, p. 258).

8. By the second section of an act approved March 2, 1829 (Army appropriation bill), an appropriation was made of \$856.55 to pay a company of Illinois militia, commanded by Captain Morgan, called into service on the northwestern frontier in 1827, to be settled by the Secretary of War agreeably to the third section of the Army appropriation bill, approved March 21, 1828.

9. By an act approved February 11, 1830, the Secretary of the Treasury was directed to cause to be paid to the proper officer of the Commonwealth of Pennsylvania the sum of \$13,795.54, standing on the books of the Treasury Department to the credit of the agent of Pennsylvania, for paying the militia of that State in the year 1794.

10. By an act approved March 2, 1831 (Army appropriation bill), an appropriation of \$9,065.54 was made for the payment of the claim of the State of Missouri against the United States for the service of her militia against the Indians in the year 1829, provided that the Secretary of War should, upon a full investigation, be satisfied that the United States was liable for the payment of the said militia, under the second paragraph of the tenth section of the first article of the Constitution of the United States.



11. By the second section of an act approved April 5, 1832 (Army appropriation bill), the Secretary of War was required to adjust and pay claims of the militia called out by competent authority and received into the service of the United States by general officers of the United States Army in the year 1831, and all charges and expenses incident to the service of said troops agreeably to the provisions of the third section of an act making appropriations for the military service of the United States, approved March 21, 1828, which provides for the payment of like expenses of troops called out in 1827; and by an act approved January 14, 1836, the sum of \$120,000 was appropriated to defray the expenses attending the suppression of hostilities with the Seminole Indians of Florida, to be expended under the direction of the Secretary of War, conformably to the provisions of the above act of April 5, 1832.

12. By the third section of an act approved June 15, 1832, entitled "An act for the re-appropriation of certain unexpended balances of former appropriations, and for other purposes," an appropriation of \$300,000, or so much thereof as might be necessary, was made for the purpose of paying the militia of the State of Illinois, called into the service of the United States by competent authority, and for paying the expenses incurred in defending the frontier from invasion by several bands of hostile Indians, including the pay of the militia legally called out for the same purpose in the neighboring States and Territories, to be paid under the authority of the Secretary of War, agreeably to the second section of an act making appropriations for the support of the Army for the year 1832; and by an act approved July 14, 1832, an additional appropriation of \$100,000 was made for the same purpose.

13. By an act approved May 14, 1834 (Army appropriation bill), appropriations were made for the payment of the general and staff officers and six companies of Missouri militia ordered into the service by the governor of that State in 1832; for paying any balance which might be found due for militia service in the Territory of Michigan in the late war against Black Hawk and his followers; and for the payment of Captain McGeorge's company of Indian militia for services prior to the year 1832, provided the Secretary of War should be satisfied that the said company was entitled thereto.

14. By an act approved May 28, 1836, the Secretary of War was directed to cause to be paid the expenses that had been incurred and the supplies that had been furnished in the States of South Carolina, Georgia, Alabama, Louisiana, and the Territory of Florida, on account of the militia or volunteers received into the service of the United States for the defense of Florida, provided that the accounts for such claims should be examined and audited at the Treasury, as in other cases.

15. By the second section of said act the Secretary of War was authorized to cause the militia called out to defend east Florida by Clinch and Hernandez, by the governor, in middle and west Florida, and such other militia and volunteers as had been received and mustered into the service of the United States and regularly discharged, to be paid in like manner with the volunteers and militia ordered into service under orders from the War Department.

16. By an act approved July 2, 1836, the Secretary of War was directed to ascertain the sums severally due to persons who performed duty in the companies commanded by Captains Crawford, Wallis, and Long, of the militia of Missouri, and in the companies of Captain Siglor, of the militia of Indiana, for the protection of the frontiers of those States against the Indians, and to cause them to be paid for the time they were actually engaged in said service in the year 1832, at the rate and according to the principles established for the payment of similar services rendered the United States.

17. By act approved March 1, 1837, an appropriation was made for the payment of the Tennessee volunteers, called out by the proclamation of Governor Cannon, on the 28th of April, 1836, to suppress Indian hostilities; and an appropriation was also made to re-imburse Governor Cannon for moneys expended on account of such volunteers (see Laws of United States, vol. 5, p. 150).

13. By the second section of an act approved March 1, 1837, an appropriation was made for pay, traveling, and clothing for six months and other legal expenses of the Tennessee volunteers mustered into the service of the United States, under the requisition of Governor Gaines, under date April 8, 1836, and the proclamation of Governor Cannon of 28th of same month, and approved by the Secretary of War, May 9, by direction of the President; and also for pay, traveling, and clothing and other legal expenses of Tennessee volunteers mustered into the service of the United States, under the order of the Secretary of War, May 25, and of Governor Cannon's proclamation of June 6, 1836; also for pay, traveling, and clothing and other legal expenses of Tennessee volunteers, mustered into the service of the United States, under General Gaines's requisition, under date June 28, and Governor Cannon's proclamation of June 20, 1836; also for payment of liabilities incurred by Governor Cannon in raising money, so far as said money was properly expended in the service of the United States, on account of the aforesaid volunteers; also for the payment of the executive staff of the governor of Tennessee while actually engaged in obtaining, organizing, mustering,

or marching volunteers, during the year 1836, to place of their rendezvous, or making returns of said volunteers.

19. By the third section of said act the Secretary of War was directed to cause to be paid to the volunteers and militia of Kentucky, Tennessee, Alabama, and Mississippi, including the companies in Mississippi mustered into the service, who were duly called into service, and whose service was accepted by the executives of the States, respectively, during the summer of the year 1836, under requisitions from the Secretary of War, or from generals commanding the troops of the United States, and who were discharged before marching, the amount of one month's pay, with all the allowances to which they would have been entitled if they had been in actual service during the period of one month; and by the fourth section of said act an appropriation was made for paying the Rifle Rangers, Coosada Volunteers, and Independence Blues, under the command of Major Holt; and for the payment of Major Holt and battalion staff, to be paid on presentation of the rolls of said companies and battalion staff to the Paymaster-General, with evidence of the time they were in the service against the Creek Indians in the months of May and June, 1836.

20. By act approved July 7, 1838, an appropriation was made of such amount as should be found due by the Secretary of War and the accounting officers of the Treasury, out of the appropriation for the prevention of hostilities on the northern frontier, to re-imburse the State of New York for expenses incurred in the protection of the frontier in the pay of volunteers and militia called into service by the governor (see 5 U. S. Stats., p. 268).

21. By act approved March 3, 1841, a direct appropriation was made to the city of Mobile for advances of money and expenses incurred in equipping, mounting, and sending to the place of rendezvous two full companies of mounted men, under a call from the governor of Alabama at the beginning of the hostilities of the Creek Indians (see Laws, vol. 5, p. 435).

22. By an act approved September 9, 1841, \$19,388.02 was appropriated for the payment of the balance required in addition to the sum applicable out of the amount appropriated at the previous Congress for arrearages of pay of Florida militia called into the service by the governor of the Territory in 1840, and \$297,213.92 was appropriated for arrearages of pay due Florida militia commanded by Brigadier-General Read for six months' service, commencing November, 1840.

23. By the same act, \$78,495.92 was appropriated for arrearages of pay due to a battalion of Georgia militia for service on the frontiers of Georgia and Florida in 1840 and 1841.

24. By an act approved June 13, 1842, the State of Maine was re-imbursed for the expenses of the militia called into service by the governor for the protection of the northeastern frontier (see 5 U. S. Stats., p. 490).

25. By act of August 11, 1842, \$175,000 was appropriated as a balance for the payment and indemnity of the State of Georgia for any moneys actually paid by said State on account of expenses in calling out her militia during the Seminole, Cherokee, and Creek campaigns, or for the suppression of Indian hostilities in Florida and Alabama (see Laws, vol. 5, p. 504). By act approved August 29, 1842, a similar appropriation was made to the State of Louisiana (see Laws, October 5, p. 542).

26. By an act approved August 16, 1842, the Secretary of War was directed to audit and adjust the claims of the State of Alabama under such laws and regulations as had theretofore governed the Department in auditing and allowing the claims of the States upon the United States for moneys paid by said States for subsistence, supplies, and services of local troops called into the service by the authorities of said State, but not mustered into the service of the United States, and for provisions and forage furnished friendly Indians during the Creek and Seminole hostilities in the years 1836 and 1837, in all cases in which payment was for subsistence, supplies, and service, provisions, and forage which would have been paid for under existing laws and regulations if such troops had been mustered into the service of the United States and the provisions and forage had been furnished by an agent of the United States.

27. By act approved August 23, 1842, the proper accounting officers of the War Department were directed to examine and adjust the claims for pay of Lieutenant-Colonel Bailey and staff, Major Bailey and staff, the officers of the quartermaster's department, and the companies of Captains Grigsby, Hogan, McIvers, Langford, Hall, Burney, and Bailey, all of the Florida militia called into the service in 1839 and 1840, as if they had been regularly called out and mustered; and by an act approved August 31, 1842, the appropriations made for subsistence by the above act were made applicable to the settlement of any claims for subsistence furnished to the Florida militia in 1839 and 1840, not theretofore settled.

28. By an act approved August 29, 1842, the sum of \$61,378.15 was appropriated to pay the balance due the State of Louisiana for expenditures incurred in raising, equipping, and paying off a regiment of volunteer militia employed in the service of the United States in the Seminole war.

29. By an act approved February 4, 1843, the Secretary of War was authorized to cause to be paid to the companies of Captains Johnson, Henderson, Knight, Jones, and North, for services rendered in the year 1840, according to the muster rolls of said companies, and also the companies of Captains Jernigan and Sweat, for services rendered in the year 1841, according to the muster rolls of said companies, such payment to be governed by the laws and regulations applicable to the payment of volunteers and militia of the United States.

30. By an act approved February 24, 1843, the proper accounting officers of the Treasury were required to settle the accounts of four companies of the militia of the State of Michigan, ordered into service by the governor of the State, on the requisition of the United States marshal, for the maintenance of neutral obligations and laws of the United States, and also to audit and settle the claims of the Brady Guards and volunteer company of the city of Detroit, for like services during the disturbances in the year 1838 on the frontiers of Canada.

31. By act approved March 3, 1843, the accounting officers of the Treasury were authorized and required to settle the claims for supplies furnished the Florida militia, the payment of which was provided for by act of August 23, 1842, upon principles of equity and justice, under the directions of the Secretary of War.

32. By an act approved August 10, 1846, there was directed to be paid to the State of Alabama the sum of \$13,455.32 for moneys paid by said State for subsistence and supplies furnished the friendly Indians during the Creek and Seminole hostilities in the years 1836 and 1837.

33. By act approved August 7, 1848, the Secretary of the Treasury was directed to pay to the mounted Tennessee volunteers who served in the companies of Captains Gillespie, Peake, Vernon, and Rogers, in 1836, to each the sum of 40 cents per day for the use and risk of his arms, and the sum of 15 cents per day for forage from the 1st of November, 1836, until they were finally discharged.

34. By the second section of the act approved September 30, 1850, making appropriations for the expenses of the Indian Department, the accounting officers of the Treasury were directed to settle the accounts of the companies of Texas mounted rangers commanded by Captains Hill, Smith, Roberts, Sutton, Ross, McCulloch, Johnson, and Blackwell, who were retained or called into service by the governor of said State.

35. By an act approved February 14, 1851, the Secretary of the Treasury was directed to settle the actual and necessary expenses incurred by the provisional government of Oregon in defending the people of said Territory from the attacks and hostilities of the Cayuse Indians in 1847 and 1848, upon the presentation by the governor of said Territory to the Secretary of the Treasury of a full, accurate, and detailed statement of the actual and necessary expenses of said defense from said hostilities, accompanied by proper vouchers and satisfactory proof of the correctness thereof, authenticated in conformity with the usages of the Department.

36. By act approved March 2, 1853, the Secretary of the Treasury was directed, out of the appropriation mentioned in the act to "settle and adjust the expenses of the defense of the people of Oregon from the attacks and hostilities of the Cayuse Indians in the years of 1847 and 1848, approved February 14, 1851," the sums found due and allowed by Commissioners Wait and Rice and by the governor of Oregon.

37. By act approved May 31, 1854, to supply deficiencies in the appropriations for the year ending June 30, 1854, the sum of \$1,000 was appropriated to pay arrearages of pay for services of volunteers in the Kentucky regiment called into service in 1836.

38. By act approved March 3, 1853, supplying deficiencies in the appropriations for the year ending June 30, 1853, the sum of \$10,569.06 was appropriated for Mexican hostilities.

39. By the same act the sum of \$18,060.49 was appropriated for pay of Louisiana and Texas volunteers.

40. By the same act the unexpended balance of the appropriation by the act of June 19, 1834 (see vol. 5, p. 680, Stats. at Large), "for payment of the Georgia militia," etc., which had passed by subsequent acts into the surplus fund, was re-appropriated.

41. By the same act \$7,241.93 was appropriated for arrearages of pay due Florida militia under General Read.

42. By an act approved March 3, 1855, making appropriations for the civil and diplomatic expenses of Government for the year ending June 30, 1856, it was provided that the sum of \$25,000 be appropriated to pay the necessary expenses of six companies of volunteers called into the service of the United States by Brigadier-General Smith, in the State of Texas, to be paid under the direction of the Secretary of War.

43. By an act making appropriations for the support of the Army for the year ending the 30th of June, 1856, and for other purposes, approved March 3, 1855, an appropriation of \$137,755.38 was made for pay, supplies, and traveling expenses of six companies of Texas volunteers called into the service by the governor of Texas and mustered into the service of the United States.

44. By act approved March 3, 1857 (section 9), the Secretary of War was authorized and required to pay to the State of Arkansas such sums of money as were paid by said State, under act of legislature of that State approved January 5, 1849, to the Benton County militia, called into service to resist incursions of the Cherokee Indians in July, 1846, not to exceed \$1,212.

45. By the eleventh section of an act approved March 3, 1857, making appropriations for the support of the Army for the year ending June 30, 1858, the Secretary of War was required to cause to be audited and settled the accounts of the State of Florida against the United States for money advanced by that State in payment of volunteers called into service for the suppression of Indian hostilities in 1849 and 1852, provided it should be satisfactorily shown that said claims had been actually allowed and paid by the State; and by the twelfth section of the same act the Secretary of War was directed to settle the actual and necessary expenses incurred by the militia called into the service in the Territory of New Mexico, by acting Governor Messervey, in the year 1854, to suppress Indian hostilities in said Territory, provided the Secretary should be first satisfied that the calling out of said militia was necessary and proper for the defense of the Territory.

46. By a clause of the same act (for the support of the Army for the year ending June 30, 1860) provision was made for the payment to Minnesota for expenses incurred by Capt. James Starkey's company of Minnesota Volunteers, called out by the governor of the State in 1857, to protect the settlers of the valley of Sunrise River against the Chippewa Indians.

47. By section 2 of the same act the Secretary of War was authorized to repay to the State of Texas moneys advanced by that State for the payment of six companies of mounted volunteers called into service by General Persifer F. Smith, November 1, 1854, for three months, provided that no greater pay or allowances be given these troops than was given to similar troops in the service of the United States.

48. By section 2 of an act approved June 21, 1860, the provisions of the act of March 3, 1859, were extended so as to include all the moneys advanced by the State of Texas in payment of volunteers called out in defense of the frontier of that State since February 23, 1855, provided the Secretary of War should be satisfied that there was necessity for calling out these troops, that they were called out by competent authority, and that the amount so claimed was actually paid by the State. The amount was limited to \$123,544.51, and the troops to be paid only for time in active service.

49. By the seventh section of same act (June 21, 1860) the twelfth section of act of March 3, 1857, was extended so as to embrace the pay proper and allowances of the militia of New Mexico therein named, the amount being limited to \$74,009; and the troops to be paid only for time in active service, at no greater rate than those in United States service.

50. By the fifth section of same act the Secretary of War was authorized to pay to the State of Iowa moneys paid by that State to troops called out by the governor of that State in 1857-'58-'59, to protect the frontier from Indian incursions, provided there was necessity for such calling out of troops and the moneys had been actually paid out by the State, with the usual provisos as to necessity, rate of pay, and limitation as to amount, which was \$18,988.84.

51. By the act approved June 21, 1860 (it being an Army appropriation bill), the sum of \$18,988 was appropriated to re-imburse the State of Iowa for the expenses of militia called out by the governor "to protect the frontier from Indian incursions," (see 12 U. S. Stats., p. 68).

52. By the same act the sum of \$123,544.51 was appropriated to the State of Texas for the "payment of volunteers called out in the defense of the frontier of the State since the 25th of February, 1855." By the "act making appropriations for the sundry civil expenses of the Government for the year ending June 30, 1864, and for other purposes," an appropriation was made to "pay the governor of the State of Minnesota, or his duly authorized agent, the costs, charges, and expenses properly incurred by said State in suppressing Indian hostilities within said State and upon its borders, in the year 1862, not exceeding \$250,000, to be settled upon proper vouchers to be filed and passed upon by the proper accounting officers of the Treasury (see 12 U. S. Stats., p. 754).

53. By act approved February 2, 1861, there was appropriated to re-imburse the Territory of Utah "for expenses incurred in suppressing Indian hostilities in said Territory in the year 1853," the sum of \$53,512 (see 12 U. S. Stats., p. 15).

54. By act approved March 2, 1861, the State of California had appropriated to her \$400,000 to defray the expenses incurred by the State in suppressing Indian hostilities for the years 1854, 1855, 1856, 1858, and 1859 (see 12 U. S. Stats., p. 199).

55. By another act of March 2, 1861, \$400,000 was appropriated for pay of volunteers in Oregon and Washington in suppression of Indian hostilities in 1855-'56.

56. In the sundry civil bill passed July 2, 1864, an appropriation of the sum of \$117,000 was made "to supply a deficiency in the appropriation for the costs, charges, and expenses properly incurred by the State of Minnesota in suppressing Indian hostilities in the year 1862" (see 13 U. S. Stats., pp. 350, 351).

57. By act approved May 28, 1864, the sum of \$928,411 was appropriated for the payment of damages sustained by citizens of Minnesota "by reason of the depredations and injuries by certain bands of Sioux Indians" (see 13 U. S. Stats., p. 92).

58. By act approved March 3, 1873 (sundry civil bill for the year ending June 30, 1874), \$10,000 was appropriated to re-imburse the State of Nebraska for expenses incurred in the suppression of Indian hostilities in 1864, to be paid by warrant in favor of the treasurer of said State.

59. By act approved March 3, 1875, making appropriations for sundry civil expense of the Government for the year ending June 30, 1876, the sum of \$25,000 was re-appropriated for the payment of volunteers of Washington and Oregon Territories who were engaged in the suppression of Indian hostilities therein in the years 1855 and 1856, and for the payment of claims for services, supplies, and transportation incurred in the maintenance of said volunteers, and for horses and other property lost or destroyed in said service, as provided for by the act of Congress approved March 2, 1861.

60. By the first section of an act of Congress approved June 27, 1882, the Secretary of the Treasury was authorized and directed, with the aid and assistance of the Secretary of War, to cause to be examined and investigated all the claims of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho against the United States for money alleged to have been expended and for indebtedness alleged to have been assumed by said States and Territories in organizing, arming, equipping, supplying clothing, subsistence, transporting, and paying the volunteer and military forces of said States and Territories called into active service by the proper authorities thereof between the 15th day of April, 1861, and the date of said act, to repel invasion and Indian hostilities in said States and Territories and upon their borders, including all proper expenses necessarily incurred by said States and Territories on account of said forces having been so called into active service, and all proper claims paid or assumed by said States and Territories for horses and equipments actually lost by said forces in the line of duty in active service, excepting the claim of the State of Oregon for expenditures in suppressing the Modoc Indian hostilities.

61. By the second section of said act it was provided that no higher rate for supplies, transportation, and other proper expenses than was allowed and paid by the United States for similar services in the same grade and for the same time in the U. S. Army serving in said States and Territories, and for similar supplies, transportation, and other proper expenses during the same time furnished the U. S. Army in the same country, and that no allowance should be made for the services of such forces except for the time during which they were engaged in active service in the field, or for expenditures for which the Secretary of War should decide there was no necessity at the time and under the circumstances.

62. By an act approved January 6, 1883, to re-imburse the State of Oregon, the Secretary of the Treasury was authorized and directed to pay to the State of Oregon the sum of \$70,268.08 in full for moneys paid by said State in suppressing Modoc Indian hostilities during the Modoc war, and in defending the State from invasion by said Indians during the years 1872 and 1873.

63. And by the second section of said act the Secretary of the Treasury was directed to pay to the State of California and to the citizens thereof, their heirs, representatives, or assigns the sum of \$4,441.33 for arms, ammunition, supplies, transportation, and services of volunteer forces in suppressing Indian hostilities in said State during the said years of 1872-'73, as the same were specifically reported to Congress by the Secretary of War December 15, 1874.

64. By an act entitled "An act to refund to the State of Georgia certain money expended by said State for the common defense in 1777," approved March 3, 1883, the Secretary of the Treasury was required to pay to the State of Georgia the sum of \$35,556.42 for money paid by said State for supplies for the troops in 1777 under the command of General Jackson engaged in local defense.

\* There can be no doubt, we think, that it is the duty of a National Government to assume the payment of expenses incurred in the general military defense.

#### PRECEDENTS OF CASES FOR THE PAYMENT OF CLAIMS TO STATES FOR MONEYS BY THEM EXPENDED FOR TROOPS DOING MILITARY SERVICE FOR THE UNITED STATES AND ARISING OUT OF THE REVOLUTIONARY WAR.

1. In the year 1787, Congress by ordinance provided for the creation of a commission to audit the claims of the several States against the United States on account of payments made for the common defense during the war of the Revolution, and in 1790 the first Congress passed an act recognizing such commission and providing for the payment of all claims which had been prior to September 24, 1788, allowed by the States. Afterwards the act was amended and the commission extended.

\* NOTE.—For payment to citizens of Montana on account of Indian war claims, see 18 U. S. Stats., 410.



2. By an act approved July 5, 1832, to provide for liquidating and paying certain claims of the State of Virginia, the accounts of Virginia for payments to officers of the Virginia line in the Revolutionary war, etc., were authorized to be paid, \$139,543.66 being appropriated; and the Secretary of the Treasury was directed to pay Virginia the amount of judgments rendered against her in favor of certain Revolutionary officers; amount appropriated, \$241,345.

3. By act approved February 27, 1851 (deficiency appropriation bill), there was appropriated \$36,934.34 for the pay and expenses of three companies of Texan volunteers called into the service by requisition of Brevet Major-General Brooke, and it was provided that such pay and allowance should conform to the pay and allowance of similar troops employed during the war with Mexico; and for re-imbursing the State of Florida under such rules and regulations as had theretofore governed similar claims of the several States against the United States for moneys advanced and paid for expenses incurred and obligations contracted by said States for subsistence, supplies, and services of local troops called into service during 1849 by and under the authorities of said States \$75,000 was appropriated; and for pay and expenses of four companies of volunteers called into the service of the United States by Brevet Lieutenant-Colonel Washington, of New Mexico, in the year 1849, \$135,530 was appropriated.

4. By an act approved August 3, 1852, making appropriations for the support of the Army for the year ending June 30, 1853, appropriations were made to refund to the State of North Carolina the amount of money advanced and transportation furnished to volunteers from that State during the war with Mexico; and for refunding to the State of Michigan the amount advanced by that State in organizing, subsisting, and transporting volunteers previous to their being mustered into the service of the United States during the war with Mexico.

5. By the same act the Secretary of War was directed to allow and pay to the State of Virginia all such sums as had been advanced by that State to officers and men of her regiment engaged to serve for and during the war then existing between the United States and Mexico for pay for their services from the day of their enrollment until they were mustered into the service of the United States.

6. By said act also the proper accounting officers of the Treasury were authorized to settle the claims of Florida for the service of her troops under the act of February 27, 1851, by the provisions stated in said act for the settlement of the claim of Virginia for like service.

7. By an act approved June 29, 1854, entitled "An act to re-imburse the common council of New York City for expenditures made for the First Regiment of New York Volunteers," the Secretary of War was authorized and required in the settlement and adjustment (under act of Congress June 2, 1845) of the claims of the common council of New York for expenditures made in organizing, transporting, clothing, and subsisting the First Regiment of New York Volunteers, commanded by Col. Ward B. Burnett, prior to the mustering of the said regiment into the service of the United States, to allow such of those claims as might be supported by satisfactory vouchers showing that such expenditures had been fairly made and were necessary and proper for the service, notwithstanding such vouchers might be informal and defective for want of particularity, provided that the amount allowed should not exceed \$3,672.90.

8. By an act approved February 9, 1859, the accounts of Maine for expenses incurred by that State in organizing a regiment of volunteers for the Mexican war in 1846 were required to be audited and settled by the officers of the Treasury pursuant to act June 2, 1848.

#### PRECEDENTS OF CASES AUTHORIZING RE-IMBURSEMENTS TO STATES AND TERRITORIES FOR EXPENSES BY THEM INCURRED ON ACCOUNT OF THE TROOPS BY THEM RAISED OR DOING SERVICE FOR THE UNITED STATES DURING THE WAR OF THE REBELLION.

1. By act of Congress approved July 27, 1861, it was provided that the Secretary of the Treasury was directed to pay, out of any moneys in the Treasury not otherwise appropriated, to the governor of any State, or his duly authorized agents, the costs, charges, and expenses properly incurred by such State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the rebellion.

2. By act approved April 12, 1866, entitled an "Act to re-imburse the State of Pennsylvania for moneys advanced Government for war purposes." \$800,000 was appropriated to supply a deficiency in paying the Army under the act of March 14, 1864, and to re-imburse the State of Pennsylvania for money expended for payment of militia in the service of the United States.

3. The act approved June 20, 1873, "making appropriations for sundry civil expenses of the Government for the year ending June 30, 1879, and for other purposes," contains the following clause:

"Refunding to States expenses incurred in raising volunteers: To indemnify the States for expenses incurred by them in enrolling, equipping, and transporting troops for the defense of the United States during the late insurrection, to wit: For the State of New York, \$82,736.78; for the State of Pennsylvania, \$29,527.23; in all, \$112,264.01."

4. By act approved April 17, 1866, the President was authorized, by and with the advice and consent of the Senate, to appoint three commissioners to ascertain the amount of moneys expended by the State of Missouri in enrolling, equipping, subsisting, and paying such State forces as had been called into the service in said State since 24th of August, 1861, to act in concert with the United States forces in suppressing the rebellion. Said commissioners were required to proceed, subject to regulations to be prescribed by the Secretary of War, at once to examine all items of expense made by said State for the purpose, subject to certain conditions and limitations mentioned, but no allowance was authorized to be made for any troops which did not perform actual military service in full concert and co-operation with the authorities of the United States, and subject to their orders.

5. By act approved June 8, 1872, the Secretary of the Treasury was directed to cause to be examined, settled, and paid any proper claims of the State of Kentucky for money expended in enrolling, equipping, subsisting, and paying State forces of Kentucky, called into service in said State after August 24, 1861, to act in concert with the United States forces in suppressing the rebellion, settlement to be made upon the principles and conditions and under the limitations provided in the act of Congress approved April 17, 1866, to re-imburse the State of Missouri for moneys expended for like purposes.

6. By act of June 16, 1880, payment of bounty to enlisted men of the Fifteenth and Sixteenth Missouri Cavalry was authorized.

Under these acts large sums have been paid to the several States and Territories, a statement of which will be found in a letter from the Third Auditor of the Treasury, subjoined hereto.

*Payments made to the States and Territories for expenditures made by them in the suppression of Indian hostilities, as shown by the books of the Third Auditor of the Treasury.*

Year of payment.	For what paid.	Paid through Third Auditor's Office.	Amount paid by Second Auditor, as per books of this office.	Total.
1859	Payment to the State of Arkansas for expenses in resisting incursions of the Cherokee Indians (act March 3, 1857) .....	\$1,212.00	.....	\$1,212.00
1850 } 1852 }	Claims of the State of New Hampshire for services of her militia from 1835 to 1837 (act March 2, 1849) .....	.....	\$5,487.56	5,487.56
1852	Payment of interest on expenditures of the State of New Hampshire in Indian war of 1835, 1836, and 1837 (act January 27, 1852) .....	.....	4,390.86	4,390.86
1853	Refunding expenses incurred by the State of North Carolina in the Florida war in 1836, 1837, and 1838 (act August 31, 1852) .....	9,382.48	.....	9,382.48
1854 } 1855 } 1857 }	Payment of claims of the State of South Carolina relating to Florida war of 1836 (act August 31, 1852) .....	19,369.05	.....	19,369.05
1858 } 1859 } 1860 } 1861 }	Refunding to the State of California expenses incurred in suppressing Indian hostilities prior to January 1, 1854 (acts of August 5, 1854, and August 18, 1856, sec. 8) .....	614,077.02	.....	914,077.02
1863 } 1872 }	Refunding to the State of California expenses incurred in suppressing Indian hostilities in 1854, 1855, 1856, 1857, 1858, and 1859 (acts March 2, 1861, and July 25, 1868) .....	231,067.87	.....	231,067.87
1883 } 1884 }	Re-imbursing State and citizens of California for expenses in suppressing Modoc Indian hostilities (act January 6, 1883) .....	4,142.82	.....	4,142.82
1883	Re-imbursing State of Oregon for expenses in suppressing Modoc Indian hostilities (act January 6, 1883) .....	70,268.08	.....	70,268.08
1843 } 1845 } 1846 } 1851 } 1852 } 1853 }	Claim of the State of Maine for services of her militia in defense of the Northeastern frontier in 1839 (act June 13, 1842) .....	73,343.96	120,557.57	193,901.53
1851 } 1852 } 1853 } 1854 }	Allowance of interest to the State of Maine on expenditures in defense of the Northeastern frontier in 1839, 1840, and 1841 (acts March 3, 1851, and August 31, 1852) .....	33,822.12	40,336.83	74,158.95

Payments made to the States and Territories for expenditures made by them, etc.—Cont'd.

Year of payment.	For what paid.	Paid through Third Auditor's Office.	Amount paid by Second Auditor as per books of this office.	Total.
1851 } 1852 } 1853 }	To re-imburse the State of Florida for expenses incurred in 1849 and 1852 (act February 27, 1851) .....	\$30,812.11	\$41,142.08	\$71,954.19
	NOTE.—The sum of \$92,788.10 is reported in "receipts and expenditures" as paid to State of Florida in 1857, on account expenses incurred in 1849-'52 (act March 3, 1857), and is presumed to have been paid through the Second Auditor's Office.			
1868	Payment to the State of Iowa for advances to troops in 1857, 1858, and 1859 (act June 21, 1860) .....	18,988.84	.....	18,988.84
1856 } 1857 } 1857 } 1857 }	Refunding to the Territory of Utah expenses incurred in suppressing Indian hostilities (act July 17, 1854) .....	7,222.65	12,468.00	19,690.65
1871 } 1872 } 1872 } 1872 }	Re-imbursing Nebraska for expenses incurred in suppressing Indian hostilities in 1864 (act July 27, 1866) .....	38,287.15	.....	38,287.15
1863 } 1865 } 1868 } 1869 } 1870 }	Payment of the State of Minnesota for expenses incurred in suppressing Indian hostilities in the year 1862. (Acts March 3, 1863, and July 2, 1864) .....	359,579.81	.....	359,579.81
1861 } 1862 }	Payment of the State of Minnesota for expenses incurred by Capt. James Starkey's company of Minnesota Volunteers. (Act March 3, 1859) .....	1,247.37	.....	1,247.37
1846 } 1848 } 1852 } 1853 }	Claims of the State of Alabama for militia services in 1836 and 1837. (Act August 16, 1842) .....	71,412.29	40,101.84	111,214.13
1849 } 1854 }	Payment of interest on advances made by the State of Alabama. (Act January 26, 1849) .....	51,162.79	17,975.20	69,137.99
1847 } 1848 }	An act to authorize the payment of certain claims of the State of Alabama. (Approved August 10, 1846) .....	13,455.32	.....	13,455.32
1827 } 1832 }	Payment of Georgia claims for services of her militia in 1792-'93-'94. (Act March 2, 1827) .....	91,676.19	.....	91,676.19
1842 } 1850 } 1853 }	Claims of the State of Georgia for services of her militia from 1835 to 1838. (Act August 11, 1842) .....	128,266.85	46,733.15	175,000.00
1854 } 1855 } 1857 }	Payment to State of Georgia for services of her militia from 1835 (section 8, act March 3, 1853) .....	83,947.54	55,960.92	139,908.46
1851 } 1852 } 1853 }	Allowance of interest to the State of Georgia (act March 3, 1851) .....	21,857.55	13,101.10	34,958.65
1836 } 1879 }	For amount advanced to the State of Georgia on account of expenses incurred in calling out her militia in 1836, as per Second Comptroller's letter, No. 1160, January 10, 1846 .....	40,725.36	.....	40,725.36
	Refunding to State of Georgia expenses of Indian wars from 1835 to 1838 (act March 3, 1879) .....	72,296.94	.....	72,296.94
	NOTE.—Amount passed to the credit of the State of Kansas on Second Comptroller's letter, No. 4756, dated November 13, 1884, under Act June 27, 1882, for expenses incurred in suppressing Indian hostilities; and the same has been reported to Congress for appropriation, \$332,308.13.			

*Payments to States by the United States for expenditures made by them on account of pay, supplies, and equipments of their militia, for the war of 1812, as shown by books of the Third Auditor of the Treasury.*

## VIRGINIA.

Warrants and requisitions after July 1, 1822.		Pay of the militia.	Subsistence, quartermaster's supplies, and contingencies.	Payment of balances due certain States (act March 3, 1817).	Payment of interest due the State (act March 3, 1825).	Total.
Date.	Number.					
October 4, 1814	War. 1504		\$100,000.00			\$100,000.00
July 23, 1815	War. 2612		15,300.00			15,300.00
March 23, 1816	War. 2571	\$200,000.00				200,000.00
October 18, 1816	War. 359	350,000.00				350,000.00
January 27, 1816	War. 3694	400,000.00				400,000.00
April 21, 1817	War. 252			\$250,000.00		250,000.00
November 14, 1817	War. 1263			200,000.00		200,000.00
June 26, 1818	War. 2237			150,000.00		150,000.00
May 4, 1819	War. 3892			48,991.19		48,991.19
March 7, 1820	War. 5286			40,628.33		40,628.33
May 11, 1821	War. 8047			30,000.00		30,000.00
April 25, 1822	War. 9031			5,868.99		5,868.99
January 17, 1823	Req. 643			6,841.50		6,841.50
April 19, 1825	Req. 3288				\$50,000.00	50,000.00
July 11, 1825	Req. 3513				128,480.11	128,480.11
January 5, 1828	Req. 1080			7,591.20		7,591.20
July 14, 1829	Req. 2872			2,216.85		2,216.85
Total		950,000.00	115,300.00	742,138.06	178,480.11	1,985,918.17

## NORTH CAROLINA.

Warrants and requisitions after July 1, 1822.		Pay of the militia.	Payment of balances due certain States (act March 3, 1817).	Claims of the State of North Carolina (act March 1, 1837).	Total.
Date.	Number.				
September 17, 1816	War. 286	\$30,000.00			\$30,000.00
November 20, 1817	War. 1284		\$17,000.00		17,000.00
June 10, 1837	Req. 6948			\$30,000.00	30,000.00
Total					77,000.00

## MISSISSIPPI.

Warrants and requisitions after July 1, 1822.		Payment of balances due certain States (act March 3, 1817).	Total.
Date.	Number.		
March 6, 1819	War. 3590	\$4,585.64	\$4,585.64

Payments to States by the United States for expenditures made by them, etc.—Continued.

SOUTH CAROLINA.

Warrants and requisitions after July 1, 1822.		Payment of balances due certain States (act March 3, 1817).	An act for the adjustment and settlement of the claims of South Carolina (approved March 22, 1832).	Total.
Date.	Number.			
October 24, 1821.....	War. 8552	\$114,000.00	.....	\$114,000.00
October 31, 1821.....	War. 8580	15,000.00	.....	15,000.00
June 15, 1822.....	War. 9450	26,000.00	.....	26,000.00
June 16, 1832.....	Req. 1754	.....	\$3,000.00	3,000.00
July 19, 1832.....	Req. 1911	.....	154,259.16	154,259.16
Total.....	.....	155,000.00	157,259.16	312,259.16

VERMONT.

Warrants and requisitions after July 1, 1822.		Payment of balances due certain States (act March 3, 1817).	Total.
Date.	Number.		
March 30, 1820.....	War. 5388	\$4,421.18	\$4,421.18

RHODE ISLAND.

Warrants and requisitions after July 1, 1822.		Pay of the militia.	Subsistence, quartermaster's supplies, and contingencies.	Payment of balances due certain States (act March 3, 1817).	Total.
Date.	Number.				
April 27, 1816.....	War. 2796	\$18,500.00	\$3,417.62	.....	\$21,917.62
May 15, 1820.....	War. 5796	.....	.....	\$15,000.00	15,000.00
June 19, 1821.....	.....	.....	.....	1,890.62	1,890.62
June 30, 1821.....	War. 8209	.....	.....	3,614.33	3,614.33
Total.....	.....	.....	.....	20,504.95	42,422.57

MASSACHUSETTS.

Warrants and requisitions after July 1, 1822.		Payment of the claim of the State of Massachusetts (act May 31, 1839).	Subsistence, quartermaster's supplies, and contingencies.	Payment to the State of Massachusetts (section 3, act March 1, 1859).	Total.
Date.	Number.				
March 22, 1817.....	War. 85	.....	\$11,000.00	.....	\$11,000.00
March 3, 1831.....	Req. 159	\$419,748.26	.....	.....	419,748.26
May 19, 1859.....	Req. 1859	.....	.....	\$227,176.48	227,176.48
Total.....	.....	.....	.....	.....	657,924.74



Payments to States by the United States for expenditures made by them, etc.—Continued.

## PENNSYLVANIA.

Warrants and requisitions after July 1, 1821.		Balances due certain States (act March 3, 1817).	Substance, quartermaster's supplies, and contingencies.	Interest on loan to United States in 1815 (contingencies).	Payment of interest to the State of Pennsylvania (act March 3, 1827).	Total.
Date.	Number.					
April 26, 1815 .....	War. 4255		\$75,000.00			\$75,000.00
June 26, 1816 .....	War. 99	\$100,000.00				100,000.00
May 8, 1817 .....	War. 362	75,000.00				75,000.00
November 21, 1817 .....	War. 1296	30,000.00				30,000.00
April 22, 1817 .....	War. 263			\$33,870.97		33,870.97
August 13, 1824 .....	Req. 2493	5,510.27				4,510.27
November 18, 1825 .....	Req. 3883	6,610.56				6,610.56
July 5, 1827 .....	Req. 616				\$17,577.60	17,577.60
Total .....		217,120.83				543,369.40

## CONNECTICUT.

Warrants and requisitions after July 1, 1822.		Balances due certain States (act March 3, 1817).	Pay of the militia.	Claims of the State of Connecticut (act March 1, 1837).	Total.
Date.	Number.				
September 20, 1813 .....	War. 1407		\$3,000.00		\$3,000.00
March 11, 1817 .....	War. 5	\$50,000.00			50,000.00
July 19, 1838 .....	Req. 9264			\$55,923.79	55,923.79
December 20, 1838 .....	Req. 670			9,145.50	9,145.50
Total .....				65,069.29	118,069.29

## NEW HAMPSHIRE.

Warrants and requisitions after July 1, 1822.		Balances due certain States (act March 3, 1817).	Pay of the militia.	Total.
Date.	Number.			
July 22, 1816 .....	War. 150		\$40,000.00	\$40,000.00
March 22, 1817 .....	War. 84	\$12,000.00		12,000.00
April 14, 1818 .....	War. 1913	6,000.00		6,000.00
Total .....		18,000.00		58,000.00

Payments to States by the United States for expenditures made by them, etc.—Continued.

NEW YORK.

Warrants and requisitions after July 1, 1822.		Balances due certain States (act March 3, 1817).	For balances of property account between the United States and State of New York, for mil- itary stores in war of 1812 (act August 5, 1854).	Payment of interest due the State of New York (act May 22, 1826).	Total.
Date.	Number.				
February 3, 1819 .....	War. 3270	\$80,000.00	.....	.....	\$80,000.00
May 6, 1819 .....	War. 3908	20,000.00	.....	.....	20,000.00
March 24, 1821 .....	War. 7904	23,561.36	.....	.....	23,561.36
April 25, 1822 .....	War. 9030	2,948.24	.....	.....	2,948.24
December 28, 1822 .....	Req. 599	6,000.00	.....	.....	6,000.00
March 27, 1826 .....	Req. 4259	6,615.02	.....	.....	6,615.02
October 25, 1826 .....	Req. 4927	.....	.....	\$40,264.86	40,264.86
January 2, 1855 .....	Req. 4317	.....	\$11,929.45	.....	11,929.45
<b>Total</b> .....		139,124.62	.....	.....	191,318.93

MARYLAND.

Warrants and requisitions after July 1, 1822.		Balances due certain States (act March 3, 1817).	Payment of interest due the State of Maryland (act May 13, 1826).	Payment of money expended by the city of Baltimore in her own defense, and inter- est on same (acts May 20, 1826, and April 8, 1830).	Act for settlement of ac- count between the United States and State of Mary- land (approved March 3, 1857).	Total.
Date.	Number.					
September 28, 1818 ..	War. 2668	\$40,000.00	.....	.....	.....	\$40,000.00
January 27, 1819 .....	War. 3239	40,000.00	.....	.....	.....	40,000.00
December 1, 1819 .....	War. 4840	100,000.00	.....	.....	.....	100,000.00
January 3, 1821 .....	War. 7478	94,710.21	.....	.....	.....	94,710.21
November 30, 1821 ..	War. 8653	4,916.33	.....	.....	.....	4,916.33
January 10, 1822 .....	War. 8760	2,070.00	.....	.....	.....	2,070.00
July 6, 1822 .....	Req. 20	527.00	.....	.....	.....	527.00
June 27, 1826 .....	Req. 4591	.....	\$30,000.00	.....	.....	30,000.00
September 18, 1826 ..	Req. 4827	.....	31,582.63	.....	.....	31,582.63
November 10, 1826 ..	Req. 4959	10,424.49	.....	.....	.....	10,424.49
December 2, 1826 .....	Req. 4995	.....	4,980.59	.....	.....	4,980.59
August 29, 1857 .....	Req. 9178	.....	.....	.....	\$275,770.23	275,770.23
1813 .....		.....	527.00	.....	.....	527.00
1822 .....		.....	527.00	.....	.....	527.00
<i>City of Baltimore.</i>						
August 15, 1826 .....	Req. 4717	.....	.....	\$21,710.25	.....	21,710.25
April 14, 1857 .....	Req. 345	.....	.....	14,844.71	.....	14,844.71
<b>Total</b> .....		292,648.03	67,617.22	36,554.96	275,770.23	672,590.44

Payments to States by the United States for expenditures made by them, etc.—Continued.

## DELAWARE.

Warrants and requisitions, act July 1, 1822.		Balances due certain States (act March 3, 1817).	Interest due the State (act May 20, 1826).	Total.
Date.	Number.			
October 13, 1818.....	War. 2721	\$25,000.00	.....	\$25,000.00
December 7, 1822.....	Req. 529	9,545.72	.....	9,545.72
December 12, 1826.....	Req. 5017	.....	\$6,530.00	6,530.00
Total.....	.....	34,545.72	6,530.00	41,075.72

## RECAPITULATION.

Virginia.....	\$1,985,918.17
North Carolina.....	77,000.00
Mississippi.....	4,585.61
South Carolina.....	312,259.16
Vermont.....	4,421.18
Rhode Island.....	42,422.57
Massachusetts.....	657,924.74
Pennsylvania.....	343,369.40
Connecticut.....	119,069.29
New Hampshire.....	58,000.00
New York.....	191,318.93
Maryland.....	672,590.44
Delaware.....	41,075.72

## MEXICAN WAR.

Payments to the States by the United States on account of money expended by them in the prosecution of the war, as shown on the books of the Third Auditor.

[NOTE.—Payments were made on this account through Second Auditor, and are not in this report.]

State and period of payments.	Appropriations.			Total.
	Mexican hostilities.	Refunding expenses incurred for use of volunteers before being mustered into United States service (act June 2, 1848).	Army transportation, etc.	
Tennessee:				
1846 and 1847.....	\$21,598.21	.....	.....	\$21,598.21
1849 and 1850.....	.....	\$1,343.00	.....	1,343.00
1848.....	.....	.....	\$306.00	306.00
Total.....	.....	.....	.....	23,247.21
Louisiana:				
1846 and 1847.....	23,551.72	.....	.....	23,551.72
1848 to 1853.....	.....	8,999.07	.....	8,999.07
1847.....	.....	.....	*138.00	138.00
Total.....	.....	.....	.....	32,688.79
Mississippi:				
1848.....	.....	594.07	.....	594.07
1848.....	.....	.....	†1,105.19	1,105.19
Total.....	.....	.....	.....	1,699.26

\* Transportation supplies, etc., Quartermaster's Department.

† Subsistence.

Payments to the States by the United States on account of money expended, etc.—Cont'd.

State and period of payments.	Appropriations.			Total.
	Mexican hostilities.	Refunding expenses incurred for use of volunteers before being mustered into United States service (act June 2, 1848).	Army transportation, etc.	
Texas: 1847.....			*\$9,171.76	\$9,171.76
Alabama: 1848.....	\$236.66			236.66
1848 to 1852.....		\$9,714.78		9,714.78
Total.....				9,951.44
South Carolina: 1848 to 1851.....		5,936.64		5,936.64
Virginia: 1847.....	6,218.73			6,218.73
1850 to 1853.....		5,388.14		5,388.14
Total.....				11,601.87
North Carolina: 1853.....		3,084.84		3,084.84
Pennsylvania: 1853.....		1,569.39		1,569.39
Ohio: 1846 to 1848.....	14,623.54			14,623.54
Illinois: 1849.....		299.00		299.00
Indiana: 1852 and 1853.....		8,287.46		8,287.46
Michigan: 1852 and 1853.....	1,070.18			1,070.18
1852.....			†18,568.81	18,568.81
Total.....				19,638.99
Maine: 1860.....			‡10,308.28	10,308.28

\* For payment of four companies of Texas volunteers (act May 8, 1846).

† To refund expenses incurred by State (act August 31, 1852).

‡ Claim of the State of Maine for advances (act February 9, 1859).

RECAPITULATION.

Tennessee.....	\$23,247.21
Louisiana.....	32,088.79
Mississippi.....	1,699.26
Texas.....	9,171.76
Alabama.....	9,951.44
South Carolina.....	5,936.64
Virginia.....	11,601.87
North Carolina.....	3,084.84
Pennsylvania.....	1,569.39
Ohio.....	14,623.54
Illinois.....	299.00
Indiana.....	8,287.46
Michigan.....	19,638.99
Maine.....	10,308.28
Total.....	152,108.47

Statement of amounts and dates of payments made by the United States to the States, for expenses incurred by them in suppressing the rebellion, as shown by the books of the Third Auditor of the Treasury.

[NOTE.—Act approved July 27, 1861, was general in application as relating to this class of claims, furnishing to the accounting officers of the Treasury authority for their settlement.]

## CONNECTICUT.

Requisitions.		Number.	Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).
Date.			
March 18, 1862	6890	\$600,000.00	
December 31, 1863	3553	612,785.71	
March 14, 1866	9178	171,495.70	
April 16, 1866	9320	154,915.75	
April 26, 1866	9982	102,189.05	
February 1, 1867	1853	6,750.20	
May 1, 1867	3123	21,902.14	
March 11, 1870	3435	23,447.01	
April 22, 1871	6500	19,135.12	
May 2, 1871	6551	133,195.96	
June 30, 1871	7155	154,273.84	
July 23, 1872	344	10,824.69	
December 5, 1872	2022	16,594.21	
April 24, 1873	3682	16,675.99	
December 3, 1873	6796	850.87	
May 15, 1876	8146	9,323.75	
July 22, 1876	9709	9,898.57	
June 27, 1876	6884	1,127.67	
June 21, 1890	6520	8,513.06	
March 15, 1881	237	1,793.88	
August 9, 1882	6379	15,257.29	
Total		2,096,950.46	

## MASSACHUSETTS.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).	Subsistence for three years' volunteers.	Total.
Date.	Number.			
September 11, 1861	4995	\$775,000.00		\$775,000.00
April 27, 1865	7374	309,088.95		309,088.95
March 5, 1866	9160	700,894.14		700,894.14
Do	9161	621,435.53		621,435.53
February 14, 1868	6091	370,509.67		370,509.67
April 7, 1868	6342	300,000.00		300,000.00
October 20, 1868	8414	205,999.14		205,999.14
February 3, 1869	9613	28,790.97		28,790.97
August 12, 1869	1717	55,604.96		55,604.96
March 24, 1870	3753	132,990.32		132,990.32
June 5, 1872	2721	79,375.41		79,375.41
March 13, 1883	411	11,754.12		11,754.12
July 11, 1884	5903	23,619.33		23,619.33
October 18, 1861	5368		\$18,668.41	18,668.41
Do	5369		6,763.27	6,763.27
Do	5370		14,988.85	14,988.85
Total		3,620,062.54	40,420.53	3,660,483.07



Amounts and dates of payments made by the United States to the States, etc.—Continued.

## RHODE ISLAND.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).	Subsistence for three-years volunteers.	Total.
Requisitions.	Number.			
October 18, 1861.....	5356	\$231, 478. 51	.....	\$231, 478. 51
January 5, 1867.....	1616	208, 687. 54	.....	208, 687. 54
Do.....	1617	99, 419. 11	.....	99, 419. 11
June 22, 1867.....	3778	119, 532. 24	.....	119, 532. 24
November 6, 1867.....	5326	35, 634. 89	.....	35, 634. 89
Do.....	5327	5, 385. 00	.....	5, 385. 00
December 19, 1867.....	5832	6, 896. 72	.....	6, 896. 72
January 17, 1868.....	6031	9, 277. 32	.....	9, 277. 32
January 26, 1869.....	9582	6, 012. 53	.....	6, 012. 53
March 3, 1864.....	4145	.....	\$1, 206. 29	1, 206. 29
Total.....	.....	722, 323. 86	1, 206. 29	723, 530. 15

## MAINE.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).
Date.	Number.	
September 2, 1861.....	4911	\$200, 000. 00
January 14, 1862.....	6354	120, 000. 00
March 2, 1867.....	2236	198, 462. 12
Do.....	2237	357, 702. 10
November 22, 1867.....	5545	10, 682. 23
September 5, 1868.....	7708	127, 473. 34
October 16, 1868.....	8361	6, 728. 96
June 27, 1871.....	7140	3, 938. 93
March 13, 1883.....	410	2, 197. 32
Total.....	.....	1, 027, 185. 00

## NEW HAMPSHIRE.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).	Subsistence for three-years volunteers.	Total.
Date.	Number.			
October 7, 1861.....	5211	\$200, 000. 00	.....	\$200, 000. 00
September 19, 1863.....	2365	224, 000. 00	.....	224, 000. 00
January 12, 1864.....	9654	47, 134. 19	.....	47, 134. 19
Do.....	3653	185, 645. 67	.....	185, 645. 67
December 19, 1864.....	6518	200, 000. 00	.....	200, 000. 00
April 17, 1866.....	9324	44, 218. 79	.....	44, 218. 79
May 1, 1867.....	3129	7, 523. 86	.....	7, 523. 86
June 5, 1867.....	3870	8, 298. 02	.....	8, 298. 02
November 14, 1867.....	5433	2, 700. 32	.....	2, 700. 32
January 16, 1869.....	9534	20, 175. 00	.....	20, 175. 00
Do.....	9535	21, 983. 21	.....	21, 983. 21
June 10, 1869.....	1039	901. 10	.....	996. 10
December 13, 1869.....	2757	2, 326. 06	.....	2, 326. 06
January 13, 1870.....	3006	2, 961. 28	.....	2, 961. 28
June 6, 1873.....	4322	1, 363. 44	.....	1, 363. 44
December 11, 1873.....	6939	2, 639. 58	.....	2, 639. 58
October 18, 1861.....	5367	.....	\$4, 206. 40	4, 206. 40
Total.....	.....	971, 875. 52	4, 206. 40	976, 081. 92

Amounts and dates of payments made by the United States to the States, etc.—Continued.

## VERMONT.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).	Payment of the State of Vermont for expenses in protection against invasion from Canada in 1864 (act June 23, 1866).	Total.
Date.	Number.			
September 7, 1861.....	4972	\$123,000.00		\$123,000.00
May 5, 1862.....	7383	152,000.00		152,000.00
May 25, 1863.....	994	179,407.80		179,407.80
Do.....	995	152,895.31		152,895.31
September 4, 1867.....	4484	41,173.90		41,173.90
June 17, 1869.....	1136	49,691.90		49,691.90
August 4, 1869.....	1591	58,364.41		58,364.41
May 28, 1872.....	2649	56,502.18		56,502.18
September 10, 1877.....	4623	1,252.13		1,252.13
February 7, 1878.....	5258	835.75		835.75
May 11, 1878.....	6152	970.21		970.21
September 4, 1867.....	4484		\$16,463.81	16,463.81
Total.....		816,093.59	16,463.81	832,557.40

## NEW YORK.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).
Date.	Number.	
December 17, 1861.....	6089	\$1,113,000.00
September 26, 1865.....	8356	262,763.17
June 14, 1867.....	3595	879,058.22
September 23, 1870.....	5028	41,220.83
Do.....	5027	702.90
Do.....	5028	37,280.72
May 25, 1871.....	6336	194,799.15
June 27, 1871.....	7141	348,295.50
December 10, 1871.....	2061	272,687.02
December 30, 1872.....	2179	192,650.31
March 17, 1873.....	3039	107,498.08
December 30, 1875.....	7262	81,230.25
November 13, 1876.....	1771	57,047.80
Do.....	1772	24,336.80
June 23, 1877.....	4475	41,138.50
July 5, 1878.....	7274	82,736.78
July 1, 1880.....	6761	61,858.95
March 15, 1881.....	236	21,421.13
August 9, 1882.....	6680	83,344.35
July 11, 1884.....	5905	54,940.52
Total.....		3,957,996.98

*Amounts and dates of payments made by the United States to the States, etc.—Continued.*

## NEW JERSEY.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).	Expenses incurred in raising 100 days volunteers (act May 6, 1864).	Expenses incurred by the State of New Jersey in the erection of barracks, etc., for nine-months men in 1862. Paid out of appropriation for barracks and quarters.	Total.
Date.	Number.				
August 31, 1861.....	4909	\$74,000.00			\$74,000.00
August 1, 1867.....	3996	100,000.00			100,000.00
December 7, 1867.....	5674	551,617.48			551,617.48
Do.....	5675	382,613.90			382,613.90
June 5, 1868.....	6569	60,830.79			60,830.79
July 9, 1868.....	7177	27,978.20			27,978.20
October 19, 1868.....	8403	40,409.62			40,409.62
January 13, 1869.....	9490	1,037.90			1,037.90
June 10, 1869.....	1022	14,613.21			14,613.21
November 6, 1869.....	2458	11,898.34			11,898.34
May 25, 1870.....	4315	17,005.98			17,005.98
August 9, 1870.....	4846	8,024.44			8,024.44
December 24, 1870.....	5714	20,669.87			20,669.87
June 23, 1871.....	7122	11,404.60			11,404.60
June 29, 1871.....	7153	56,264.05			56,264.05
August 6, 1875.....	6190	10,889.20			10,889.20
December 24, 1870.....	5714		\$6,883.98		6,883.98
March 10, 1865.....	7041			\$24,025.79	24,025.79
Total.....		1,389,257.58			1,420,167.35

## PENNSYLVANIA.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).	Total.
Date.	Number.		
September 19, 1861.....	5069	\$606,000.00	\$606,000.00
May 1, 1867.....	3124	1,304,711.43	1,304,711.43
Do.....	3125	78,516.89	78,516.89
October 27, 1868.....	8311	105,651.46	105,651.46
August 26, 1870.....	4884	136,846.09	136,846.09
April 11, 1871.....	6408	137,822.59	137,822.59
May 15, 1871.....	6689	242,167.57	242,167.57
June 23, 1871.....	7123	298,753.08	298,753.08
August 10, 1875.....	6215	2,865.61	2,865.61
October 26, 1877.....	4742	58,490.41	58,490.41
March 4, 1878.....	5942	22,557.75	22,557.75
July 5, 1878.....	7275	29,527.23	29,527.23
March 10, 1879.....	716	8,236.56	8,236.56
July 1, 1880.....	6762	39,005.78	39,005.78
March 15, 1881.....	238	5,156.06	5,156.06
August 9, 1882.....	6882	94,561.15	94,561.15
March 13, 1883.....	413	33,766.58	33,766.58
Total.....		3,204,636.24	3,204,636.24

Amounts and dates of payments made by the United States to the States, etc.—Continued.

## OHIO.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).	Quartermaster's Department.	To refund to the State expenses incurred in raising 100 days troops (acts May 6, 1866).	To reimburse the State for expenses in enrolling, etc., militia in the United States service (act March 29, 1867).	Total.
Date.	Number.					
November 13, 1861.	5635	\$177,600.00				\$177,600.00
August 8, 1861	4739	900,000.00				900,000.00
December 24, 1864.	6573	766,896.94				766,896.94
February 7, 1867	2075	1,880.84	\$200.00			2,080.84
Do	2076	185,128.99				185,128.99
August 22, 1867	4444	56,623.70		\$102,403.52		158,627.22
December 30, 1867.	5857	60,900.80		59,428.98		120,329.78
December 10, 1868.	9140	2,963.48			\$258,767.66	261,731.14
August 13, 1869	1752	23,372.29				23,372.29
June 21, 1870	4513	73,639.26		158.94	7,515.12	81,213.32
April 3, 1871	6376	143,436.32				143,436.32
May 13, 1871	6587	1,868.23				1,868.23
March 11, 1873	2952	89,557.09				89,557.09
August 13, 1873	5374	4,617.41				4,617.41
May 26, 1874	9396	22,021.43				22,021.43
September 10, 1874.	1059	13,760.52				13,760.52
December 17, 1875.	7158	5,578.27				5,578.27
August 9, 1882	6378	67,674.98				67,674.98
March 13, 1883	409	70,943.96				70,943.96
July 11, 1884	5906	90,246.92				90,246.92
September 21, 1867.	4858				680.31	680.31
Do	4859				435.19	435.19
September 26, 1867.	4954				141.56	141.56
October 8, 1867.	5019				50.00	50.00
Do	5020				19.50	19.50
November 13, 1867.	5466				34.50	34.50
November 26, 1867.	5586				4.50	4.50
April 21, 1866	9370		*57,368.77			
Total		2,758,111.03	57,568.77	161,991.44	267,648.34	3,245,319.58

\*Paid the State out of appropriation for payment of expenses of minute men and volunteers in Ohio, Kentucky, and Pennsylvania.

## WISCONSIN.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).
Date.	Number.	
September 2, 1861.	4910	\$205,000.00
July 18, 1862	2065	110,000.00
September 30, 1862	8567	147,163.83
May 13, 1865	7776	300,238.26
January 25, 1870	3092	219,742.06
March 17, 1873	3049	42,567.49
November 1, 1875.	6772	10,347.53
Total		1,085,059.17

*Amounts and dates of payments made by the United States to the States, etc.—Continued.*

## IOWA.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).	To re-imburse the State for expenses incurred during the rebellion (act March 3, 1869).	Total.
Date.	Number.			
September 25, 1861.....	5112	\$80,000.00		\$80,000.00
September 7, 1862.....	7111	20,000.00		20,000.00
July 8, 1868.....	5917	135,442.44		135,442.44
Do.....	5918	384,274.80		384,274.80
June 17, 1869.....	1137		\$229,827.39	229,827.39
January 25, 1870.....	3093	85,079.64		85,079.64
June 4, 1872.....	2679	101,376.02		101,376.02
March 7, 1874.....	8605	3,496.99		3,496.99
May 26, 1874.....	9395	262.17		262.17
Total.....		609,932.06		1,039,759.45

## ILLINOIS.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).	Clothing, etc.	Total.
Date.	Number.			
August 6, 1861.....	4716	\$400,000.00		\$400,000.00
June 23, 1862.....	7864		\$124,234.23	124,234.23
June 25, 1862.....	7879	357,747.48		357,747.48
October 28, 1862.....	8789	974,568.63		974,568.63
Do.....	8790	110,028.44		110,028.44
April 17, 1863.....	627	320,000.00		320,000.00
August 8, 1864.....	5464	30,000.00		30,000.00
February 7, 1865.....	6840	438,265.98		438,265.98
June 7, 1867.....	3403	25,680.68		25,680.68
December 12, 1867.....	5791	71,629.04		71,629.04
December 23, 1868.....	9256	136,345.81		136,345.81
Do.....	9257	6.00		6.00
December 28, 1869.....	2902	52,397.69		52,397.69
July 14, 1870.....	4689	39,023.78		39,023.78
April 12, 1871.....	6426	514.75		514.75
Total.....		2,956,208.28		3,080,442.51



Amounts and dates of payments made by the United States to the States, etc.—Continued.

## INDIANA.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, February 25, 1862, etc.).	Collecting, organizing, and drilling volunteers (act August 5, 1861).	To re-imburse the State for expenses in enrolling, etc., her militia (act March 29, 1867).	To refund to State expenses incurred in raising 100 days' troops (act May 8, 1864).	Total.
Date.	Number.					
July 30, 1861.....	4684	\$450,000.00				\$450,000.00
August 20, 1861.....	4813		\$100,000.00			100,000.00
October 24, 1865.....	8666	133,302.91				133,302.91
November 24, 1868.....	8917	415,655.39				415,655.39
Do.....	8918	700,442.43				700,442.43
Do.....	8919	198,128.14				198,128.14
April 19, 1869.....	417			\$243.54		243.54
Do.....	418			325.39		325.39
May 27, 1869.....	871			289.17		289.17
June 4, 1869.....	955			545.00		545.00
Do.....	956			289.17		289.17
June 17, 1869.....	1130			298.67		298.67
Do.....	1131			298.67		298.67
Do.....	1132			298.67		298.67
July 28, 1869.....	1515			118.17		118.17
Do.....	1516			289.17		289.17
Do.....	1517			90.59		90.59
Do.....	1518			289.17		289.17
July 30, 1869.....	1529			289.17		289.17
August 14, 1869.....	1777			298.67		298.67
Do.....	1778			298.67		298.67
Do.....	1779			298.67		298.67
Do.....	1780			362.10		362.10
October 16, 1869.....	2291			722.07		722.07
December 2, 1869.....	2654			240.13		240.13
Do.....	2655			647.77		647.77
Do.....	2656			667.36		667.36
December 22, 1869.....	2885			104.00		104.00
June 22, 1870.....	4574			464,923.24		464,923.24
December 4, 1869.....	2680	40,523.55			\$888.60	41,412.15
January 25, 1870.....	3085			122.00		122.00
September 12, 1870.....	4956	23,255.00				23,255.00
January 9, 1871.....	5765			100.00		100.00
November 10, 1871.....	951			22.60		22.60
Do.....	952			13.40		13.40
September 9, 1874.....	1030			11,218.96		11,218.96
October 30, 1874.....	1505	112,267.56				112,267.56
February 10, 1875.....	2294	10,362.01				10,362.01
Total.....		2,083,936.99		483,704.19		2,668,529.78

## MINNESOTA.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, etc.).	Total.
Date.	Number.		
November 12, 1868.....	8684	\$15,137.74	\$15,137.74
November 12, 1868.....	8685	45,215.23	45,215.23
November 23, 1868.....	8908	10,445.48	10,445.48
Total.....		70,798.45	70,798.45

Amounts and dates of payments made by the United States to the States, etc.—Continued.

KANSAS.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, etc.).	Reimbursing the State for expenses in suppressing the rebellion (acts February 2, 1871, and June 8, 1872).	Total.
Date.	Number.			
March 19, 1870 .....	3734	\$9,360.82		\$9,360.82
April 18, 1871 .....	6473		\$110.00	110.00
Do .....	6474		110.00	110.00
Do .....	6475		110.00	110.00
August 14, 1872 .....	827		336,817.37	336,817.37
February 4, 1878 .....	5245	2,073.34		2,073.34
June 14, 1881 .....	2651	26,604.05		26,604.05
August 9, 1882 .....	6383	8,952.57		8,952.57
Total .....		46,990.78	337,147.37	384,138.15

NEBRASKA.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, etc.).	Total.
Date.	Number.		
July 12, 1884 .....	6018	\$485.00	\$485.00

COLORADO TERRITORY.

Requisitions.		Payment for services of militia in 1864 (act July 25, 1866).	Total.
Date	Number.		
January 23, 1869 .....	9568	\$55,238.84	\$55,238.84

MISSOURI.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, etc.).	Supplying and transporting arms, etc., to loyal citizens of revolting States (act July 31, 1861).	Reimbursing State for militia expenses during the rebellion (act April 17, 1866).	Act to authorize the Secretary of the Treasury to examine and report upon claims for payments made by the State to her militia since April 17, 1866 (approved January 27, 1879).	Total.
Date.	Number.					
October 6, 1862 .....	8606		\$125,000.00			\$125,000.00
April 24, 1867 .....	3042			\$3,023.79		3,023.79
Do .....	3043			645,331.08		645,331.08
July 17, 1867 .....	3944			1,696,391.46		1,696,391.46
August 22, 1867 .....	4443			1,000,000.00		1,000,000.00
September 4, 1867 .....	4500			1,817,864.66		1,817,864.66
September 27, 1867 .....	4982			1,128,807.25		1,128,807.25
September 9, 1867 .....	4605	\$646,958.23				646,958.23
October 24, 1867 .....	5280			78,044.60		78,044.60
Do .....	5281			171,960.86		171,960.86
August 12, 1868 .....	7587			32,445.40		32,445.40
August 9, 1882 .....	6376				\$234,407.10	234,407.10
Do .....	6377				187.00	187.00
Total .....				6,573,869.10	234,594.10	7,580,421.43

Amounts and dates of payments made by the United States to the States, etc.—Continued.

## MICHIGAN.

Requisitions.		Number.	Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, etc.).
Date.			
August 27, 1861	4848	\$92,000.00	
June 14, 1867	3504	254,400.59	
June 10, 1868	6672	171,508.44	
Do	6673	172,098.24	
October 22, 1868	8444	17,302.41	
January 5, 1870	2928	19,035.55	
June 15, 1872	2695	58,892.00	
May 4, 1876	8115	14,224.15	
December 7, 1876	2064	555.10	
May 11, 1877	4154	1,068.60	
February 7, 1878	5259	373.70	
July 1, 1880	6760	347.60	
July 11, 1884	5904	42,245.95	
<b>Total</b>		<b>844,262.53</b>	

## DELAWARE.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, etc.).	Subsistence.	Total.
Date.	Number.			
June 12, 1877	4378	\$6,511.41		\$6,511.41
June 25, 1877	4476	15,072.09		15,072.09
August 24, 1877	4605	4,558.26		4,558.26
September 25, 1877	4653	2,828.00		2,828.00
October 20, 1884	5963		\$3,019.20	3,019.20
<b>Total</b>		<b>28,969.76</b>	<b>3,019.20</b>	<b>31,988.96</b>

## MARYLAND.

Requisitions.		Number.	Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, etc.).
Date.			
July 9, 1868	7181	\$7,101.52	
July 13, 1872	208	3,550.28	
January 25, 1875	2467	4,141.71	
November 3, 1875	6791	50,063.14	
January 11, 1876	7350	16,861.70	
January 25, 1877	2393	32,893.92	
March 29, 1877	3194	13,759.82	
July 28, 1877	4546	4,708.84	
<b>Total</b>		<b>133,140.99</b>	

*Amounts and dates of payments made by the United States to the States, etc.—Continued.*

VIRGINIA.

Requisitions.		Number.	Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, etc.).
Date.			
November 22, 1861.....		5780	\$12,000.00
July 26, 1862.....		8128	14,319.24
July 24, 1863.....		7407	6,128.62
January 18, 1869.....		9536	16,022.11
Total.....			48,469.97

WEST VIRGINIA.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, etc.).	Reimbursing the State for expenses incurred (act June 21, 1866).	Total.
Date.	Number.			
March 27, 1867.....	2434		\$1,068.38	\$1,068.38
Do.....	2485		420.08	420.08
March 29, 1867.....	2486		1,086.63	1,086.63
April 4, 1867.....	2594		391.67	391.67
Do.....	2595		407.17	407.17
Do.....	2596		391.67	391.67
May 20, 1867.....	3342		382.17	382.17
Do.....	3343		385.17	385.17
Do.....	3344		291.00	291.00
Do.....	3345		119.00	119.00
Do.....	3346		366.17	366.17
July 8, 1867.....	3842		376.17	376.17
July 9, 1867.....	3843		376.17	376.17
Do.....	3844		298.67	298.67
August 5, 1867.....	4029		364.17	364.17
Do.....	4030		289.17	289.17
Do.....	4021		364.17	364.17
August 19, 1867.....	4431		376.17	376.17
Do.....	4432		298.67	298.67
Do.....	4434		376.17	376.17
September 13, 1867.....	4673		298.67	298.67
Do.....	4674		376.17	376.17
Do.....	4675		376.17	376.17
October 10, 1867.....	5108		364.17	364.17
Do.....	5109		289.17	289.17
Do.....	5110		364.17	364.17
November 22, 1867.....	5559		376.17	376.17
Do.....	5560		376.17	376.17
January 22, 1868.....	6069		216.00	216.00
Do.....	6070		1,012.19	1,012.19
Do.....	6071		983.33	983.33
Do.....	6072		944.89	944.89
June 12, 1868.....	6744		302,679.28	302,679.28
Do.....	6745	\$153,978.75		153,978.75
Total.....		153,978.75	317,085.19	471,063.94

Amounts and dates of payments made by the United States to the States, etc.—Continued.

## KENTUCKY.

Requisitions.		Refunding to States expenses incurred in raising volunteers (acts July 17, 1861, etc.).	Reimbursing the State for expenses in suppressing the rebellion (act June 8, 1872, etc.).	Army transportation, 1871 and prior years, act March 3, 1877 (deficiencies).	Total
Date.	Number.				
May 26, 1862.....	7604	\$315, 000. 00			\$315, 000. 00
June 27, 1862.....	9901	436, 000. 00			436, 000. 00
June 3, 1863.....	1056	100, 000. 00			100, 000. 00
March 8, 1864.....	4172	200, 000. 00			200, 000. 00
February 8, 1867.....	2086	155, 115. 09			155, 115. 09
Do.....	2087	606, 641. 03			606, 641. 03
April 24, 1867.....	3044	40, 398. 30			40, 398. 30
June 5, 1867.....	3369	79, 674. 75			79, 674. 75
August 26, 1867.....	4445	40, 623. 39			40, 623. 39
October 15, 1867.....	5183	83, 412. 64			83, 412. 64
March 9, 1868.....	6261	34, 341. 78			34, 341. 78
June 11, 1868.....	6693	40, 823. 56			40, 823. 56
August 25, 1868.....	7691	31, 812. 53			31, 812. 53
August 5, 1869.....	1607	14, 308. 48			14, 308. 48
April 27, 1870.....	4062	28, 174. 51			28, 174. 51
October 22, 1870.....	5236	145, 710. 00			145, 710. 00
May 29, 1871.....	6868	50, 119. 75			50, 119. 75
June 17, 1871.....	7081	130, 543. 60			130, 543. 60
August 20, 1872.....	966		\$525, 258. 72		525, 258. 72
March 10, 1874.....	8136	30, 588. 53	58, 199. 32		88, 787. 85
April 18, 1874.....	8730		6, 728. 25		6, 728. 25
November 2, 1874.....	1535	3, 568. 23	35, 490. 65		39, 058. 88
July 13, 1875.....	5981	24, 817. 23	33, 739. 93		58, 557. 16
December 17, 1875.....	7157	4, 538. 85	8, 411. 33		12, 950. 18
June 13, 1876.....	9080	25, 531. 94	7, 046. 38		32, 578. 32
November 25, 1876.....	1982	4, 967. 08	390. 27		5, 357. 35
May 9, 1877.....	4136			\$101, 121. 05	101, 121. 05
June 1, 1877.....	4270	10, 452. 27	4, 114. 53		14, 566. 80
March 10, 1879.....	717	6, 091. 85			6, 091. 85
July 1, 1880.....	6763		15, 000. 00		15, 000. 00
August 9, 1882.....	6381	36, 211. 81			36, 211. 81
March 13, 1883.....	412	29, 498. 94			29, 498. 94
Total.....		2, 708, 966. 14	694, 379. 38	101, 121. 05	3, 504, 466. 57



APPENDIX A.—Statement of amounts refunded to States for expenses incurred in raising volunteers for war of the rebellion, paid through the office of the Second Auditor.

State.	Date of payment.	No. of warrant.	Amount paid to States.	Total.
New Hampshire.....	June 15, 1863	8436	\$450.00	\$450.00
Massachusetts.....	Apr. 18, 1862	8565	7,608.88	7,608.88
New York.....	Apr. 13, 1863	6750	191,288.46	398,938.52
	Apr. 19, 1864	5760	5,787.65	
New Jersey.....	July 16, 1864	7155	1,862.41	96,859.44
	Dec. 18, 1883	2589	46,042.93	
Pennsylvania.....	Jan. 19, 1865	1342	50,816.51	667,074.35
	June 18, 1866	8447	667,074.35	
Indiana.....	Apr. 17, 1862	8477	68,701.60	1,073,208.51
	July 14, 1862	838	74,508.95	
	Nov. 7, 1862	2795	61,439.45	
	Nov. 7, 1862	2796	2,707.01	
	Dec. 8, 1862	3408	72,445.80	
	Jan. 8, 1863	4017	237,269.30	
	Apr. 1, 1863	6443	23,207.64	
	Apr. 1, 1863	6444	49,122.20	
	May 2, 1863	7298	17,928.98	
	July 8, 1863	8976	47,594.30	
	Aug. 5, 1863	9569	38,548.76	
	Sept. 27, 1863	527	53,971.55	
	Nov. 7, 1863	1932	41,361.88	
	Apr. 13, 1864	5625	50,217.17	
	Apr. 23, 1864	5915	16,993.39	
Apr. 15, 1864	5654	47,355.62		
Apr. 19, 1864	5786	27,404.56		
June 20, 1864	6685	64,352.26		
Jan. 22, 1864	3466	32,000.00		
June 20, 1864	6686	13,273.82		
July 23, 1864	7817	3,029.79		
Feb. 14, 1866	7352	5,902.55		
Apr. 9, 1866	7813	74.75		
Dec. 18, 1868	5168	23,859.28		
Minnesota.....	Dec. 16, 1863	2577	276.75	276.75
Total.....				2,044,416.45

RECAPITULATION.

States.	Amount.	States.	Amount.
Connecticut.....	\$2,096,950.46	Kansas.....	\$384,138.15
Massachusetts.....	3,060,483.07	Nebraska.....	485.00
Rhode Island.....	723,530.15	Colorado Territory.....	55,233.84
Maine.....	1,027,185.00	Missouri.....	7,580,421.43
New Hampshire.....	976,081.92	Michigan.....	844,262.53
Vermont.....	832,557.40	Delaware.....	31,988.96
New York.....	3,957,696.98	Maryland.....	133,140.99
New Jersey.....	1,420,167.35	Virginia.....	48,469.97
Pennsylvania.....	3,204,636.24	West Virginia.....	471,063.94
Ohio.....	3,245,319.58	Kentucky.....	3,504,466.57
Wisconsin.....	1,035,059.17		
Iowa.....	1,039,759.45	Appendix A.....	42,093,173.89
Illinois.....	3,080,442.51	Total.....	2,044,416.45
Indiana.....	2,668,529.78		
Minnesota.....	70,798.45		
		Total.....	44,137,590.34

Statement of appropriations, under general act approved July 27, 1861, on account of refunding to States expenses incurred in raising volunteers for the suppression of the rebellion, and of amount carried to the surplus fund, showing total amount of advances to the States on this account.

Date of acts making appropriations.	No. of warrant.	Date of warrant.	Amount of appropriations.
July 17, 1861.....	2	July 22, 1861	\$19,000,000.00
February 25, 1862.....	7	Mar. 18, 1862	15,000,000.00
"Indefinite act".....	80	June 30, 1869	1,144,815.04
Do.....	95	June 30, 1870	814,027.25
Do.....	115	June 30, 1871	2,379,246.72
May 18, 1872.....	124	May 20, 1872	1,000,000.00
June 10, 1872.....	135	July 1, 1872	500,000.00
March 3, 1873.....	153	July 1, 1873	300,000.00
June 23, 1874.....	171	July 1, 1874	250,000.00
March 3, 1875.....	196	July 1, 1875	250,000.00
June 20, 1878.....	273	July 1, 1878	112,264.01
March 3, 1879.....	282	Mar. 7, 1879	14,323.41
June 16, 1880.....	308	June 21, 1880	109,725.39
March 3, 1881.....	330	Mar. 11, 1881	54,975.12
August 5, 1882.....	377	Aug. 8, 1882	304,002.15
March 3, 1883.....	386	Mar. 10, 1883	148,160.92
July 7, 1884.....	426	July 8, 1884	216,643.72
Total.....			32,600,188.73
Deduct amount carried to surplus fund.....			467,538.83
Total advanced to the States.....			32,132,649.90

*Surplus fund, warrants, number, date, and amount.*

193. June 30, 1875.....	\$441,126.67
247. June 30, 1877.....	18,868.61
267. June 20, 1878.....	7,548.55
Total to surplus fund.....	467,538.83

**EXHIBIT No. 8.**

**JOINT RESOLUTION OF THE LEGISLATURE OF NEVADA, DATED MARCH 29, 1867, PROVIDING FOR ASCERTAINMENT AND ASKING PAYMENT OF INDEBTEDNESS INCURRED BY TERRITORY OF NEVADA IN SUPPRESSING INDIAN HOSTILITIES, ENROLLING VOLUNTEERS, ETC.**

Whereas the national Government has invariably paid all proper expenses incurred in carrying on the Territorial governments inaugurated by Congress; and

Whereas, on account of our peculiar locality and situation, the amount appropriated by Congress to carry on our late Territorial government was wholly inadequate to meet the necessary expenses of the Territorial government; and

Whereas a large amount of equitable indebtedness, created prior to the organization of the Territory of Nevada, while we were yet a part of Utah, had accrued, which the Territory deemed to be resting upon the community as a just obligation, and which was assumed and paid by the Territory and State of Nevada; and

Whereas other moneys have been expended by the State and Territory in suppressing Indian hostilities, and also in payment of our volunteers in the service of the United States: Therefore, be it

*Resolved by the senate, the assembly concurring,* That the governor of the State of Nevada be, and he is hereby, authorized to cause to be made up a true and correct statement of the amount of Territorial indebtedness of the late Territory of Nevada assumed by the State of Nevada, including therein the entire amount paid by the State to the Nevada soldiers in the service of the National Government, the amount paid on old Carson County indebtedness, and the amount expended by the State for the suppression of Indian disturbances, and forward the same to our Senators and Representative in Congress for adjustment (Stats. Nev., 1867, p. 183).

## EXHIBIT No. 9.

MEMORIAL OF THE LEGISLATURE OF THE STATE OF NEVADA, DATED FEBRUARY 1, 1869, RENEWING PRAYER FOR PAYMENT OF INDEBTEDNESS INCURRED BY TERRITORY OF NEVADA IN FURNISHING TROOPS FOR THE SUPPRESSION OF THE REBELLION AND INDIAN HOSTILITIES.

*To the honorable the Senate and House of Representatives of the United States in Congress assembled :*

Your memorialists, the legislature of the State of Nevada, would respectfully represent that the National Government has invariably paid all proper expense incurred in carrying on the Territorial governments inaugurated by Congress; and

Whereas the present State of Nevada, on account of its peculiar situation and locality, has found the amount appropriated by Congress to carry on its late Territorial government was wholly inadequate to meet the necessary expenses of the said Territorial government; and

Whereas a large amount of equitable indebtedness, created prior to the organization of the Territory of Nevada, while we yet were a part of Utah, had accrued, which the Territory deemed to be resting upon the community as a just obligation, and which was assumed and paid by the Territory and State of Nevada; and

Whereas other moneys have been expended by the State and Territory in suppressing Indian hostilities, and also in payment of our volunteers in the service of the National Government; and

Whereas the legislature of the State of Nevada, in special session, passed on the 29th day of March, A. D. 1867, a joint resolution authorizing the governor to cause to be prepared a correct statement of the amount of such indebtedness assumed by the State, including the amount paid by the State of Nevada to the soldiers of that State in the service of the National Government, the amount paid on old Carson County (then a part of Utah) indebtedness, and the amount expended by the State for the suppression of Indian disturbances, and to forward the same to our Senators and Representative in Congress for adjustment; and

Whereas his excellency the governor, in his second biennial message to the legislature of the State of Nevada, informed that honorable body that in conformity with such a request he caused such statement to be made and forwarded, and that he received due notice of its arrival at the national capital in the month of February last, and its presentation before the Committee on Claims of the Senate; and

Whereas the said message informs this legislature that he has not been informed of any further action thereon: Therefore, be it

*Resolved by the assembly, the senate concurring,* That the governor of the State of Nevada be, and he is hereby, authorized to cause to be made up a copy of the statement already sent for adjustment to the national authorities touching such claim and indebtedness, and forward the same to our Senators and Representative in Congress, urging its payment at an early day, as an act of justice no less due to Nevada than to other States of the National Union in similar cases (Stats. Nev., 1869, p. 293).

## EXHIBIT No. 10.

MEMORIAL OF LEGISLATURE OF NEVADA, DATED FEBRUARY 11, 1885, SIMILAR TO "EXHIBIT No. 9," ASKING FOR RE-IMBURSEMENT ON ACCOUNT OF EXPENSES INCURRED IN FURNISHING TROOPS FOR THE SUPPRESSION OF THE REBELLION AND INDIAN HOSTILITIES.

Whereas the law of July 27, 1861, and the joint and declaratory resolutions of March 8, 1862, provided for the re-imbusement to the States of all sums by them expended in defense of the United States; and

Whereas under the interpretation of said original act of 1861, made two days after its passage by the Secretary of the Treasury, the States were led to believe that if they, respectively, borrowed money on their own account, and advanced it to the United States under the conditions mentioned in said law, that said sums, together with the interest paid thereon, would be refunded to them, that having been the practice of the United States in such cases for more than sixty years; and

Whereas acting under this impression and belief, many of the States did borrow moneys and advance them to the United States, and paid interest thereon from their own resources; and

Whereas the principal has in a great measure been refunded by the United States to the States advancing said moneys, still the interest paid by such States as aforesaid has not been refunded; and

Whereas it is held by the Treasury Department, through which such re-imburement settlements are made, that specific legislation will be required to justify the payment of such interest; and

Whereas Congress has always heretofore provided specifically for the payment of interest on such advances made in any war, either foreign or Indian, beginning with the act of March 3, 1825, to re-imburse Virginia for interest on advances made during the war of 1812, to that of March 3, 1831, to re-imburse California on account of similar expenditures made in one of its Indian wars; and

Whereas during the late war, and under the authority of said re-imburement acts of 1861 and 1862, the State of Nevada advanced to the United States money which it borrowed, and on which it paid interest, and which interest has in no part been refunded by the United States, but is now justly due the State; and

Whereas there are now pending in both branches of the present Congress measures designed to authorize the settlement of the claims of the several States for such interest (being bills S. 2000 and H. R. 2463), and which said measures have been reported on by the committees to which they were referred, in both houses, in unanimously favorable reports: Therefore, be it

*Resolved by the senate, the assembly concurring,* That our Senators and Representative in Congress be, and they are hereby, requested to give their active support to said bills, or to others having the same object in view, and to use their best endeavors in co-operation with the agent of this State, and in support of his efforts, to thus secure to the State the amounts by her expended, as aforesaid.

*Be it further resolved,* That a copy of the above preamble and resolution be sent by the governor of this State to our Senators and Representative in Congress and to our State agent. (Stats. Nev., 1885, p. 145.)

### EXHIBIT No. 11.

MEMORIAL OF LEGISLATURE OF NEVADA, DATED JANUARY 26, 1887, SIMILAR TO "EXHIBIT NO. 9," ASKING FOR RE-IMBURSEMENT FOR EXPENSES INCURRED IN FURNISHING TROOPS FOR THE SUPPRESSION OF THE REBELLION AND INDIAN HOSTILITIES.

Whereas claims of the State of Nevada against the United States, growing out of the late war of the rebellion, have been properly made out, authenticated, and forwarded to the proper authorities of the Government for allowance and payment; and

Whereas it appears from correspondence between the agent of this State at Washington City and the State comptroller that there is danger of great delay in respect to final action upon said claims, if not of their ultimate rejection and non-payment in part, if not wholly; and

Whereas it has been established that said claims are most just and equitable, and ought to be paid without further delay, therefore the senate and assembly of the State of Nevada hereby jointly memorialize our Senators and Representative in Congress, and do most respectfully and urgently request them and each of them, to use all proper means and efforts before the honorable Secretary of War, before Congress, or any other Department, body, or officer, so far as necessary, to secure the earliest possible allowance and payment of our said war claims against the United States; and be it

*Resolved by the senate and assembly, jointly,* That his excellency the governor be, and hereby is, respectfully requested to forward by mail a certified copy of the foregoing (to be accompanied by a printed copy of the recent argument of Capt. John Mullan before the honorable Secretary of War upon the allowance of said claims) to each of our Senators and Representative in Congress, at the earliest practicable date; and that he and Hon. J. F. Hallock immediately telegraph to Capt. John Mullan that said memorial and argument will be so forwarded without delay. (Stats. Nev., 1887, p. 149.)

## EXHIBIT No. 12.

## JOINT RESOLUTION INTRODUCED BY SENATOR FAIR PROVIDING FOR ASCERTAINMENT BY SECRETARY OF WAR OF CLAIM OF THE STATE OF NEVADA, ON ACCOUNT OF THE WAR OF THE REBELLION, ETC.

[S. R. 13, Forty-seventh Congress, first session.]

IN THE SENATE OF THE UNITED STATES.

DECEMBER 13, 1881.—Mr. FAIR asked and, by unanimous consent, obtained leave to bring in the following joint resolution; which was read twice and referred to the Committee on Military Affairs.

*Joint resolution to authorize the Secretary of War to ascertain and report to Congress the amount of money expended and indebtedness assumed by the State of Nevada in repelling invasions, suppressing insurrection and Indian hostilities, enforcing the laws, and protecting the public property.*

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause to be examined and adjusted all the accounts of the State of Nevada against the United States for money expended and indebtedness assumed in organizing, arming, equipping, supplying, clothing, subsisting, transporting, and paying either the volunteers or militia, or both, of the late Territory of Nevada and of the State of Nevada, called into active service by the governor of either thereof after the fifteenth day of April, eighteen hundred and sixty-one, to aid in repelling invasions, suppressing insurrections and Indian hostilities, enforcing the laws, and protecting the public property in said Territory and said State, and upon the borders of same.*

SEC. 2. That the Secretary of War shall also examine and adjust the accounts of the late Territory of Nevada and of the State of Nevada for all other expenses necessarily incurred on account of said forces having been called into active service as herein mentioned, including the claims assumed or paid by said Territory and said State to encourage enlistments, and for horses and other property lost or destroyed while in the line of duty of said forces: *Provided*, That in order to enable the Secretary of War to fully comply with the provisions of this act there shall be filed in the War Department by the governor of Nevada, or a duly-authorized agent, an abstract, accompanied with proper certified copies of vouchers or such other proof as may be required by said Secretary, showing the amount of all such expenditures and indebtedness, and the purposes for which the same were made.

SEC. 3. That the Secretary of War shall report in writing to Congress, at the earliest practicable date, for final action, the results of such examination and adjustment, together with the amounts which he may find to have been properly expended for the purposes aforesaid.

## EXHIBIT No. 13.

## STATEMENT OF CONTROLLER OF NEVADA, SHOWING AMOUNTS PAID AND ASSUMED BY THE TERRITORY AND SUBSEQUENTLY ASSUMED AND PAID BY THE STATE OF NEVADA ON ACCOUNT OF THE WAR OF THE REBELLION.

WAR CLAIMS.

OFFICE OF THE STATE CONTROLLER,  
Carson City, Nev., November 1, 1882.

To His Excellency JOHN H. KINKEAD,  
Governor of Nevada:

SIR: In conformity with a law of Congress providing for the adjustment of the claims of this State against the United States, I have the honor to report that the following abstracts show the amounts paid and assumed by the Territory and State of Nevada on account of the war of the rebellion, \* \* \* as appears by the records of this office.

Respectfully submitted.

J. F. HALLOCK,  
State Controller.



ABSTRACT A.—Showing disbursements by the State of Nevada, and as successor to the Territory of Nevada, on account of costs, charges, and expenses for recruiting, organizing and enrolling the volunteers and military forces in the Territory and State of Nevada, in the service of the United States, and employed in the defense of the United States during the war of the rebellion.

Date.	No. of warrant.	To whom issued.	Remarks.	Amount.
1865.				
May 1	1174	N. P. Sheldon .....	65 men, at \$10 per capita .....	\$650.00
1	1175	A. B. Wells .....	32 men, at \$10 per capita .....	320.00
1	1176	A. Koneman .....	20 men, at \$10 per capita .....	200.00
1	1177	Steiner & Koneman .....	15 men, at \$10 per capita .....	150.00
1	1178	A. Koneman .....	38 men, at \$10 per capita .....	380.00
1	1179	Noyes Baldwin .....	90 men, at \$10 per capita .....	900.00
May 29	1234	L. C. McKeeley .....	19 men, at \$10 per capita .....	190.00
31	1238	A. B. Wells .....	5 men, at \$10 per capita .....	50.00
31	1239	Milo George .....	93 men, at \$10 per capita .....	930.00
June 6	1266	William Kline .....	30 men, at \$10 per capita .....	300.00
Aug. 22	1414	Jos. W. Calder .....	7 men, at \$10 per capita .....	70.00
4	1421	Jos. W. Calder .....	50 men, at \$10 per capita .....	500.00
31	1995	J. Neeley Johnson .....	96 men, at \$10 per capita .....	960.00
Sept. 2	1976	C. C. Warner .....	46 men, at \$10 per capita .....	460.00
Nov. 10	2079	George A. Thurston .....	35 men, at \$10 per capita .....	350.00
Dec. 8	2208	Noyes Baldwin .....	39 men, at \$10 per capita .....	390.00
19	2222	E. B. Zabriskie .....	126 men, at \$10 per capita .....	1,260.00
May 1	1167	M. P. Sheldon .....	66 men, at \$10 per capita .....	660.00
1	1168	M. P. Sheldon .....	50 men, at \$10 per capita .....	500.00
1	1169	M. P. Sheldon .....	45 men, at \$10 per capita .....	450.00
1	1170	M. P. Sheldon .....	25 men, at \$10 per capita .....	250.00
1	1171	M. P. Sheldon .....	119 men, at \$10 per capita .....	1,190.00
1	1172	M. P. Sheldon .....	60 men, at \$10 per capita .....	600.00
1	1173	M. P. Sheldon .....	13 men, at \$10 per capita .....	130.00
1863.				
Oct. 1	417	John Church & Co .....	Publishing governor's proclamation for volunteers.	30.00
Jan. 18	492	John Church & Co .....	do .....	25.00
1865.				
Feb. 18		Daily Evening Post .....	do .....	18.00
1863.				
Dec. 7		{ Gold Hill Daily News .....	do .....	21.00
Oct. 29	*222	{ Gold Hill Daily News .....	do .....	13.30
1864.				
Oct. 29	*261	E. B. Wilson .....	do .....	13.75
1863.				
Dec. 3	{ *217	{ Daily Independent .....	do .....	20.00
	{ *218			
1864.				
Oct. —		Lyon County Sentinel .....	do .....	5.00
				11,986.05

\* Bonds.

ABSTRACT B.—Showing disbursements of the State of Nevada and as successor to the Territory of Nevada, on account of costs, charges, and expenses for supplying the volunteers and military forces in the Territory and State of Nevada, in the service of the United States and employed in defense of the United States, during the war of the rebellion.

Date.	No of warrant.	To whom issued.	Character of supplies.	Amount.
1865.				
Apr. 6	1097	Gillig, Mott & Co .....	Furniture for adjutant-general's office .....	\$37.00
29	1154	W. E. Sheen .....	Repairing and putting down carpet, etc. ....	6.00
29	1155	E. Barber .....	Seal for adjutant-general's office .....	26.00
29	1156	Cowing & Co .....	Sign for adjutant-general's office .....	18.00
29	1157	John G. Fox .....	Stationery for adjutant-general's office .....	43.00
29	1158	E. F. Small, postmaster .....	Postage, etc., for adjutant-general's office .....	21.00
May 12	1210	P. Cavanaugh .....	Rent for adjutant-general's office .....	83.33
12	1211	Silas Caulkins .....	Clerk for adjutant-general's office .....	125.00
12	1213	Silas Caulkins .....	Traveling expenses for adjutant-general's office.	50.00
29	1227	John G. Fox .....	Stationery for adjutant-general's office .....	41.00
29	1232	Daily Morning Post .....	Printing for adjutant-general's office .....	10.00
June 6	1261	Silas Caulkins .....	Clerk for adjutant-general's office .....	125.00
July 1	1334	Silas Caulkins .....	Clerk for adjutant-general's office .....	126.00

ABSTRACT B.—Showing disbursements of the State of Nevada, etc.—Continued.

Date.	No. of warrant.	To whom issued.	Character of supplies.	Amount.
1865.				
July 3	1331-2	John Church.....	Printing for adjutant-general's office.....	\$35.00
Aug. 4	1481	Silas Caulkins.....	Clerk for adjutant-general's office.....	50.00
4	1484	F. Foster.....	Stationery for adjutant-general's office.....	85.00
4	1485	Edwards & Co.....	Stationery for adjutant-general's office.....	448.75
31	1970	C. Tillon.....	Rent for adjutant-general's office.....	120.00
Sept. 2	1972	Silas Caulkins.....	Clerk for adjutant-general's office.....	50.00
Nov. 21	2118	Silas Caulkins.....	Rollers for adjutant-general's office.....	5.00
Dec. 19	2253	Silas Caulkins.....	Clerk for adjutant-general's office.....	200.00
19	2257	Mason, Huff & Co.....	Oil for adjutant-general's office.....	10.00
19	2262	E. B. Rail.....	Hardware for adjutant-general's office.....	38.87
19	2267	John G. Fox.....	Stationery for adjutant-general's office.....	27.75
19	2275	John Cradlebaugh.....	Rent for adjutant-general's office.....	105.00
19	2277	Chas. S. Hammer.....	Oil and glass for adjutant-general's office.....	11.00
19	2281	R. C. Crandall.....	Wood for adjutant-general's office.....	52.50
19	2282	B. F. Small, P. M.....	Postage for adjutant-general's office.....	23.25
1866.				
Mar. 7	3426	Mason, Huff & Co.....	Oil, etc.....	10.50
21	3503	E. B. Rail.....	Spittoons.....	9.50
Apr. 23	3551	John G. Fox.....	Stationery.....	3.00
23	3553	Carson Appeal.....	Printing.....	14.00
23	3558	John G. Fox.....	Stationery.....	3.50
May 1	3572	B. F. Small, P. M.....	Postage, etc.....	35.10
23	3609	John Church.....	Printing.....	52.00
July 6	3734	Mason, Huff & Co.....	Oil, etc.....	11.81
23	4367	B. F. Small, P. M.....	Box rent.....	8.70
Dec. 24	4475	B. F. Small, P. M.....	Box rent.....	8.40
28	4494	E. B. Rail.....	Lamps.....	2.50
1867.				
Mar. 29	312	J. Cradlebaugh.....	Rent.....	270.00
	313	J. Cradlebaugh.....	Rent.....	90.00
Apr. 23	678	C. N. Noteware.....	Cartage.....	5.00
Dec. 31	.....	Premium on gold.....	To pay soldiers' warrants.....	42.92
1863.				
Oct. 31	450	Daily Independent.....	Printing military commissions note.....	30.00
1864.				
Jan. 5	489	H. P. Russell.....	Office desk, \$35; stationery, \$10.....	45.00
1865.				
May 1	Bond 157	H. P. Russell.....	Rent of adjutant-general's office, and stationery.....	500.00
				3,114.38

ABSTRACT C.—Showing disbursements by the State of Nevada, and as successor to the Territory of Nevada, on account of costs, charges, and expenses for monthly pay of volunteer and military forces in the Territory and State of Nevada in the service of the United States, and employed in defense of the United States during the war of the rebellion.

Date.	Warrant.	To whom issued.	Amount.	Date.	Warrant.	To whom issued.	Amount.
1865.				1865.			
May 12	1212	W. H. Clark.....	\$306.66	June 28	1306	P. Peterson.....	\$25.50
23	1218	Charles Brainerd.....	637.62	28	1307	John G. Kelly.....	70.00
24	1222	Charles Brainerd.....	61.33	28	1308	W. W. Farries.....	29.16
29	1234	L. C. McKeeley.....	351.00	28	1309	W. J. Douglas.....	43.66
29	1235	J. E. Garrett.....	807.33	28	1310	William Lawrence.....	47.66
29	1236	Sol Lewis.....	1,471.11	28	1311	John Turnbull.....	52.16
29	1237	W. B. Hickok.....	1,456.42	28	1313	William K. Desmond.....	61.33
31	1238	A. B. Wells.....	478.83	28	1314	Dayton Field.....	61.33
June 2	1240	C. H. Kibbee.....	59.00	3	1363	John Littlefield.....	327.71
6	1265	H. A. Rhodes.....	491.78	3	1364	John Wolverton.....	272.64
6	1266	William Kline.....	2,458.77	3	1365	Alex. Thompson.....	33.66
6	1267	Sol Lewis.....	4,688.55	31	1380	William B. Mann.....	61.33
8	1275	William Cline.....	122.66	31	1381	Jos. D. Budd.....	61.33
9	1276	Charles Brainerd.....	355.64	31	1382	Dudley Phelps.....	61.33
13	1278	William Cline.....	2,838.84	31	1383	H. F. Barlow.....	61.33
13	1279	William Cline.....	1,454.09	31	1384	Frank Marrion.....	60.00
28	1297	William Cline.....	183.99	31	1385	William Rafferty.....	55.50
28	1298	R. Armstrong.....	61.33	31	1386	Charles H. Judd.....	56.16
28	1299	F. Alderson.....	65.83	31	1387	William M. Wilson.....	56.33
28	1300	J. W. Worfield.....	61.33	31	1388	J. Van Valkenburg.....	56.00
28	1301	Abe Skinkel.....	46.33	31	1389	Henry E. Scott.....	47.50
28	1302	M. McCoy.....	48.33	31	1390	Thomas McBryde.....	55.16
28	1303	L. Duncan.....	61.33	31	1391	George T. Austin.....	61.33
28	1304	P. Kavana.....	34.00	31	1392	William S. Alexander.....	46.00
28	1305	Ed. Morgan.....	61.33	31	1393	Charles M. Beard.....	61.33

## ABSTRACT C.—Showing disbursements by the State of Nevada, etc.—Continued.

Date.	War-rant.	To whom issued.	Amount.	Date.	War-rant.	To whom issued.	Amount.
1865.				1865.			
Aug. 22	1394	A. Opeleslie .....	\$61.33	Aug. 7	1519	Charles P. Frost.....	\$61.33
July 31	1395	Edwin Billings .....	50.50	7	1520	John D. Arnold.....	61.33
31	1396	H. M. Barnes .....	28.00	7	1521	James P. Fagan .....	61.33
31	1397	Martin Chandler .....	55.83	7	1522	Thomas Fitzpatrick..	61.33
31	1398	Joseph Cullen .....	56.00	7	1523	Richard Grace.....	61.33
31	1399	Michael Dean .....	61.33	7	1524	Isam Groyan.....	15.00
31	1400	Thomas Delay .....	55.00	7	1525	William F. Huffill...	61.33
Aug. 4	1401	John Carey .....	61.33	7	1526	F. J. Haight .....	61.33
4	1403	William Huston .....	53.33	7	1527	M. J. Hay .....	61.33
July 31	1404	F. R. Fish .....	32.00	7	1528	M. Handlin .....	61.33
31	1405	L. W. Flye.....	31.50	7	1529	M. B. Hoyt .....	61.33
31	1406	S. Gibbens.....	20.00	7	1530	George P. Hellerman ..	43.16
31	1407	A. F. Gordon .....	30.83	7	1531	A. Hanson .....	14.16
31	1408	W. M. Grant .....	33.83	7	1532	Jessie Jenery .....	61.33
31	1409	Chas. Gersbach .....	40.00	7	1533	J. J. Jackson .....	61.33
Aug. 4	1410	James Richmond .....	59.66	7	1534	M. Jernegan .....	61.33
July 31	1411	George E. Gray.....	61.33	7	1535	S. J. Keeler .....	61.33
31	1412	N. Hazel.....	61.33	7	1536	George R. Kellogg.....	61.33
31	1413	Thomas Hall.....	61.33	7	1537	George F. Kibling.....	61.33
Aug. 22	1415	D. K. Hegarty .....	39.33	7	1538	John Kyle .....	61.33
22	1416	H. Henning .....	33.83	7	1539	Andrew Koontz.....	61.33
22	1417	H. Kriester .....	18.50	7	1540	B. F. Logan .....	11.16
22	1418	Joseph Lindsay .....	61.33	7	1541	A. C. Leach .....	61.33
22	1419	John C. Lum .....	61.33	7	1542	B. J. Lee .....	61.33
22	1420	Gilbert Liddle.....	56.16	7	1543	William Minor .....	25.00
July 31	1422	Henry Melcher.....	61.33	7	1544	M. McCafferey.....	61.33
1885				7	1545	H. McQuaid .....	61.33
July 31	1423	George A. Miller .....	61.33	7	1546	St. L. McNaghton.....	61.33
31	1424	Henry McOmie.....	61.33	7	1547	L. A. Myers .....	14.50
31	1425	William Manson .....	61.33	7	1548	James Mullett.....	61.33
31	1426	John McConnell .....	61.33	7	1549	James Monroe.....	3.16
31	1427	John Morris .....	33.83	7	1550	George W. Norton .....	61.33
Aug. 4	1428	Fred Smith .....	61.33	7	1551	F. W. Norval .....	13.16
July 31	1429	Henry Noyes .....	57.66	7	1552	C. Ottman .....	61.33
31	1430	C. O. Laughlin .....	55.50	7	1553	J. F. Pennoyer .....	61.33
31	1431	George Peabody.....	55.00	7	1554	George Peterson.....	61.33
31	1432	G. W. Patterson .....	30.16	7	1555	Thomas Ryan .....	61.33
31	1433	Levi L. Reese .....	33.83	7	1556	John Rush .....	61.33
Aug. 4	1434	James E. Robinson .....	61.33	7	1557	John Reed .....	12.50
July 31	1435	Samuel Randle .....	61.33	7	1558	John Rogers .....	19.16
31	1436	John Roohan .....	57.83	7	1559	George M. Smith.....	61.33
31	1437	John Smith .....	56.00	7	1560	S. P. Stamper .....	61.33
31	1438	L. Sawyer .....	50.50	7	1561	John A. Silvers.....	10.33
31	1439	Joseph S. Small.....	26.66	7	1562	Z. Stokes .....	14.50
31	1440	N. R. Scovell .....	31.16	7	1563	L. Singleton .....	13.16
31	1442	Joseph Traversee.....	61.33	7	1564	John Spencer .....	13.16
31	1443	Charles L. Teal .....	54.16	7	1565	James A. Stewart.....	12.66
31	1444	James Tuckey .....	43.83	7	1566	G. D. Shell .....	11.66
31	1445	J. M. Vance .....	55.66	7	1567	E. P. Thomas .....	61.33
31	1446	Rufus Williams .....	58.83	7	1568	J. Thoroughman.....	61.33
31	1447	A. Wapelhorst.....	33.83	7	1569	F. M. White .....	61.33
31	1448	George W. Langley.....	61.33	7	1570	R. C. White .....	61.33
Aug. 7	1489	S. M. Taylor .....	61.33	7	1572	Thomas Watson .....	59.00
7	1490	S. C. Connell .....	61.33	7	1573	F. M. Mountz .....	61.33
7	1491	J. H. Marshall .....	61.33	7	1574	William H. Chipman.....	61.33
7	1492	E. J. Soulsby .....	61.33	7	1575	Wm. H. Shoemaker.....	61.33
7	1493	Charles Pickard .....	61.33	7	1576	J. B. Robinson.....	61.33
7	1494	William McCormick.....	61.33	7	1577	Thomas P. Hess .....	61.33
7	1495	George J. Jones .....	61.33	7	1578	James T. Byrne.....	61.33
7	1496	Charles Perry .....	61.33	7	1579	Joseph P. Westwood.....	61.33
7	1497	Paul Sherman .....	61.33	7	1580	Pat Walsh .....	61.33
7	1498	E. C. Dunning .....	61.33	7	1581	John McDonald .....	61.33
7	1499	S. McCall .....	61.33	7	1582	John L. Nelson .....	61.33
7	1500	George Stoll .....	61.33	7	1583	William C. Matlock.....	61.33
7	1501	J. C. Quail .....	61.33	7	1584	Pat McNickle .....	61.33
7	1502	J. C. McQuire .....	61.33	7	1585	William H. Bennett.....	61.33
7	1503	J. J. Anderson .....	61.33	7	1586	L. Sanderson .....	61.33
7	1504	James Byrne .....	18.00	7	1587	E. Carters .....	61.33
7	1505	James Blaalia .....	61.33	7	1588	Fred Iseman .....	61.33
7	1506	P. Bonham .....	61.33	7	1589	Pat. Mooney .....	61.33
7	1507	A. Belfast .....	61.33	7	1591	William A. Reid .....	8.33
7	1508	F. P. Blowers.....	61.33	7	1592	John Andrews .....	61.33
7	1509	J. T. Barnett .....	61.33	7	1593	S. Stewart .....	61.33
7	1510	William Brunson.....	61.33	7	1594	J. C. Logan .....	61.33
7	1511	L. C. Bechtel.....	14.66	7	1595	A. Aulbach .....	31.33
7	1512	Andrew Conter .....	61.33	7	1596	James Aitken .....	61.33
7	1513	S. Comegys .....	61.33	7	1598	William F. Berry .....	61.33
7	1514	Peter Demitz .....	61.33	7	1599	Samuel Bunce .....	61.33
7	1515	James Dolan .....	61.33	7	1600	Robert Bell .....	61.33
7	1516	A. Durfee .....	61.33	7	1601	F. G. Burton .....	61.33
7	1518	S. R. Edmison.....	61.33	7	1602	John Brown .....	61.33

## ABSTRACT C.—Showing disbursements by the State of Nevada, etc.—Continued.

Date.	War-rant.	To whom issued.	Amount.	Date.	War-rant.	To whom issued.	Amount.
1865.				1865.			
Aug. 7	1605	John Clark .....	\$61.33	Aug. 26	1703	Ed. T. Maynard .....	\$61.33
7	1606	Henry Curran .....	61.33	26	1704	John Johnson .....	61.33
7	1607	John Cone .....	61.33	26	1705	William R. Jones .....	48.66
7	1608	R. L. Collard .....	53.66	26	1706	R. C. McKenzie .....	61.33
7	1609	M. Duffy .....	61.33	26	1707	K. Flechsenshaur .....	61.33
7	1610	John H. Davis .....	61.33	26	1708	James Scull .....	29.16
7	1611	F. S. Dickson .....	9.66	26	1709	Charles Peterson .....	61.33
7	1612	Thomas A. Frazier .....	61.33	26	1711	A. E. Easterbrook .....	61.33
7	1613	M. J. Fouts .....	61.33	26	1712	Thomas Bowman .....	61.33
7	1614	A. Fenstermaker .....	61.33	26	1713	S. V. Ables .....	61.33
7	1615	Reuben Ferris .....	9.00	26	1714	Moses Austin .....	61.33
7	1616	Leon Gris .....	61.33	26	1715	James Allen .....	61.33
7	1617	M. Davis .....	61.33	26	1716	John S. Briggs .....	61.33
7	1618	J. B. Greenlaw .....	61.33	26	1717	J. Brownstein .....	61.33
7	1620	Ira J. Harder .....	61.33	26	1718	M. Corcoran .....	61.33
7	1621	Abram Harder .....	61.33	26	1719	E. J. Davis .....	61.33
7	1622	John Harder .....	61.33	26	1720	C. Florine .....	61.33
7	1623	Alfred Holder .....	36.66	26	1721	Jos. M. Fulton .....	61.33
7	1624	S. Hartman .....	11.50	26	1722	Eli Hoyt .....	61.33
7	1625	S. Hayworth .....	9.66	26	1723	John Hopkins .....	61.33
7	1626	Charles Jarrett .....	4.16	26	1724	John N. Hamilton .....	61.33
7	1627	S. L. Jacobs .....	36.66	26	1725	Frank Hohman .....	33.50
7	1628	E. H. Johnson .....	11.50	26	1726	Job Hoxie .....	26.50
7	1630	B. F. Keller .....	40.50	26	1727	John Johnson, 2d .....	61.33
7	1631	George Long .....	37.33	26	1728	Otto Luderwig .....	61.33
7	1632	P. McKewon .....	61.33	26	1730	M. McMahon .....	61.33
7	1633	E. McKenzie .....	41.00	26	1731	P. R. McAuliffe .....	61.33
7	1634	George Norvitzky .....	61.33	26	1732	Zac. Mitchell .....	40.50
7	1635	William Nowlan .....	61.33	26	1733	John Marshall .....	34.00
7	1636	John R. Nugent .....	61.33	26	1734	L. M. Meallo .....	19.83
7	1637	A. M. Newton .....	9.83	26	1736	James C. Naff .....	61.33
7	1638	Felix O'Neil .....	61.33	26	1737	John O'Brien, 2d .....	43.00
7	1639	William O'Neal .....	9.00	26	1738	John Ratigan .....	61.37
7	1640	H. H. Oates .....	61.33	26	1739	George D. Rush .....	28.54
7	1641	Peter S. Post .....	61.33	26	1740	L. M. Spencer .....	61.33
7	1642	J. M. Plaisted .....	9.50	26	1741	Thornton Sleeth .....	61.33
7	1644	John Robinson, 1st .....	61.33	26	1742	John Sullivan .....	61.33
7	1645	John Robinson, 2d .....	15.50	26	1743	John Skelton .....	7.50
7	1646	William Roberts .....	31.33	26	1744	William Walsh .....	61.33
7	1647	J. W. Staples .....	39.50	26	1745	John Walsh .....	61.33
7	1648	J. Schuster .....	61.33	26	1746	Henry Ward .....	61.33
7	1649	W. H. or W. Scott .....	61.33	26	1747	John Whalen .....	33.16
7	1650	R. Shoemaker .....	61.33	26	1748	A. C. White .....	28.16
7	1651	Rodney Shoemaker .....	61.33	26	1749	E. B. Hagnas .....	61.33
7	1652	James Shields .....	43.00	26	1750	R. D. Wadleigh .....	61.33
7	1653	N. L. Shaw .....	9.66	26	1751	William Liggett .....	61.33
7	1655	James S. Warren .....	61.33	26	1752	William H. Freeland .....	61.33
7	1656	James R. Young .....	61.33	26	1753	Mark Meyers .....	61.33
7	1657	Peter Campbell .....	56.33	26	1754	Hubert Bisat .....	61.33
26	1664	D. Vanderhorf .....	127.46	26	1755	David Thomas .....	61.33
26	1665	Henry Finley .....	61.33	26	1756	Martin Sherman .....	61.33
26	1667	B. F. McCready .....	61.33	26	1757	John Dolan .....	61.33
26	1668	Samuel M. Cook .....	61.33	26	1758	H. E. Botel .....	61.33
26	1670	Fred Kreitzer .....	61.33	26	1759	R. J. Bronson .....	61.33
26	1671	W. J. Palmer .....	56.50	26	1760	Frank Lapoint .....	57.83
26	1672	Thomas J. Bell .....	61.33	26	1761	James H. Brown .....	61.33
26	1673	Sam. J. Bath .....	61.33	26	1762	John Levings .....	61.33
26	1674	Peter Benedict .....	61.33	26	1763	James L. Sanborn .....	26.83
26	1675	A. Barrett .....	33.50	26	1764	E. B. Dunning .....	25.50
26	1678	Charles A. F. Deitz .....	34.00	26	1765	Anderson Morgan .....	17.16
26	1679	George Emerson .....	61.33	26	1766	Peter Brocha .....	61.33
26	1680	Morris Eastwood .....	34.00	26	1767	Philip Barnett .....	61.33
26	1681	Charles Trickker .....	59.16	26	1768	William J. Bartells .....	25.16
26	1682	G. A. Hamlin .....	61.33	26	1769	Charles B. Blanchard .....	25.16
26	1683	Jos. Kerr .....	61.33	26	1770	William Bowen .....	25.16
26	1684	Pat Kearney .....	57.16	26	1771	William H. Camell .....	61.33
26	1685	C. F. Kircher .....	47.16	26	1772	Lewis B. Clark .....	61.33
26	1686	Charles F. Lake .....	61.33	26	1773	John F. Cassidy .....	61.33
26	1687	A. Lampson .....	60.00	26	1774	John Cody .....	22.16
26	1688	H. Morris .....	61.33	26	1775	Charles Callahan .....	19.66
26	1689	H. C. Murray .....	55.33	26	1776	John Durkin .....	61.33
26	1690	Ed. McDonegh .....	38.66	26	1777	George W. Durham .....	26.83
26	1691	G. Mahler .....	34.00	26	1778	Alex. Dickson .....	23.00
26	1693	Floyd Potter .....	61.33	26	1779	Alonzo L. Estes .....	25.33
26	1694	Joseph Pass .....	57.33	26	1780	A. W. Faxon .....	61.33
26	1695	Xavier Pasquier .....	57.33	26	1781	John Farnan .....	25.16
26	1696	Alex. Prado .....	34.00	26	1782	Samuel Friend .....	61.33
26	1697	Jos. Scherb .....	61.33	26	1783	William Gray .....	61.33
26	1698	Charles D. St. Croix .....	57.33	26	1784	Jos. Good .....	61.33
26	1701	Maurice Geary .....	61.33	26	1785	W. D. Godfrey .....	61.33
26	1702	Charles Meserve .....	61.33	26	1786	Louis Gaisberg .....	23.00

## ABSTRACT C.—Showing disbursements by the State of Nevada, etc.—Continued.

Date.	War-rant.	To whom issued.	Amount.	Date.	War-rant.	To whom issued.	Amount.
1865.				1865.			
Aug. 26	1787	Isaac Hickerson .....	\$61.33	Aug. 26	1874	Jared Grover.....	\$27.16
26	1788	James Hamilton .....	61.33	26	1875	L. Grinnell .....	15.00
26	1789	Samuel Hilton .....	25.50	26	1876	Charles L. Hardy .....	61.33
26	1790	George Inks .....	50.50	26	1877	N. F. Hedrick .....	13.00
26	1791	Jos. Johanningmeir.....	61.33	26	1878	Andrew Healey .....	42.50
26	1792	Charles Jones .....	27.33	26	-1879	Edward Lade .....	61.33
26	1793	Charles E. Jackson .....	27.33	26	1880	Charles Lenard .....	22.50
26	1794	P. B. Kyes or Keys .....	23.66	26	1881	John M. Lowrie .....	26.00
26	1795	James W. Lee .....	61.33	26	1882	Abraham Long .....	20.66
26	1796	Charles Lynch .....	61.33	26	-1883	Francis Miller .....	42.66
26	1797	John P. McCabe .....	61.33	26	1884	N. McNaughton .....	56.66
26	1798	William Mulloy .....	61.33	26	1885	Jacob Myers .....	53.83
26	1799	John Mead .....	61.33	26	1886	S. Marshall .....	61.33
26	1800	William Morat .....	61.33	26	1888	M. L. Mead .....	15.00
26	1801	Charles Martin .....	61.33	26	1889	J. O. Sullivan .....	51.50
26	1802	John McNamara .....	29.83	26	1890	James M. Preston .....	60.83
26	1803	Charles F. Murray .....	25.16	26	1891	Andrew Parks .....	27.33
26	1804	John McNemee .....	25.16	26	1892	George Parker .....	27.33
26	1805	James E. O'Reilly .....	32.83	26	1893	H. W. Sawyer .....	61.33
26	1806	H. C. Osborn .....	27.33	26	1894	Wm. T. Stephens .....	15.33
26	1807	Galen O. Preble .....	61.33	26	1895	Wm. Smith .....	13.50
26	1808	George Pope .....	15.00	26	1896	S. B. Shoemaker .....	14.50
26	1809	William Robinson .....	61.33	26	1897	E. M. Shipley .....	13.50
26	1810	W. A. Ralston .....	61.33	26	1898	B. F. Settle .....	43.50
26	1811	Lewis Rose .....	61.33	26	1899	Wm. Thompson .....	59.56
26	1812	S. E. Robinson .....	16.33	26	1900	S. H. Tuttle .....	44.16
26	1813	H. K. Sneath .....	61.33	26	1901	DeWitt Taplin .....	15.66
26	1814	S. B. Sample .....	61.33	26	1902	Charles W. Thornton .....	15.00
26	1815	C. E. Smith, jr .....	29.33	26	1903	Wm. Urtel .....	61.33
26	1816	George W. Smith .....	25.50	26	1904	J. Van Dusen .....	61.33
26	1817	John Taylor .....	61.33	26	1905	A. D. Vantreesee .....	54.00
26	1818	George M. Thomas .....	27.33	26	1906	L. G. Wilson .....	27.16
26	1819	John T. Thatcher .....	26.33	26	1908	Dan Winfield .....	13.00
26	1820	Thos. B. Wilkerson .....	12.83	26	1909	R. C. Wilcox .....	61.33
26	1821	McHenry White .....	27.00	26	1910	S. A. Denamore .....	50.83
26	1822	George M. or W. White .....	25.16	26	1911	Jesse Fox .....	53.00
26	1823	John Bossinger .....	49.83	26	1912	L. B. Libbey .....	50.83
26	1825	M. C. Bolonger .....	50.50	26	1913	George Brasch .....	45.16
26	1826	Andrew Dunn .....	55.16	26	1914	A. J. Grimes .....	46.16
26	1827	H. L. Desmerrett .....	61.33	26	1915	Daniel Casey .....	51.33
26	1828	T. J. Harnett .....	61.33	26	1916	James Lonergan .....	5.33
26	1829	M. E. Kean .....	61.33	26	1917	William Ayer .....	3.50
26	1830	Fred Morlet .....	51.00	26	1918	William R. Appleton .....	56.66
26	1831	P. L. B. Massent .....	55.16	26	1919	George W. Bradley .....	48.50
26	1832	John Sherlock .....	52.66	26	1920	J. Boulware .....	50.16
26	1833	Dennis Myer .....	45.00	26	1921	B. S. Breeden .....	43.66
26	1836	H. Richards .....	16.66	26	1922	F. M. Buck .....	61.33
26	1838	M. W. Stone .....	21.66	26	1923	C. C. Carter .....	43.33
26	1839	C. H. Verschoyle .....	21.66	26	1924	J. Coquillot .....	45.00
26	1840	Aaron Wood .....	15.16	26	1925	John Charvis .....	50.33
26	1841	E. D. Sherrill .....	61.33	26	1926	John M. Clifford .....	61.33
26	1842	T. W. Roussin .....	50.50	26	1927	S. Campbell .....	8.66
26	1843	J. Kellison .....	60.16	26	1928	John V. Cook .....	7.66
26	1844	James H. Sanborn .....	27.16	26	1929	William J. Cook .....	51.66
26	1845	Jotham Burns .....	61.33	26	1930	Dyer James .....	61.33
26	1846	Harvey Pierce .....	14.83	26	1931	Thomas B. Fitzhugh .....	51.33
26	1847	F. Morlath .....	13.33	26	1932	F. Guillion .....	52.83
26	1849	F. Huesner .....	61.33	26	1933	A. Harris .....	53.00
26	1850	Geo. H. Ackler .....	27.16	26	1934	L. Hoard .....	47.16
26	1852	Hugh Burns .....	54.50	26	1935	F. S. Hubbard .....	7.83
26	1853	George Brumfield .....	47.66	26	1936	Paul Hoard .....	54.16
26	1854	Wm. Brooks .....	61.33	26	1937	R. P. Knapp .....	7.16
26	1855	Thomas Bryson .....	15.00	26	1938	Benjamin E. Loosen .....	19.00
26	1856	Wm. C. Bell .....	15.66	26	1939	Joel B. Longes .....	48.33
26	1857	E. C. or D. Blood .....	15.33	26	1940	Dan McVey .....	61.33
26	1858	John A. Bird .....	15.66	26	1941	John B. McGee .....	58.83
26	1859	James Crozar .....	43.50	26	1942	Thomas Mulloy .....	7.50
26	1860	J. C. G. Cregan .....	45.50	26	1943	John W. Martin .....	7.00
26	1861	B. F. Currier .....	47.50	26	1944	M. Masseth .....	4.33
26	1862	M. Dunnigan .....	13.00	26	1945	P. L. Nutting .....	45.33
26	1863	George W. Evans .....	61.33	26	1946	Eugene O'Neil .....	47.16
26	1864	Robert Elliott .....	61.33	26	1947	Eli D. Phelps .....	43.66
26	1865	W. W. Esterbrook, Jr. ....	52.50	26	1948	M. M. Rhodes .....	7.16
26	1866	D. K. Ewbanks .....	18.66	26	1949	William Robinson .....	55.83
26	1867	N. W. Fish .....	56.00	26	1950	John I. Smith .....	50.66
26	1868	Gregory Ford .....	43.16	26	1951	William Smith .....	3.83
26	1869	Joseph Ferris .....	61.33	26	1952	M. Stavage .....	6.66
26	1870	George W. Gould .....	61.33	26	1953	B. Stauffer .....	19.66
26	1871	W. Govenlock .....	61.33	26	1954	John Shaw .....	61.33
26	1872	I. Graham .....	56.00	26	1956	George B. Wallace .....	49.00
26	1873	N. Garlon .....	43.33	26	1957	James W. Warden .....	



ABSTRACT C.—Showing disbursements by the State of Nevada, etc.—Continued.

Date.	War-rant.	To whom issued.	Amount.	Date.	War-rant.	To whom issued.	Amount.
1865.				1865.			
Aug. 26	1958	B. Winslow .....	\$43.16	Nov. 29	2179	H. McOmie .....	\$43.00
26	1959	Henry Willis .....	56.83	29	2180	John Morris .....	43.00
26	1960	Richard Williams .....	59.33	29	2181	George A. Miller .....	43.00
26	1961	James P. Wheeler .....	54.83	29	2182	John McConnell .....	43.00
26	1962	A. H. Yocum .....	6.66	29	2183	Henry Noyes .....	43.00
26	1963	E. A. Young .....	14.66	29	2184	C. O'Loughlin .....	43.00
31	1964	J. Neely Johnson .....	51.75	29	2185	George Peabody .....	43.00
Sept. 2	1977	C. C. Warner .....	191.66	29	2186	Dudley Phelps .....	43.00
2	1978	John W. Leonard .....	51.83	29	2187	George W. Patterson .....	43.00
16	1990	Thomas Williams .....	24.33	29	2188	Levi L. Reese .....	43.00
16	1991	Lee D. McDonald .....	20.16	29	2189	John Smith .....	43.00
16	1992	Alexander McGiffen .....	25.33	29	2190	James Taveras .....	43.00
16	1993	Alexander Thompson .....	25.16	29	2191	M. S. Eastwood .....	43.00
16	1994	Charles B. Aul .....	26.33	29	2192	H. E. Emery .....	43.00
16	1995	John C. Powers .....	28.66	29	2193	George Goodpaster .....	43.00
16	1996	William H. Scott .....	27.83	29	2194	Benjamin C. Gowan .....	43.00
16	1997	Justin Edwards .....	150.00	29	2195	Ed. Hagans .....	43.00
16	1998	Joel Wolverton .....	100.00	29	2196	Joseph Kerr .....	43.00
16	1999	A. B. Wells .....	140.00	29	2197	William C. Medbury .....	43.00
16	2000	J. W. Staples .....	23.50	29	2198	Elijah Prine .....	43.00
27	2024	Hugh Burns .....	29.19	29	2199	Reuben Parish .....	43.00
Nov. 10	2078	George A. Thurston .....	210.00	29	2200	Joseph Richards .....	43.00
29	2102	George W. Durham .....	43.00	29	2201	Moses Stoppard .....	43.00
29	2103	Martin Sherman .....	43.00	29	2202	John M. Williams .....	43.00
29	2104	Eli B. Dunning .....	43.00	Dec. 8	2209	Richard Armstrong .....	43.33
29	2105	John McNamara .....	43.00	8	2210	Charles Hodgman .....	39.50
29	2106	Warren Godfrey .....	43.00	8	2211	P. Obershaw .....	61.33
29	2107	Charles M. Beard .....	43.00	8	2212	E. J. Davis .....	43.50
29	2108	E. B. Hagans .....	43.00	8	2213	John N. Hamilton .....	43.33
29	2109	Henry K. Wicks .....	252.46	8	2214	A. B. Wells .....	20.70
29	2110	L. J. Whitney .....	50.00	8	2216	Samuel Hilton .....	43.00
29	2111	Justin Edwards .....	64.75	8	2217	H. C. Osborn .....	43.00
29	2112	A. B. Wells .....	70.00	8	2218	George M. Thomas .....	43.00
29	2113	W. H. Clark .....	150.00	8	2219	A. Koneman .....	1,247.00
29	2114	Wm. Wallace .....	241.00	8	2220	W. H. Clark .....	64.76
29	2115	E. B. Zabriskie .....	639.20	8	2221	John Littlefield .....	164.76
29	2185	James A. Wilkinson .....	100.00	8	2222	J. B. Robinson .....	43.33
29	2186	Albert C. White .....	43.50	8	2223	Wm. Rafferty .....	43.00
29	2187	George Inks .....	43.00	8	2224	Isaac Van Valken- berg .....	43.00
29	2188	James L. Sanborn .....	43.00	8	2225	James H. Sackett .....	43.00
29	2189	Isaac Hickerson .....	43.00	8	2226	A. Koneman .....	1,677.00
29	2140	Frank Marion .....	43.00	8	2227	A. Koneman .....	258.00
29	2141	Peter Brocha .....	43.00	8	2228	Solomon Gee .....	43.00
29	2142	Charles B. Blanchard .....	43.00	8	2229	James B. Jones .....	43.00
29	2143	Hubert Besat .....	43.00	19	2287	Wm. Morat .....	43.00
29	2144	Geo. W. Bibbins .....	36.83	19	2288	James E. O'Reilly .....	43.00
29	2145	John T. Cassidy .....	43.00	19	2289	William H. Desmore or Desmondes .....	43.00
29	2146	John Dolan .....	43.00	19	2290	William S. Alexander .....	43.00
29	2147	A. W. Faxon .....	43.00	19	2291	William Ellsworth .....	104.33
29	2148	Jos. Good .....	43.00	1866.			
29	2149	Jos. Johannimgier .....	43.00	Jan. 29	2601	Milo George .....	391.50
29	2150	Frank Lapoint .....	43.00	29	2602	A. J. Close .....	54.25
29	2151	Charles Lynch .....	43.00	29	2603	James A. Wilkerson .....	50.00
29	2152	Joseph W. Lee .....	43.00	29	2604	G. J. Lansing .....	189.75
29	2153	John McNamee .....	43.00	29	2605	D. H. Pine .....	89.16
29	2154	M. H. Myers .....	43.00	29	2606	William Wallace .....	130.30
29	2155	Edward Neal .....	36.00	29	2607	M. Ahern .....	48.84
29	2156	S. E. Robinson .....	43.00	29	2608	Charles C. Higgins .....	48.84
29	2157	William Robinson .....	43.00	29	2609	J. W. Johnson .....	48.84
29	2158	H. K. Smith .....	43.00	29	2610	J. Quigley .....	48.84
29	2159	S. B. Sample .....	43.00	29	2611	J. Rossinger .....	48.84
29	2160	George W. White .....	43.00	29	2612	S. M. Ballard .....	48.84
29	2161	Henry Young .....	43.00	29	2613	S. Dunn .....	48.84
29	2162	John Armstrong .....	43.00	29	2614	J. N. Merrett .....	48.84
29	2163	Edwin Billings .....	43.00	29	2615	J. W. Thompson .....	49.50
29	2164	Joseph Cullen .....	43.00	29	2616	C. H. Vesahoyle .....	48.84
29	2165	Samuel Chambers .....	43.00	29	2617	T. Zacariah .....	48.84
29	2166	James E. Dickerson .....	43.00	29	2618	William Barrett .....	110.33
29	2167	Samuel Eagles .....	43.00	29	2620	M. C. Bolinge .....	48.84
29	2168	L. W. Flye .....	43.00	29	2621	J. A. Belt .....	48.84
29	2169	Charles Geisbach .....	43.00	29	2622	J. Carey .....	48.84
29	2170	A. F. Gordon .....	43.00	29	2623	J. Craddock .....	48.84
29	2171	H. Henning .....	43.00	29	2624	J. Clark .....	48.84
29	2172	N. Hazel or Hagat .....	43.00	29	2625	M. Crowley .....	48.84
29	2173	Thomas Hall .....	43.00	29	2626	P. Kavanua .....	48.84
29	2174	C. H. Kibbe .....	43.00	29	2627	J. S. Collins .....	50.50
29	2175	James Lindsey .....	43.00	29	2628	C. Conrad .....	48.84
29	2176	John Mulligan .....	61.33	29	2629	James Davis .....	48.84
29	2177	John Mulligan .....	43.00				
29	2178	Peter Meyer .....	43.00				

STATEMENT C.—Showing disbursements by the State of Nevada, etc.—Continued.

Date.	War-rant.	To whom issued.	Amount.	Date.	War-rant.	To whom issued.	Amount.
1866.				1866.			
Jan. 20	2630	J. Dronett .....	\$48.84	Jan. 29	2711	H. Pierce .....	\$47.50
29	2631	J. or G. W. Devers .....	48.84	29	2712	J. M. or W. Preston .....	47.50
29	2632	H. S. Deemerett .....	48.84	29	2713	D. Park .....	47.50
29	2633	A. Dunn .....	48.84	29	2714	G. W. Ruttan .....	47.50
29	2634	J. Evens .....	48.84	29	2715	H. W. Sawyer .....	47.50
29	2635	N. Gunther .....	48.84	29	2716	W. T. Stephens .....	47.50
29	2636	J. Goff or Gough .....	48.84	29	2717	George Sutherland .....	47.50
29	2637	S. Crouse .....	48.84	29	2718	J. O'Sullivan .....	47.50
29	2638	T. Green .....	48.84	29	2719	S. B. Shoemaker .....	47.50
29	2639	G. E. Gilson .....	48.84	29	2720	B. F. Settle .....	47.50
29	2640	T. F. Harrington .....	50.50	29	2721	E. M. Shipley .....	47.50
29	2641	H. M. Harris .....	48.84	29	2722	David Smith .....	47.50
29	2642	Pat Hennessy .....	48.84	29	2723	George H. McCullum .....	47.50
29	2643	Huston Williams .....	48.84	29	2724	J. Turnley .....	47.50
29	2644	H. Humphrey .....	48.84	29	2725	George Parker .....	47.50
29	2645	E. C. Lynn .....	48.84	29	2726	A. E. Townley, or Townslley .....	47.50
29	2646	F. W. Lohyde .....	48.84	29	2727	William Thompson .....	47.50
29	2647	S. W. Lawson .....	48.84	29	2728	Ed. Lade .....	47.50
29	2648	J. G. J. Lansing .....	12.50	29	2729	De Witt Taplan .....	47.50
29	2649	P. Lyon .....	48.84	29	2730	S. H. Tuttle .....	47.50
29	2650	F. Morlett .....	48.84	29	2731	A. D. Vantreesee .....	47.50
29	2651	L. D. McIntosh .....	51.00	29	2732	J. P. Wheeler .....	48.81
29	2652	F. Miller .....	48.84	29	2733	R. C. Whcox .....	47.50
29	2653	Edward Morgan .....	48.84	29	2734	Dan Winfield .....	47.50
29	2654	L. C. Nelson .....	48.84	29	2735	Ed. Warren .....	47.50
29	2655	J. H. O'Brien .....	48.50	29	2736	J. G. Kelley .....	210.00
29	2656	J. B. Robotham .....	48.84	29	2737	G. Vanderhorf .....	144.25
29	2657	M. J. Ryan .....	48.67	29	2738	David Love .....	173.34
29	2658	H. Richards .....	48.84	29	2739	George Broesch .....	48.84
29	2659	J. Richmond .....	48.84	29	2740	D. Casey .....	48.84
29	2660	M. W. Stone .....	48.84	29	2741	S. T. E. England .....	48.84
29	2661	S. Summers .....	48.84	29	2742	A. J. Grimes .....	48.84
29	2662	J. Sherlock .....	48.84	29	2743	J. Lonergan .....	48.84
29	2663	T. H. Steen .....	47.84	29	2744	C. C. Mills .....	48.84
29	2664	I. H. or N. Sherman .....	47.84	29	2745	F. Woods .....	50.47
29	2665	G. E. Thomas .....	48.84	29	2746	G. E. Ball .....	48.84
29	2666	J. Turnbull .....	48.84	29	2747	L. J. Crombie .....	48.81
29	2667	S. W. Wardell .....	48.84	29	2748	S. A. Denamore .....	48.84
29	2668	J. J. Woods .....	44.50	29	2749	N. R. Warner .....	48.84
29	2669	A. Wood .....	48.48	29	2750	E. Moreledge .....	48.84
29	2670	J. Wilson .....	48.48	29	2751	W. R. Appleton .....	48.84
29	2671	W. G. Seamands .....	187.50	29	2752	William A. Ables .....	48.84
29	2672	John or Jotham Burns .....	47.50	29	2753	John Boulware .....	48.84
29	2673	J. A. Bird .....	47.50	29	2754	G. E. Berry .....	48.84
29	2674	J. Kellison .....	47.50	29	2755	F. M. Buck .....	48.84
29	2675	William Golt .....	47.50	29	2756	Thomas Bowen .....	48.84
29	2676	A. Henley .....	47.50	29	2757	R. S. Breeden .....	48.84
29	2677	T. N. Roussin .....	47.50	29	2758	G. W. Bradley .....	48.84
29	2678	J. H. Sanborn .....	47.50	29	2759	Charles Bowring .....	48.84
29	2679	E. D. Sherrill .....	47.50	29	2760	George W. Connins .....	48.84
29	2680	J. M. D. Warfield .....	47.50	29	2761	John Chavis .....	48.84
29	2681	C. W. Thornton .....	47.50	29	2762	W. J. Cook .....	48.84
29	2682	G. H. Ackler .....	47.50	29	2763	J. V. Cook .....	48.84
29	2683	J. W. Brink .....	47.50	29	2764	S. Campbell .....	48.84
29	2684	A. C. Blanchard .....	47.50	29	2765	L. Coppers .....	48.84
29	2685	E. D. Blood .....	47.50	29	2766	W. A. Culberson .....	48.84
29	2686	W. Brooks .....	47.50	29	2767	C. C. Carter .....	48.84
29	2687	J. C. G. Ceregin .....	47.50	29	2768	J. Corquillot .....	48.84
29	2688	J. Crozer .....	47.50	29	2769	James Dyer .....	48.84
29	2689	B. F. Currier .....	47.50	29	2770	J. Diamond .....	48.84
29	2690	G. A. Enbanks .....	47.50	29	2771	C. De La Cruz .....	48.84
29	2691	W. W. Easterbrook, jr .....	47.50	29	2772	G. M. Chase .....	48.84
29	2692	George W. Evans .....	47.50	29	2773	T. B. Fitzhugh .....	48.84
29	2693	George Ford .....	47.50	29	2774	Jesse Fox .....	48.84
29	2694	J. Ferris .....	47.50	29	2775	T. Gilloux .....	48.84
29	2695	N. W. Fish .....	47.50	29	2776	R. W. Gile .....	48.84
29	2696	L. Grinnell .....	47.50	29	2777	R. Gestelle .....	48.84
29	2697	G. or William Gould .....	47.50	29	2778	N. C. Hincley .....	48.84
29	2698	M. Garlon .....	47.50	29	2779	F. S. Hubbard .....	48.84
29	2699	C. L. Hardy .....	47.50	29	2780	A. Harris .....	48.84
29	2700	N. F. Hedrick .....	47.50	29	3781	L. Heald .....	48.84
29	2701	J. M. Lowrie .....	47.50	29	2782	T. Hough .....	48.84
29	2702	C. Leonard .....	47.50	29	2783	P. Howard .....	48.84
29	2703	A. Long .....	47.50	29	2784	B. E. Hutchinson .....	50.67
29	2704	M. F. Mead .....	47.50	29	2785	R. P. Knapp .....	48.84
29	2705	N. McNaughton .....	47.50	29	2786	D. Love .....	11.67
29	2706	R. Morleth .....	47.50	29	2787	H. J. Locke .....	48.84
29	2707	Jacob Meyers .....	47.50	29	2788	William A. Lyon .....	45.00
29	2708	F. Miller .....	47.50	29	2789	J. B. Longee .....	48.84
29	2709	S. Marshall .....	47.50	29	2790	B. E. Loren .....	48.84
29	2710	A. Parks .....	47.50				

ABSTRACT C.—Showing disbursements by the State of Nevada, etc.—Continued.

Date.	War-rant.	To whom issued.	Amount.	Date.	War-rant.	To whom issued.	Amount.
1866.				1866.			
Jan. 29	2791	M. Masseth .....	\$48.84	May 31	3638	H. M. Ellsworth .....	\$50.00
29	2792	D. McVey .....	48.84	31	3639	Robert P. Frisbie .....	67.67
29	2793	Alex. Mitchell .....	48.84	31	3640	L. J. Whitney .....	200.00
29	2794	M. McCoy .....	48.84	June 16	3658	Dennis Weyer .....	48.84
29	2795	J. B. McGee .....	48.84	16	3659	John H. Clifford .....	48.84
29	2796	Thomas Mulloy .....	48.84	16	3660	Michael Savage .....	48.84
29	2797	P. L. Nutting .....	48.84	16	3661	George A. Thurston .....	52.50
29	2798	Engene O'Neil .....	48.84	16	3662	A. M. Newton .....	60.50
29	2799	E. or G. D. Phelps .....	48.84	16	3663	James A. Wilkinson .....	50.00
29	2800	M. N. Rhoades .....	48.84	16	3664	James Byrne .....	42.00
29	2801	J. M. Reno .....	48.84	16	3665	F. P. Blowers .....	65.00
29	2802	W. Rowley .....	48.84	16	3666	F. P. Blowers .....	8.66
29	2803	E. Riendan .....	48.84	16	3667	Issan Grogan .....	50.00
29	2804	William Robinson .....	48.84	16	3668	J. D. Arnold .....	65.00
29	2805	Fred Reece .....	48.84	16	3669	J. D. Arnold .....	11.54
29	2806	J. J. Smith .....	48.84	16	3670	S. J. Keeler .....	65.00
29	2807	B. Stauffer .....	48.84	16	3671	S. J. Keeler .....	10.84
29	2808	John Shaw .....	48.84	16	3672	H. C. Leech .....	65.00
29	2809	A. S. Kinkle .....	48.84	16	3673	H. C. Leech .....	10.81
29	2810	Geo. M. or W. Sigler .....	48.84	16	3674	William McCaffery .....	65.00
29	2811	William Smith .....	48.84	16	3675	William McCaffery .....	10.84
29	2812	E. F. Scott .....	32.16	16	3676	L. Singleton .....	50.00
29	2813	William J. Tasco .....	48.84	16	3677	Zebulon Stokes .....	50.00
29	2814	F. M. Voight .....	49.66	16	3678	F. M. White .....	65.00
29	2815	A. S. or G. Van Meter .....	44.34	16	3679	F. M. White .....	10.00
29	2816	A. F. W. Winter .....	48.84	16	3680	J. H. Marshall .....	65.00
29	2817	Richard Williams .....	48.84	16	3681	J. H. Marshall .....	9.33
29	2818	George B. Wallace .....	48.84	16	3682	J. C. Quayle .....	65.00
29	2819	B. Winstow .....	48.84	16	3683	J. C. Quayle .....	10.34
29	2820	James W. Warden .....	48.84	16	3684	George Stoll .....	65.00
29	2821	Henry Willis .....	48.84	16	3685	George Stoll .....	10.50
29	2822	A. H. Yocum .....	48.84	16	3686	Robert Joyce .....	66.00
29	2823	E. A. Young .....	48.84	16	3687	Dani'l Hughes .....	43.00
29	2824	Oscar Jewett .....	522.50	16	3745	Sylvester Bouch .....	60.84
29	2825	John Taylor .....	43.00	16	3746	William F. Berry .....	65.00
29	2826	H. Eiggenellig .....	43.00	16	3747	William F. Berry .....	14.33
29	2827	William Young .....	43.00	16	3748	William H. Chipman .....	65.00
Feb. 6	2934	Martin E. Kean .....	48.84	16	3749	William H. Chipman .....	12.50
6	2935	Jacob Van Doren .....	47.50	16	3750	Erl Caters .....	65.00
6	2936	John W. Martin .....	48.84	16	3751	Erl Caters .....	12.84
6	2937	Daniel S. McKay .....	48.84	16	3752	M. Duffey .....	65.00
Mar. 7	3447	N. McGuone .....	48.84	16	3753	M. Duffey .....	12.67
7	3448	George C. Welch .....	48.84	16	3754	Thomas A. Frazer .....	65.00
7	3449	J. R. Hamilton .....	48.84	16	3755	Thomas A. Frazer .....	14.33
7	3450	Patrick Reilly .....	48.84	16	3756	Ira J. Harder .....	65.00
7	3451	James J. Hutchinson .....	48.84	6	3757	Ira J. Harder .....	13.16
7	3452	John E. Howe .....	47.50	6	3758	F. M. Mounts .....	65.00
7	3453	James Leonard .....	47.50	6	3759	F. M. Mounts .....	14.00
7	3454	Samuel C. Day .....	47.67	6	3760	J. J. Anderson .....	65.00
7	3455	W. Govenlock .....	47.50	6	3761	J. J. Anderson .....	11.34
7	3456	James Dougherty .....	47.50	6	3762	William Bronson .....	65.00
7	3457	J. T. Leonard .....	47.50	6	3763	William Bronson .....	12.00
7	3458	William Smith .....	47.50	6	3764	James Blaslin .....	65.00
7	3459	Robert Elliott .....	47.50	6	3765	James Blaslin .....	11.67
7	3460	Ign. Graham .....	47.50	6	3766	Andrew Coulter .....	65.00
7	3461	John Rogers .....	40.84	6	3767	Andrew Coulter .....	10.00
7	3462	J. B. Libbey .....	48.84	6	3768	E. C. Dunning .....	65.00
7	3463	Alex. Dickson .....	43.00	6	3769	E. C. Dunning .....	11.00
7	3464	James C. Palmer .....	43.00	6	3770	James Dolan .....	65.00
7	3465	Joseph F. Hewett .....	43.00	6	3771	James Dolan .....	11.67
21	3504	James H. Stewart .....	606.67	6	3772	Peter Demitz .....	65.00
21	3505	George Brumfield .....	47.50	6	3773	Peter Demitz .....	11.16
21	3506	Simon L. Coen .....	47.50	6	3774	S. R. Edmisson .....	65.00
21	3507	Jared Grover .....	47.50	6	3775	S. R. Edmisson .....	13.50
21	3508	Henry Heusner .....	47.50	6	3776	James P. Fagan .....	65.00
21	3510	T. M. Roussin .....	47.50	6	3777	James P. Fagan .....	13.33
21	3512	John U. Tolles .....	290.84	6	3778	Dayton Field .....	65.00
21	3513	William Urtel .....	47.50	6	3779	Dayton Field .....	12.00
21	3514	Samuel or Lemuel G. Wilson .....	47.50	6	3780	Thomas Fitzpatrick .....	65.00
21	3515	Charles H. Judd .....	43.00	6	3781	Thomas Fitzpatrick .....	13.16
21	3516	Henry E. Scott .....	43.00	6	3782	Richard Grace .....	65.00
21	3517	G. M. Thurlow .....	47.50	6	3783	Richard Grace .....	10.16
April 26	3559	Jno. Farnan or Farman .....	43.00	6	3784	F. J. Haight .....	65.00
26	3560	James S. Warren .....	282.50	6	3785	F. J. Haight .....	11.50
26	3561	E. B. Zabriskie .....	140.00	6	3786	M. Handlin .....	65.00
26	3562	R. A. Fitch .....	48.84	6	3787	M. Handlin .....	11.16
May 23	3622	Adolph Hanson .....	48.83	6	3788	M. J. Hay .....	65.00
23	3623	John W. Thomas .....	29.50	6	3789	M. J. Hay .....	11.16
31	3624	William Ayer .....	48.84	6	3790	William M. Hupfill .....	65.00
				6	3791	William M. Hupfill .....	13.13

## ABSTRACT C.—Showing disbursements by the State of Nevada, etc.—Continued.

Date.	War-rant.	To whom issued.	Amount.	Date.	War-rant.	To whom issued.	Amount
1866.				1866.			
July	6	3792 G. R. Kellogg .....	\$65. 00	Aug.	4	3914 John McDonald.....	\$17. 00
	6	3793 G. R. Kellogg .....	13. 50		4	3915 William C. Matlock...	65. 00
	6	3794 B. F. Logan .....	325. 00		4	3916 William C. Matlock...	16. 00
	6	3795 Henry McQuaid .....	65. 00		4	3917 John L. Nelson .....	65. 00
	6	3796 Henry McQuaid .....	11. 50		4	3918 John L. Nelson .....	17. 00
	6	3797 James Mullett.....	65. 00		4	3919 Isaac Sanderson .....	65. 00
	6	3798 James Mullett.....	12. 00		4	3920 Isaac Sanderson .....	17. 00
	6	3799 George W. Norton .....	65. 00		4	3921 Smith Stewart.....	65. 00
	6	3800 George W. Norton .....	12. 67		4	3922 Smith Stewart.....	15. 33
	6	3801 C. Ottman .....	65. 00		4	3923 Pat Walsh .....	65. 00
	6	3802 C. Ottman .....	11. 34		4	3924 Pat Walsh .....	17. 00
	6	3803 George Peterson .....	65. 00		4	3925 Jos. M. Westwood .....	65. 00
	6	3804 George Peterson .....	12. 16		4	3926 Jos. M. Westwood .....	17. 00
	6	3805 J. F. Pennoyer .....	65. 00		4	3927 James S. Warren .....	25. 00
	6	3806 J. F. Pennoyer .....	11. 16		4	3928 James S. Warren .....	85. 00
	6	3807 Thomas Ryan .....	65. 00		4	3929 James Atkins .....	65. 00
	6	3808 Thomas Ryan .....	11. 50		4	3930 James Atkins .....	17. 00
	6	3809 John Rush .....	65. 00		4	3931 Frank Bauer .....	65. 00
	6	3810 John Rush .....	13. 33		4	3932 Frank Bauer .....	17. 00
	6	3811 G. W. Smith .....	65. 00		4	3933 Samuel Bunce .....	65. 00
	6	3812 G. W. Smith .....	10. 84		4	3934 Samuel Bunce .....	13. 33
	6	3813 E. P. Thomas .....	65. 00		4	3935 Robert Bell .....	65. 00
	6	3814 E. P. Thomas .....	10. 67		4	3936 Robert Bell .....	15. 00
	6	3815 R. C. Payne .....	37. 66		4	3937 F. G. Burton .....	65. 00
	6	3816 William C. Bell .....	47. 50		4	3938 F. G. Burton .....	17. 00
	6	3817 Thomas Bryson .....	47. 50		4	3939 William H. Bennett .....	65. 00
	24	3818 B. F. Logan .....	63. 33		4	3940 William H. Bennett .....	17. 00
	24	3819 James K. Young .....	65. 00		4	3941 John Clark .....	65. 00
	24	3820 James K. Young .....	9. 16		4	3942 John Clark .....	17. 00
	24	3821 Philip Bonham .....	65. 00		4	3943 Henry Curren .....	65. 00
	24	3822 Philip Bonham .....	13. 33		4	3944 Henry Curren .....	17. 00
	24	3823 J. F. Barrett or Barnett .....	65. 00		4	3945 John Cone .....	65. 00
	24	3824 J. F. Barrett or Barnett .....	13. 33		4	3946 John Cone .....	17. 00
	24	3825 Samuel Comeggs .....	65. 00		4	3947 F. S. Dickson .....	65. 00
	24	3826 Samuel Comeggs .....	14. 66		4	3948 F. S. Dickson .....	17. 00
	24	3827 A. Durfee .....	65. 00		4	3949 John H. Davis .....	65. 00
	24	3828 A. Durfee .....	13. 33		4	3950 John H. Davis .....	17. 00
	24	3829 M. B. Hoyt .....	65. 00		4	3951 Reuben Ferris .....	55. 00
	24	3830 M. B. Hoyt .....	13. 33		4	3952 Reuben Ferris .....	17. 00
	24	3831 George J. Jones .....	65. 00		4	3953 M. J. Fontz .....	65. 00
	24	3832 George J. Jones .....	8. 84		4	3954 M. J. Fontz .....	17. 00
	24	3833 S. McCall .....	65. 00		4	3955 Sol Hayworth .....	65. 00
	24	3834 S. McCall .....	13. 33		4	3956 Sol Hayworth .....	17. 00
	24	3835 A. Opelesley .....	65. 00		4	3957 Samuel Hartman .....	48. 50
	24	3836 A. Opelesley .....	14. 67		4	3958 Samuel Hartman .....	16. 50
	24	3837 Charles Perry .....	65. 00		4	3959 Samuel Hartman .....	17. 00
	24	3838 Charles Perry .....	13. 50		4	3960 John Harder .....	65. 00
	24	3839 John Thoroughman .....	65. 00		4	3961 John Harder .....	17. 00
	24	3840 John Thoroughman .....	14. 00		4	3962 Alfred Holder .....	65. 00
	24	3841 S. V. Ables .....	65. 00		4	3963 Alfred Holder .....	17. 00
	24	3842 S. V. Ables .....	17. 00		4	3964 Abram Harder .....	65. 00
	24	3843 Moses Austin .....	65. 00		4	3965 Abram Harder .....	17. 00
	24	3844 Moses Austin .....	17. 00		4	3966 E. H. Johnson .....	65. 00
	24	3845 Rasmus Berry .....	65. 00		4	3967 E. H. Johnson .....	17. 00
	24	3846 Rasmus Berry .....	17. 00		4	3968 Charles Jarrett .....	65. 00
	24	3847 John J. Briggs .....	65. 00		4	3969 Charles Jarrett .....	17. 00
	24	3848 John J. Briggs .....	17. 00		4	3970 Otis W. Johnson .....	60. 00
	24	3849 John Hopkins .....	65. 00		4	3971 S. L. Jacobs .....	65. 00
	24	3850 John Hopkins .....	17. 00		4	3972 S. L. Jacobs .....	17. 00
	24	3851 Otto Ludderwig .....	65. 00		4	3973 Peter McKeown .....	65. 00
	24	3852 Otto Ludderwig .....	17. 00		4	3974 Peter McKeown .....	17. 00
	24	3853 James C. Neff .....	65. 00		4	3975 Ed. McKenzie .....	65. 00
	24	3854 James C. Neff .....	15. 83		4	3976 Ed. McKenzie .....	17. 00
	24	3855 Alex Thompson .....	65. 00		4	3977 John R. Nugent .....	65. 00
	24	3856 Alex Thompson .....	17. 00		4	3978 John R. Nugent .....	17. 00
Aug.	4	3898 Noyes Baldwin .....	520. 00		4	3979 Henry Nutt .....	62. 33
	4	3899 E. B. Zabriskie .....	105. 00		4	3980 Henry Nutt .....	17. 00
	4	3900 John Andrew .....	65. 00		4	3981 Felix O'Neil .....	65. 00
	4	3901 John Andrew .....	16. 84		4	3982 Felix O'Neil .....	16. 00
	4	3902 Charles B. Dunn .....	48. 84		4	3983 William O'Neil .....	30. 00
	4	3903 Leon Gris .....	65. 00		4	3984 William O'Neil .....	30. 84
	4	3904 Leon Gris .....	15. 84		4	3985 J. M. Plaisted .....	65. 00
	4	3905 F. W. Iserman .....	65. 00		4	3986 J. M. Plaisted .....	17. 00
	4	3906 F. W. Iserman .....	17. 00		4	3987 John Robinson .....	65. 00
	4	3907 James C. Logan .....	65. 00		4	3988 John Robinson .....	17. 00
	4	3908 James C. Logan .....	17. 00		4	3989 A. S. Robertson .....	65. 00
	4	3909 Pat Mooney .....	65. 00		4	3990 A. S. Robertson .....	17. 00
	4	3910 Pat Mooney .....	15. 84		4	3991 William Roberts .....	65. 00
	4	3911 Pat McNickle .....	65. 00		4	3992 William Roberts .....	17. 00
	4	3912 Pat McNickle .....	7. 00		4	3993 Rodney Shoemaker .....	65. 00
	4	3913 John McDonald .....	65. 00		4	3994 Rodney Shoemaker .....	17. 00

ABSTRACT C.—Showing disbursements by the State of Nevada, etc.—Continued.

Date.	War-rant.	To whom issued.	Amount.	Date.	War-rant.	To whom issued.	Amount.
1886.				1886.			
Aug. 4	3995	Aug. Schneider.....	\$65.00	Aug. 4	4074	Thomas Bowman.....	\$17.00
4	3996	Aug. Schneider.....	17.00	4	4075	J. Brownstine.....	65.00
4	3997	James Shields.....	65.00	4	4076	J. Brownstine.....	17.00
4	3998	James Shields.....	17.00	4	4077	M. Corcoran.....	65.00
4	3999	John Schaster.....	65.00	4	4078	M. Corcoran.....	17.00
4	4000	John Schaster.....	17.00	4	4079	Jos. Davis.....	65.00
4	4001	N. L. Shaw.....	65.00	4	4080	Jos. Davis.....	17.00
4	4002	N. L. Shaw.....	17.00	4	4081	George R. Day.....	65.00
4	4003	William H. Scott.....	65.00	4	4082	George R. Day.....	17.00
4	4004	William H. Scott.....	17.00	4	4083	Max Deistberg.....	65.00
4	4005	James H. Mathewson.....	450.50	4	4084	Max Deistberg.....	17.00
4	4006	James H. Mathewson.....	119.00	4	4085	A. E. Easterbrook.....	65.00
4	4007	James H. Stewart.....	25.00	4	4086	A. E. Easterbrook.....	17.00
4	4008	James H. Stewart.....	79.16	4	4087	William Edwards.....	65.00
4	4009	L. C. Cornell.....	65.00	4	4088	William Edwards.....	17.00
4	4010	L. C. Cornell.....	10.00	4	4089	K. Fleesenbaur.....	65.00
4	4011	James C. McGuire.....	65.00	4	4090	K. Fleesenbaur.....	17.00
4	4012	James C. McGuire.....	15.16	4	4091	C. Florine.....	65.00
4	4013	Sol M. Taylor.....	65.00	4	4092	C. Florine.....	17.00
4	4014	Sol M. Taylor.....	11.50	4	4093	P. W. Fisher.....	65.00
4	4015	George R. Hellerman.....	65.00	4	4094	P. W. Fisher.....	15.00
4	4016	George R. Hellerman.....	17.00	4	4095	David Hoge.....	65.00
4	4017	M. Jernegan.....	65.00	4	4096	David Hoge.....	17.00
4	4018	M. Jernegan.....	17.00	4	4097	Frank Hohman.....	65.00
4	4019	Jesse Jentry, or Gen- try.....	65.00	4	4098	Frank Hohman.....	17.00
4	4020	Jesse Jentry, or Gen- try.....	17.00	4	4099	Ed. Holske.....	65.00
4	4021	J. J. Jackson.....	65.00	4	4100	Ed. Holske.....	17.00
4	4022	J. J. Jackson.....	17.00	4	4101	A. J. Keith.....	65.00
4	4023	John Kyle.....	65.00	4	4102	A. J. Keith.....	17.00
4	4024	John Kyle.....	13.00	4	4103	William Killion.....	65.00
4	4025	Andrew Koontz.....	65.00	4	4104	William Killion.....	17.00
4	4026	Andrew Koontz.....	17.00	4	4105	Foster Lincoln.....	65.00
4	4027	B. J. Lee.....	65.00	4	4106	Foster Lincoln.....	17.00
4	4028	B. J. Lee.....	8.33	4	4107	Zac. Mitchell.....	65.00
4	4029	James Munroe.....	65.00	4	4108	Zac. Mitchell.....	17.00
4	4030	James Munroe.....	17.00	4	4109	John Marshall.....	65.00
4	4031	William Minner.....	65.00	4	4110	John Marshall.....	17.00
4	4032	William Minner.....	17.00	4	4111	M. McMabon.....	65.00
4	4033	L. A. Myers.....	65.00	4	4112	M. McMabon.....	17.00
4	4034	L. A. Myers.....	17.00	4	4113	R. P. McAuliffe.....	65.00
4	4035	F. M. Norval.....	65.00	4	4114	R. P. McAuliffe.....	17.00
4	4036	F. M. Norval.....	17.00	4	4115	L. M. Mealio.....	40.33
4	4037	Jos. R. Robinson.....	65.00	4	4116	P. Martin.....	65.00
4	4038	Jos. R. Robinson.....	17.00	4	4117	P. Martin.....	17.00
4	4039	Jos. Read.....	65.00	4	4118	George D. Rush.....	65.00
4	4040	Jos. Read.....	17.00	4	4119	George D. Rush.....	17.00
4	4041	John A. Silvers.....	65.00	4	4120	Charles Reiz.....	65.00
4	4042	John A. Silvers.....	17.00	4	4121	Charles Reiz.....	17.00
4	4043	J. A. Stewart.....	65.00	4	4122	John Ratigan.....	65.00
4	4044	J. A. Stewart.....	17.00	4	4123	John Ratigan.....	15.16
4	4045	G. D. Schell.....	65.00	4	4124	John Sullivan.....	65.00
4	4046	G. D. Schell.....	17.00	4	4125	John Sullivan.....	17.00
4	4047	John A. Spencer.....	30.00	4	4126	Thornton Sleeth.....	65.00
4	4048	John A. Spencer.....	30.50	4	4127	Thornton Sleeth.....	17.00
4	4049	S. B. Stamper.....	65.00	4	4128	James Scull.....	65.00
4	4050	S. B. Stamper.....	17.00	4	4129	James Scull.....	17.00
4	4051	Richard C. White.....	65.00	4	4130	B. M. Smedley.....	65.00
4	4052	Richard C. White.....	17.00	4	4131	B. M. Smedley.....	17.00
4	4053	John H. Dalton.....	35.00	4	4132	Henry Waters.....	65.00
4	4054	John H. Dalton.....	119.00	4	4133	Henry Waters.....	17.00
4	4055	D. R. Firman.....	275.00	4	4134	John Whelan.....	65.00
4	4056	D. R. Firman.....	85.00	4	4135	John Whelan.....	17.00
4	4057	L. P. Howell.....	65.00	4	4136	Henry Ward.....	65.00
4	4058	L. P. Howell.....	17.00	4	4137	Henry Ward.....	17.00
4	4059	William R. Jones.....	65.00	4	4138	John Walsh.....	65.00
4	4060	William R. Jones.....	17.00	4	4139	John Walsh.....	17.00
4	4061	John Johnson.....	65.00	4	4140	Oscar Jewett.....	161.24
4	4062	John Johnson.....	17.00	4	4141	Oscar Jewett.....	129.50
4	4063	B. J. W. Koontz.....	65.00	4	4142	W. W. Boatwright.....	65.00
4	4064	B. J. W. Koontz.....	17.00	4	4143	W. W. Boatwright.....	18.50
4	4065	Charles Meserve.....	65.00	4	4144	M. L. Courtney.....	65.00
4	4066	Charles Meserve.....	17.00	4	4145	M. L. Courtney.....	18.50
4	4067	R. C. McKenzie.....	65.00	4	4146	Charles Frickler.....	65.00
4	4068	R. C. McKenzie.....	17.00	4	4147	Charles Frickler.....	18.50
4	4069	Thomas H. Aikins.....	65.00	4	4148	M. S. Fry.....	65.00
4	4070	Thomas H. Aikins.....	15.84	4	4149	M. S. Fry.....	18.50
4	4071	Benjamin Brown.....	126.33	4	4150	Henry Finley.....	65.00
4	4072	Benjamin Brown.....	17.00	4	4151	Henry Finley.....	18.50
4	4073	Thomas Bowman.....	65.00	4	4152	M. Gehrum.....	65.00
				4	4153	M. Gehrum.....	18.50
				4	4154	Ed. Harris.....	65.00



## ABSTRACT C.—Showing disbursements by the State of Nevada, etc.—Continued.

Date.	War-rant.	To whom issued.	Amount.	Date	War-rant.	To whom issued.	Amount
1866.				1866.			
Aug.	4	4155 Ed. Harris.....	\$18. 50	Aug.	4	4253 Edward J. Soulsby....	\$12. 00
	4	4156 B. F. McCready.....	65. 00		4	4254 John Campbell.....	65. 00
	4	4157 B. F. McCready.....	18. 50		4	4255 John Campbell.....	17. 00
	4	4158 Jackson Mowbray....	65. 00		4	4256 Maurice Geary.....	65. 00
	4	4159 Jackson Mowbray....	18. 50		4	4257 Maurice Geary.....	17. 00
	4	4160 Jos. J. Miesen.....	65. 00		4	4258 E. Lewitzky.....	65. 00
	4	4161 Jos. J. Miesen.....	18. 50		4	4259 E. Lewitzky.....	17. 00
	4	4162 William J. Palmer....	65. 00		4	4260 E. P. Maynard.....	65. 00
	4	4163 William J. Palmer....	18. 50		4	4261 E. P. Maynard.....	17. 00
	4	4164 A. Aldrich.....	65. 00		4	4262 John O'Brien.....	65. 00
	4	4165 A. Aldrich.....	18. 50		4	4263 John O'Brien.....	17. 00
	4	4166 Peter Benedict.....	65. 00		4	4264 L. M. Spencer.....	65. 00
	4	4167 Peter Benedict.....	18. 50		4	4265 L. M. Spencer.....	17. 00
	4	4168 A. Barrett.....	65. 00		4	4266 William Walsh.....	65. 00
	4	4169 A. Barrett.....	18. 50		4	4267 William Walsh.....	17. 00
	4	4170 M. G. Bannister.....	65. 00		4	4268 George Emmerson....	65. 00
	4	4171 M. G. Bannister.....	18. 50		4	4269 George Emmerson....	18. 50
	4	4172 Peter Campbell.....	65. 00		27	4270 H. E. Murray.....	65. 00
	4	4173 Peter Campbell.....	18. 50		27	4271 H. E. Murray.....	18. 50
	4	4174 Charles H. Dietz.....	65. 00		27	4272 Xavier Pasqueir....	65. 00
	4	4175 Charles H. Dietz.....	18. 50		27	4273 Xavier Pasqueir....	18. 50
	4	4176 David B. Davis.....	65. 00		27	4332 Adam Aulbuch.....	65. 00
	4	4177 David B. Davis.....	18. 50		27	4333 Adam Aulbuch.....	17. 00
	4	4178 John C. Egan.....	65. 00		27	4334 George Nowitzkie....	65. 00
	4	4179 John C. Egan.....	18. 50		27	4335 George Nowitzkie....	13. 00
	4	4180 A. G. Grant.....	65. 00		27	4336 Peter S. Port.....	65. 00
	4	4181 A. G. Grant.....	18. 50		27	4337 Peter S. Port.....	16. 16
	4	4182 William F. Johnson..	65. 00		27	4338 Charles P. Frost....	65. 00
	4	4183 William F. Johnson..	18. 50		27	4339 Charles P. Frost....	11. 16
	4	4184 Conrad F. Kircher....	65. 00		27	4340 George F. Kibling....	65. 00
	4	4185 Conrad F. Kircher....	18. 50		27	4341 George F. Kibling....	13. 00
	4	4186 Pat Kearney.....	65. 00		27	4342 James Dill.....	65. 00
	4	4187 Pat Kearney.....	18. 50		27	4343 James Dill.....	17. 00
	4	4188 Amasa Labair.....	65. 00		27	4344 James C. Flynn.....	65. 00
	4	4189 Amasa Labair.....	18. 60		27	4345 James C. Flynn.....	17. 00
	4	4190 Charles F. Lake.....	65. 00		27	4346 J. M. Fulton.....	65. 00
	4	4191 Charles F. Lake.....	18. 50		27	4347 J. M. Fulton.....	17. 00
	4	4192 Amos Lamson.....	65. 00		27	4348 John Skelton.....	65. 00
	4	4193 Amos Lamson.....	18. 50		27	4349 John Skelton.....	17. 00
	4	4194 N. P. Lake.....	65. 00		27	4350 Thomas Shortreed...	17. 00
	4	4195 N. P. Lake.....	18. 50		27	4351 Thomas Shortreed...	17. 00
	4	4196 H. Morris.....	65. 00		27	4352 John C. Deaner.....	65. 00
	4	4197 H. Morris.....	18. 50		27	4353 John C. Deaner.....	18. 50
	4	4198 Ed. McDonagh.....	65. 00		27	4354 G. Mahler.....	65. 00
	4	4199 Ed. McDonagh.....	18. 50		27	4355 G. Mahler.....	18. 50
	4	4200 George Millard.....	65. 00		27	4356 George W. Rogers....	65. 00
	4	4201 George Millard.....	18. 50		27	4357 George W. Rogers....	18. 50
	4	4202 James Nugent.....	65. 00		27	4358 Charles D. St. Croix.	65. 00
	4	4203 James Nugent.....	18. 50		27	4359 Charles D. St. Croix.	18. 60
	4	4204 William Olbe.....	65. 00		27	4360 Charles D. St. Croix.	65. 00
	4	4205 William Olbe.....	18. 50		27	4361 Joseph Scherb.....	18. 50
	4	4206 Floyd Potter.....	65. 00	Oct.	9	4362 Joseph Scherb.....	65. 00
	4	4207 Floyd Potter.....	18. 50		9	4363 John C. Shelby.....	65. 00
	4	4208 Oliver R. Pyatt, or Platt.....	65. 00		9	4364 John C. Shelby.....	18. 50
	4	4209 Oliver R. Pyatt, or Platt.....	18. 50	Nov.	13	4411 Job Hoxie.....	65. 00
	4	4210 Joseph Poss.....	65. 00		18	4412 Job Hoxie.....	17. 00
	4	4211 Joseph Poss.....	18. 50		20	4413 James A. Wilkinson..	17. 22
	4	4212 Joseph K. Ross.....	65. 00		20	4414 William Mulloy.....	43. 00
	4	4213 Joseph K. Ross.....	18. 50	Dec.	11	4460 James F. Byrnes....	65. 00
	4	4214 James Scott.....	65. 00		11	4461 James F. Byrnes....	17. 00
	4	4215 James Scott.....	18. 50	1867.			
	4	4216 A. B. Silvera.....	65. 00	Apr.	6	572 Thomas P. Hess.....	65. 00
	4	4217 A. B. Silvera.....	18. 50		6	573 Thomas P. Hess.....	15. 84
	4	4218 Robert B. Wynd.....	65. 00		6	574 William A. Reid.....	51. 67
	4	4219 Robert B. Wynd.....	18. 50		6	575 A. Fenstermaker....	65. 00
	4	4220 Theodore Wettergren	65. 00		6	576 A. Fenstermaker....	14. 50
	4	4221 Theodore Wettergren	18. 50		6	577 St. L. McNaughton..	65. 00
	4	4222 John B. Wilson.....	65. 00		6	578 St. L. McNaughton..	15. 84
	4	4223 John B. Wilson.....	18. 50		6	579 E. Langham.....	58. 00
	4	4224 Frederick White.....	65. 00		6	580 E. Langham.....	2. 00
	4	4225 Frederick White.....	18. 50		6	581 M. O. Garra.....	65. 00
	4	4226 Noyes Baldwin.....	148. 00		6	582 M. O. Garra.....	17. 00
	4	4227 E. B. Zabriskie....	110. 84		6	583 George W. Smith....	43. 00
	4	4246 Michael Davis.....	65. 00		6	584 H. M. Barnes.....	30. 33
	4	4247 Michael Davis.....	8. 84		6	585 Thomas J. Bell.....	65. 00
	4	4249 H. H. Oates.....	65. 00		6	586 Thomas J. Bell.....	18. 50
	4	4250 H. H. Oates.....	16. 84		6	587 Samuel McCook.....	65. 00
	4	4251 Jos. H. Matthewson..	325. 83		6	588 Samuel McCook.....	18. 50
	4	4252 Edward J. Soulsby....	65. 00		6	589 Fred Kreitzer.....	65. 00
					6	590 Fred Kreitzer.....	18. 50
					6	591 Alex Prado.....	65. 00
					6	592 Alex Prado.....	18. 50

## ABSTRACT C.—Showing disbursements by the State of Nevada, etc.—Continued.

Date.	War-rant.	To whom issued.	Amount.	Date.	War-rant.	To whom issued.	Amount.
1867.				1869.			
Apr. 15	650	Paul Sherman .....	\$65. 00	May 25	866	Isaac Barton .....	\$65. 00
15	651	Paul Sherman .....	11. 00	25	867	Isaac Barton .....	18. 50
June 6	770	William Nolan .....	65. 00	Oct. 27	1183	Wm. S. McCormick ..	10. 50
6	771	William Nolan .....	15. 83	27	1184	Wm. S. McCormick ..	65. 00
Aug. 8	935	George F. Austin .....	36. 33	1870.			
Sept. 23	1010	Isaac W. Godfrey .....	75. 00	Sept. 8	558	Thomas J. Davis .....	82. 00
23	1011	A. N. Gray .....	30. 00	1871.			
23	1012	A. N. Gray .....	35. 00	Dec. 10	2178	William Aikens .....	65. 16
23	1013	A. N. Gray .....	17. 00	1872.			
1868.				May 18	429	Michael Dunnigan ..	47. 50
Feb. 29	96	John W. Cummings ..	65. 00			Grand total .....	96, 054. 78
29	97	John B. Babnis .....	65. 00				
29	177	John W. Cummings ..	17. 00				
29	118	John B. Babnis .....	17. 00				

## ABSTRACT D.—Showing liabilities assumed by the State of Nevada, and as successor to the Territory of Nevada, on account of costs, charges, and expenses for monthly pay to volunteer and military forces in the Territory and State of Nevada, in the service of the United States, and employed in the defense of the United States during the war of the rebellion.

Date.	No. war-rant.	Name—to whom issued.	Remarks.	Amount.
1865.				
June 28	1312	Fred Hesli .....	Certificate of service filed .....	\$36. 50
31	1402	B. Fawcett .....	See 1448 for certificate filed .....	61. 33
31	1441	Joseph Segur .....	do .....	27. 83
Aug. 7	1517	A. D. Zella .....	See 1489 for certificate filed .....	61. 33
7	1571	James Williams .....	See 1489 power attorney filed .....	11. 33
7	1590	Edwin White .....	See 1573 for certificate filed .....	8. 50
7	1597	Samuel Ayres .....	do .....	8. 83
7	1603	S. Bouck .....	See 1573 power attorney filed .....	8. 50
7	1604	Frank Bauer .....	See 1573 for certificate filed .....	4. 16
7	1619	S. Garrison .....	do .....	19. 66
7	1629	Thomas Jewell .....	do .....	11. 33
7	1643	A. G. Robertson .....	do .....	2. 33
7	1654	Francis Sands .....	do .....	9. 50
26	1666	G. Whitehead .....	See 1865 for certificate filed .....	61. 33
26	1669	F. M. Blair .....	do .....	58. 50
26	1676	B. S. Clements .....	do .....	56. 33
26	1677	N. B. Common .....	do .....	34. 00
26	1692	John McClusky .....	do .....	13. 16
26	1699	H. Schlichting .....	do .....	12. 66
26	1700	John Tindle .....	do .....	13. 83
26	1710	John B. Babin .....	See 1701 for certificate filed .....	19. 00
26	1729	George Latham .....	do .....	61. 33
26	1735	Hugh Miller .....	do .....	15. 00
26	1824	W. J. Johnson .....	See 1823 for certificate filed .....	61. 33
26	1834	Joseph Boley .....	do .....	6. 66
26	1835	Joseph Payett .....	do .....	17. 00
26	1837	Davis Steel .....	do .....	21. 66
26	1848	George W. Thurlow .....	See 1841 for certificate filed .....	14. 83
26	1851	E. Beamingthal .....	do .....	61. 33
26	1887	William I. McGinnis .....	do .....	13. 16
26	1907	A. J. Whitbeck .....	See 1841 for power attorney filed .....	52. 83
26	1955	Albert Sumpter .....	See 1910 for certificate filed .....	3. 00
Dec. 8	2215	Joel Wolverton .....	Certificate of service filed .....	50. 00
1886.				
Jan. 29	2619	J. Boley .....	do .....	48. 84
Mar. 21	3509	Harry Pierce .....	do .....	47. 50
	3511	James H. Sanborn .....	do .....	47. 50
Aug. 27	4248	Richard A. Fitch .....	do .....	48. 84
Oct. 9	4352	William M. Liggett .....	do .....	43. 00
		Total .....		1, 153. 75

ABSTRACT E.—Showing disbursements by the State of Nevada, and as successor to the Territory of Nevada, on account of costs, charges, and expenses for pay as salary to the adjutant-general of the volunteer and military forces in the Territory and State of Nevada, in the service of the United States, and employed in defense of the United States during the war of the rebellion.

Date.	Warrant.	To whom issued.	Amount.	Remarks.
1862.				
May 1	85 and 86	H. P. Russell.....	\$250.00	
Aug. 2	134	H. P. Russell.....	250.00	
Nov. 7	159	H. P. Russell.....	250.00	
1863.				
Feb. 6	{ 323}	H. P. Russell.....	250.00	
	{ 324}			
Mar. 31	349	H. P. Russell.....	233.00	
July 1	375	H. P. Russell.....	250.00	
Oct. 1	422	H. P. Russell.....	250.00	
1864.				
Jan. 5	490	H. P. Russell.....	250.00	
Apr. 2	692	H. P. Russell.....	250.00	
July 1	743	H. P. Russell.....	250.00	Paid in State bond No. 3.
Sept. 30	801	H. P. Russell.....	250.00	Paid in State bond No. 195.
Oct. 30	840	H. P. Russell.....	81.00	Paid in State bonds Nos. 7 to 111.
1865.				
Apr. 3	1073	John Cradlebaugh.....	116.66	
	1159	John Cradlebaugh.....	500.00	
	1160	John Cradlebaugh.....	500.00	
	1330	John Cradlebaugh.....	300.00	
	1331	John Cradlebaugh.....	200.00	
	2035	John Cradlebaugh.....	500.00	
Dec. 31	2313	John Cradlebaugh.....	500.00	
1866.				
Mar. 31	3533	John Cradlebaugh.....	250.00	
	3538	John Cradlebaugh.....	250.00	
	3704	John Cradlebaugh.....	250.00	
	4291	John Cradlebaugh.....	500.00	
	4538	John Cradlebaugh.....	500.00	
			7,431.16	

ABSTRACT F.—Showing disbursements of the State of Nevada and as successor to the Territory of Nevada, on account of costs, charges, and expenses for transportation, on account of the volunteer and military forces in the Territory and State of Nevada, in the service of the United States and employed in defense of the United States, during the war of the rebellion.

Date.	No. warrant.	Name—to whom issued.	Remarks.	Amount.
July 1, 1864	741	G. L. Gibson.....	Transportation of arms.....	\$29.00
Apr. 29, 1865	1161	Shaw's F. F. & Ex. Co....	Transportation of blanks.....	8.00
	1162	.....do.....	Transportation of stationery....	23.00
				60.00

ABSTRACT G.—Showing the amount actually paid by the State of Nevada and as successor to the Territory of Nevada on account of interest money on disbursements and liabilities for Nevada volunteers in the service of the United States, and employed in the defense of the United States during the war of the rebellion.

	Amount.
<i>First</i> —Interest paid on \$46,950.12 from February 10, 1865, to March 3, 1866, at 2 per cent. per month.....	\$11, 925. 33
[See acts legislature of Nevada for 1864-'65, page 82, act January 4, 1865.]	
<i>Second</i> —Interest paid on \$46,950.12 from March 3, 1866, to May 30, 1867, at 15 per cent. per annum.....	8, 744. 46
[See acts legislature of Nevada for 1866, page 47, act January 19, 1866.]	
<i>Third</i> —Interest paid on \$119,800.12 from May 30, 1867, to March 28, 1872, at 15 per cent. per annum.....	86, 755. 25
[See acts legislature of Nevada for 1867, pages 50 and 65, act February 6, 1867.]	
<i>Fourth</i> —Interest paid on \$119,800.12 from March 28, 1872, to January 1, 1883, at 9½ per cent. per annum.....	122, 472. 33
[See acts legislature of Nevada for 1871, page 84, act of February 27, 1871.]	
	229, 897. 37

## RECAPITULATION.

[For the war of the rebellion.]

	Amount.
Abstract A: Enrolling, recruiting, etc.....	\$11, 986. 05
Abstract B: Supplying.....	3, 114. 38
Abstract C: Pay to troops.....	96, 054. 78
Abstract D: Liabilities assumed.....	1, 153. 76
Abstract E: Pay of salary of adjutant-general.....	7, 431. 16
Abstract F: Transportation.....	60. 00
	119, 800. 12
Abstract G: Interest actually paid.....	229, 897. 37
<b>Total</b> .....	349, 697. 49

The United States in account current with the State of Nevada, and as successor to the Territory of Nevada, for the expenses of the United States during the war of the rebellion.

DR.

	Amount
1. The amount disbursed by the State of Nevada, and as successor to the Territory of Nevada, on account of recruiting, enlisting, organizing, and enrolling Nevada volunteers in the service of the United States in the war of the rebellion, as per abstract A.....	\$11,986.05
2. To amount disbursed by the State of Nevada, and as successor to the Territory of Nevada, on account of supplying Nevada volunteers in the service of the United States in the war of the rebellion, as per abstract B.....	3,114.38
3. To amount disbursed by the State of Nevada, and as successor to the Territory of Nevada, on account of pay to Nevada volunteers in the service of the United States in the war of the rebellion, as per abstract C.....	96,054.78
4. To amount of liabilities assumed by the State of Nevada, and as successor to the Territory of Nevada, on account of pay to Nevada volunteers in the service of the United States in the war of the rebellion, as per abstract D.....	1,153.75
5. The amount disbursed by the State of Nevada, and as successor to the Territory of Nevada, on account of salary of adjutant-general of Nevada volunteers in the service of the United States during the war of the rebellion, as per abstract E.....	7,431.16
6. To amount disbursed by the State of Nevada, and as successor to the Territory of Nevada, on account of transportation of Nevada volunteers in the service of the United States during the war of the rebellion, as per abstract F.....	60.00
7. To amount of interest actually paid by the State of Nevada, and as successor to the Territory of Nevada, on disbursements and liabilities on account of Nevada volunteers during the war of the rebellion, as per abstract G.....	229,897.37
Total .....	349,697.49

CR.

	Amount.

CONTROLLER'S CERTIFICATE.

STATE OF NEVADA, CONTROLLER'S DEPARTMENT,  
Carson City, November 1, 1889.

I, J. F. Hallock, State controller of the State of Nevada, hereby certify that the foregoing account current sets forth a full, true, and correct statement of the claim of the State of Nevada, and as successor to the Territory of Nevada, on account of the matters enumerated in the several abstracts A, B, C, D, E, F, and G therein referred



to, and that no part thereof has ever been paid by the United States to the Territory or to the State of Nevada, nor by any officer thereof, and that the same is now due and payable by the United States to the State of Nevada

J. F. HALLOCK,  
*State Controller of the State of Nevada.*

## GOVERNOR'S CERTIFICATE.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,  
*Carson City, November 1, 1882.*

I, John H. Kinkead, governor of the State of Nevada, hereby certify that the foregoing account current sets forth a full, true, and correct statement of the claims of the State of Nevada, and as successor to the Territory of Nevada, on account of the matters enumerated in the several abstracts A, B, C, D, E, F, and G therein referred to, and that no part thereof has ever been paid by the United States to the Territory or to the State of Nevada, nor by any officer thereof, and that the same is now due and payable by the United States to the State of Nevada.

JOHN H. KINKEAD,  
*Governor of the State of Nevada.*

## EXHIBIT No. 14.

## DECISION OF THE SECRETARY OF WAR DISALLOWING CLAIM OF NEVADA FOR INTEREST AND EXTRA PAY TO NEVADA VOLUNTEERS.

WAR DEPARTMENT,  
*Washington City, February 8, 1887.*

SIR: The Department has received your communications of December 31, 1886, and January 28, 1887, submitting arguments in the claim of the State of Nevada, under the act of June 27, 1882, for re-imbusement of amounts paid by the State for "extra pay" and for interest. Also, your communication of the 2d instant, inclosing a resolution of the senate and assembly of Nevada, requesting favorable and early action on said claim.

In reply, I have the honor to inform you that after a careful consideration of the subject, I am of opinion that neither the extra pay nor the interest can, under the provisions of the act, be allowed.

Very respectfully,

WILLIAM C. ENDICOTT,  
*Secretary of War.*

JOHN MULLAN, Esq.,  
*Agent of the State of Nevada, 1101 G Street N. W., City.*

The following is the argument submitted in support of the two propositions adversely decided by the Secretary of War in the foregoing:

## BEFORE THE HONORABLE SECRETARY OF WAR.

In the matter of the claim of the State of Nevada to be re-imbursed by the United States the money actually paid out by her for interest on certain money by her borrowed to defray certain expenses by her incurred on account of the troops called into the service of the United States, and also for the monthly pay made by her to her said troops for certain times between April 15, 1861, and June 27, 1862, arising under the act of Congress approved June 27, 1882 (U. S. Statutes, vol. 22, page 111).

*Honorable Secretary of War:*

SIR: Under leave by you granted me to be heard why the claim of the State of Nevada to be re-imbursed the money which she has heretofore paid out for interest on certain money by her borrowed to defray certain expenses by her incurred on account of the troops by her raised and called into the service of the United States, and raised in said State between April 15, 1861, and June 27, 1882, and in the service of the United States for a portion of the time during that period; and also why the money paid out as "monthly pay" by her to said troops during said period, when said troops were in the service of the United States, should be now allowed to her by

you when acting thereon under the provisions of the act of Congress approved June 27, 1882, I have the honor to now respectfully submit to you as follows, to wit:

First, that whereas section No. 3489 of the United States Revised Statutes is in words as follows, to wit:

"No claim against the United States for collecting, drilling, or organizing volunteers for the war of the rebellion shall be audited or paid unless presented before the thirtieth day of June, eighteen hundred and seventy-four. No claims for horses lost prior to the first day of January, eighteen hundred and seventy-two, shall be audited or paid unless presented before the thirtieth day of June, eighteen hundred and seventy-four."

Second, and whereas the State of Nevada had sundry claims against the United States for collecting, drilling, and organizing volunteers for the war of the rebellion, and for horses and equipments lost by said forces, etc., she had not, however, presented same prior to January 1, 1874, that being the date named in said section No. 3489, Revised Statutes.

Third, and whereas the State of Nevada, between 1st January, 1874, and June 27, 1882, conceiving, as she did, that said first-named claims were barred by the limitations as named and provided for in said section of the Revised Statutes, did seek by appropriate means at the hands of Congress for an adequate remedy in said premises, and for re-imbusement of such other proper expenses as she had incurred in various ways in behalf of the United States in these premises; and the prayer of her said petition resulted in the passage of the act of Congress of June 27, 1882.

The State of Nevada, therefore, now respectfully submits to you that it was the intention of Congress in said act of June 27, 1882, to re-imburse to her all moneys which she has in good faith expended in behalf of the United States for organizing, arming, equipping, supplying, clothing, subsisting, transporting, and paying the volunteer and militia forces of said State in the service of the United States between April 15, 1861, and the date of the passage of said act of June 27, 1882, and including all other proper expense necessarily incurred by said State by virtue of said troops having been so called into active service of the United States as aforesaid. And said act of June 27, 1882, in section 2 thereof, provided that the rate to be allowed to said State for such proper expenses was to be the same as were paid by the United States for similar expenses during that same period of time. Now the State of Nevada respectfully submits to you that the United States had to go into the markets of the world to borrow money in order to raise the principal with which to pay for similar classes of expenditures as named in said act, and the United States had to pay interest on such loans at the rate of at least 6 per cent. per annum, and the record of the claim of the State of Nevada before you shows that when the United States called upon her for troops (she being then only a Territory) her Territorial treasury was bankrupt, but nevertheless, as a Territory only, she promised to pay, and all of which promises the future State of Nevada fully redeemed and did pay dollar for dollar, and in doing so did incur very great financial embarrassments, but she maintained her credit at both home and abroad at all hazards. And the State of Nevada therefore submits that as she had to go into the markets of the world and borrow money in a similar way and for similar reasons as did the United States, that therefore Congress in said act of June 27, 1882, intended to place Nevada upon exactly the same plane as to this proper expense as the United States had occupied as to the interest she had to pay out during the same period.

There can not be, certainly there ought not to be, any question that said expense of interest was a proper expense, and because it was a necessary expense, and it was necessary because it was proper; and it was proper because it was necessary; and without this dernier resort Nevada might have been powerless to respond to the call made upon her by the United States for troops; for if this absolutely necessary step had not been resorted to, it might have been a serious question whether Nevada could have done as promptly and efficiently as she finally succeeded in doing in behalf of the United States in these premises.

Again, while this particular claim against the United States is one for interest paid out by the State of Nevada to John Doe and Richard Roe for the use of their own private money, the same as if it had been paid out to them for the use of any other species of their own private property, yet it is none the less a part of the principal which Nevada was compelled to finally pay, and which constituted an advance to and in behalf of the United States for her own purposes.

A matter similar to this having been before the honorable Second Comptroller of the Treasury in 1869, that officer declared therein as follows, to wit: "Interest can in no case be allowed by the accounting officer upon claims against the Government, either in favor of a State or an individual. But in cases where the claimant has been compelled to pay interest for the benefit of the Government, it then becomes a part of the principal of his claim, and, as such, is allowable. Such is the case of a State which has been obliged to raise money upon interest for the suppression of hostilities against which the United States should protect her. In such cases the amount

of interest actually and necessarily paid will be allowed, without reference to the rate of it." Section 997, Dec. 2d., Comp. Ed. 1869, p. 137.

In addition, the State of Nevada submits that such a ruling as made by the Second Comptroller is in perfect harmony with the long line of precedents as established by Congress, beginning in 1812 and ending in July 8, 1870, in the cases of Massachusetts and Maine (16 Stats., page 198), and is one of the many cases cited by Senator Hoar of Massachusetts, in a report to Congress, as late as December 6, 1885, made to the Senate from the Committee on Claims, in behalf of a general bill to re-imburse the States for interest paid out by them on war loans not heretofore provided for, and copy of which Senate report No. 2 is as follows:

"The policy of the United States to refund to the States interest on money expended by them in aid of the General Government for military purposes in time of war is settled. It has been applied to all such expenditures incurred by the States in aid of the war of 1812 (see Virginia, act March 3, 1825, 4 Stat. at Large, p. 132; Maryland, act of May 13, 1826, 4 Stat. at Large, p. 151; Delaware, act of May 20, 1826, 4 Stat. at Large, p. 175; New York, act of May 22, 1826, 4 Stat. at Large, p. 192; Pennsylvania, act of March 3, 1827, 4 Stat. at Large, p. 241; South Carolina, act of March 22, 1832, 4 Stat. at Large, p. 499; Maine, act of March 31, 1851, 9 Stat. at Large, p. 626; Massachusetts and Maine, act of July 8, 1870, 16 Stat. at Large, p. 198); in aid of various Indian wars (see Alabama, act January 26, 1849, 9 Stat. at Large, p. 344; Georgia, act of March 31, 1851, 9 Stat. at Large, p. 626; Washington Territory, act March 3, 1859, 11 Stat. at Large, p. 429; New Hampshire, act January 27, 1852, 10 Stat. at Large, p. 1; California, act August 5, 1854, 10 Stat. at Large, p. 582; California, act August 18, 1856, 11 Stat. at Large, p. 91; California, act June 23, 1860, 12 Stat. at Large, p. 104; California, act July 25, 1868, 15 Stat. at Large, p. 175; California, act March 3, 1881, 21 Stat. at Large, p. 510); and in aid of the Mexican war. See statute of June 2, 1848, which is as follows:

AN ACT to refund money for expenses incurred, subsistence and transportation furnished for the use of volunteers during the present war, before being mustered into the service of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of the joint resolution approved March third, eighteen hundred and forty-seven, entitled "A resolution to refund money to the States which have supplied volunteers and furnished them transportation during the present war, before being mustered and received into the service of the United States," be, and the same are hereby, extended so as to embrace all cases of expenses heretofore incurred in organizing, subsisting, and transporting volunteers, previous to their being mustered and received into the service of the United States, for the present war, whether by States, counties, corporations, or individuals, either acting with or without the authority of the State: *Provided, however,* That proof shall be made to the satisfaction of the Secretary of War of the amount thus expended, and that the same was necessary and proper for the troops aforesaid.

SEC. 2. *And be it further enacted,* That an amount sufficient to refund said expenses so incurred be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 3. *And be it further enacted,* That in refunding moneys under this act and the resolution which it amends, it shall be lawful to pay interest at the rate of six per centum per annum on all sums advanced [advanced] by States, corporations, or individuals in all cases where the State, corporation, or individual paid or lost the interest, or is liable to pay it.

Approved June 2, 1848.

"Mr. Chase, Secretary of the Treasury, recognized the obligation imposed by these precedents in a communication to the State auditor of Ohio in the following language:

If Ohio raises money by loan at a discount, the United States can not refund such discount to the State, but only the amount of the debt with interest, unless Congress specially provide otherwise.

"This was two days after the passage of the statute of July 27, 1861, which is as follows:

That the Secretary of the Treasury be, and is hereby, directed out of any money in the Treasury not otherwise appropriated, to pay to the governor of any State, or to his duly-authorized agents, the costs, charges, and expenses properly incurred by such State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States, to be settled upon proper vouchers to be filed and passed upon by the proper accounting officers of the Treasury.

"By a resolution passed March 8, 1862, the above provision is to be construed to apply to expenses incurred as well after as before the date of the approval thereof.

"It is held by the accounting officers of the Treasury that they are not warranted in the allowance of interest to the States by the existing law. This question was submitted to Attorney-General Brewster, who says, in his opinion, July 23, 1883:

Undoubtedly the interest paid by the State of New York on money borrowed and applied to the objects specified in the act of July 27, 1861, forms a part of the burden borne by that State for the general public defense, and constitutes a just charge against the United States; and the obligation to reimburse for payments of that kind, made under similar circumstances, has frequently been recognized by Congress, as appears by statutes above cited.

"This opinion is in accord with that of his predecessors, Mr. Wirt and Mr. Crittenden. Mr. Wirt says:

The expenditure thus incurred forms a debt against the United States which they are bound to reimburse. If the expenditures made for such purpose are supplied from the treasury of the State,

the United States re-imburse the principal without interest; but if, being unable itself from the condition of its own finances to meet the emergency, such State has been obliged to borrow money to the purpose, and thus to incur a debt on which she herself has had to pay interest, such debt is essentially a debt due by the United States, and both the principal and interest are to be paid by the United States. (See Opinions of Attorneys-General, vol. 1, p. 174.)

“Mr. Crittenden says:

The act of the 27th of February, 1851, is intended to indemnify the State against loss or damage. Re-imbursing means repairing the loss or expenses by an equivalent. If the State of Florida has contracted obligations bearing interest, or has paid money, with interest, for the use and benefit, in necessary and proper supplies, for the troops called into service in 1849, to refund to the State of Florida the principal sum only, without the interest, would not re-imburse the State, would not save the State from loss and damage, would not be an equivalent for the expense the State has incurred for the United States. There is no public policy, no saving to the public Treasury, no virtue, no laudable end consulted in order to cut down the claims of the several States in opposition to the intention of Congress and the good faith of the Government.

“We append, for the information of the Senate, House Report No. 1102, made at the last session, and recommend the passage of the bill, with sundry amendments.

Mr. Rowell, from the Committee on War Claims, submitted the following report, to accompany bill H. R. 2463:

By the act of July 27, 1861, and the joint resolution of March 8, 1862, the Secretary of the Treasury was directed to pay to the governor of any State, or his duly-authorized agents, “the costs, charges, and expenses properly incurred by such States for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States, to be settled upon proper vouchers, to be filed and passed upon by the proper accounting officers of the Treasury.”

By the joint resolution of March 8, 1862, payments were directed to be made for expenditures made subsequent to as well as before the passage of the act. Under this act disbursements have been made to the States amounting to the sum of \$43,296,938.22; and there yet remain unsettled or disallowed claims amounting to several millions of dollars.

Many, if not all, of the States were obliged to borrow money to pay the expenses incurred, but in adjusting and allowing their claims the accounting officers of the Treasury have rejected all claims for interest paid out by the States, holding that the law did not authorize such payment.

The bill under consideration provides for re-imbursing the States for interest paid or lost on account of expenses incurred and repaid under the act of July 27, 1861. By its provisions interest is only to be paid on such sums as have been refunded or may hereafter be refunded under the authority of the act of Congress and explanatory resolutions; no interest is to be paid unless it was actually paid out or lost by the States, and then only up to the time of repayment by the Government, and limited to 6 per cent.

Claims for interest have been filed amounting to \$3,198,887.25; but these claims are based upon a higher rate of interest than that provided in the bill; other States have not filed interest claims, owing to the ruling of the Department, but if the bill becomes law they will have proper claims.

Your committee are of opinion that these interest claims, at a rate such as the General Government was obliged to pay, are a just and proper charge against the Government. Immediately after the passage of the acts, Mr. Chase, then Secretary of the Treasury, in a communication to the auditor of the State of Ohio, gave assurances that interest would be paid. Laws were passed after the war of 1812 to re-imburse the several States for moneys expended in that war, with similar provisos to the law under which the payments herein considered have been made.

Subsequently Congress passed laws to pay interest, as is provided in this bill. A similar bill was passed by Congress to re-imburse States for expenses incurred on account of the Indian war, with like necessity of subsequent legislation to authorize the payment of interest.

It seems to be the history of all the legislation of Congress for the re-imbursement of States for war expenditures that the initial statutes have always failed to provide for the payment of interest, but in every instance previous to 1861 subsequent acts provided for the payment of interest.

It may therefore be regarded as the settled policy of Congress to repay to the several States not only the principal sums expended by them in aid of the General Government in times of war, but also to repay interest actually paid out not exceeding the rate paid by the General Government during the same period.

Your committee therefore recommend that the bill do pass.

The State of Nevada respectfully submits that the act of Congress approved June 27, 1862, made, and intended to make, special and ample provision for the specific States named therein in regard to this proper expense, to wit, that of interest among other proper expenses. Nevada being one of the States specifically named in said statute, she respectfully submits that when she had been compelled to pay interest for the benefit of the Government of the United States, such interest became a part of the principal of her claim against the United States, and as such is now allowable to her by you under said act of June 27, 1862. And she further submits to you that, when she had been obliged to raise money upon interest for the suppression of hostilities against which the United States should have protected her, as in this case, the amount of interest actually and necessarily paid out by her is now allowable to her by you under said act of June 27, 1862.

The State of Nevada respectfully submits that this is not a case of a claim for interest on money which she had already on hand in her own State treasury and disbursed therefrom for the benefit of the United States, but, on the contrary, it is one where she had to go out publicly into the open money markets of the world, to borrow the very principal which she expended for the benefit of the United States; so that it ought to appear self-evident, and as not needing argument to show, that it is a case of even a more legitimate claim against the United States than even for the principal itself, and under the circumstances it is even a higher order of claim, and

The two factors are merged into one and the same claim, because said interest has become as completely merged in the principal as a coupon is merged into and becomes a part of the bond to which it is attached, and of which, it has ever been held, it forms a constituent part.

The State of Nevada, therefore, respectfully submits to you that the act of June 27, 1882, interpreted in the light of the unvarying and uniform policy of Congress from 1812 to date, and as held by the honorable Second Comptroller, should be now construed by the honorable Secretary of War as allowing interest to her, either in the sum she has actually and necessarily paid out as interest during the period named in said statute, or if not that, then such interest as the United States was compelled to pay out on money she borrowed during such period (which rate of interest was 6 per cent. per annum), should be now, as an alternative allowance, made by you to her under said act of June 27, 1882, and not otherwise.

Second. In regard to the pay of Nevada Territorial and State troops, as made by the State of Nevada, and which troops were raised therein for the service exclusively of the United States during the war of the rebellion, and which pay was the sum of \$5 per month, the State of Nevada respectfully submits that it was the intention of Congress, in said act of Congress of June 27, 1882, to re-imburse her, as the successor of the Territory of Nevada, such monthly pay as she had made to her own troops while in the service of the United States; provided such monthly pay did not exceed the sum per month that the United States were then paying for similar services to other troops.

The State of Nevada respectfully submits that Congress in enacting this statute took full cognizance of the public condition of things as same existed in the Territory and State of Nevada in 1861, 1862, 1863, 1864, and 1865, when there were no railroads therein, and when the Federal troops had all been withdrawn therefrom, and when Nevada's Territorial and State troops had to guard the overland mail route (as well as the general Indian frontier therein) from Salt Lake, Utah, to Sacramento, Cal., and when everything, always theretofore very expensive, was rendered more so for the troops in the field and for their families at home by virtue of peculiar exigencies of her situation. The State of Nevada further submits that Congress is presumed to have taken cognizance of these public facts, and in view of these causes as promises, she had duly enacted a law under and by which her own Territorial troops while in the service of the United States should receive a monthly pay from her own Territorial Treasury of \$5 per month, and against which the United States not only never demurred, but the payment of which she duly facilitated; and it is submitted that such monthly pay of \$5 per month to said troops was not only a proper and necessary expense, but in some cases was a boon to the United States, whose credit was strained to the utmost, and Nevada will not, for she can not, assume that any construction will be placed upon this statute of June 27, 1882, such as would be equivalent to a repudiation of an obligation incurred in behalf of the United States, and under circumstances so peculiar as those under which this obligation was contracted.

The State of Nevada submits that the only limitation prescribed by the statute of June 27, 1882, is that such monthly pay should not exceed the monthly pay made by the United States to its other troops during this same period. The said act of June 27, 1882, contains all the exceptions that Congress intended it to contain or to apply to the several States when their said claims were being finally adjusted, and it is respectfully submitted that the honorable Secretary of War will not interpolate this statute with any exception not found upon the face thereof. Now, for instance, said statute provides "that no allowance shall be made for the services of any person in more than one capacity at the same time." In the absence of such provision as the foregoing the Secretary of War could, and probably would, allow a soldier pay as such, and also pay as an artificer, or a hospital steward, or a company clerk, or such like, provided, always, such soldier served in any one of such capacities.

In this case of pay of troops the State of Nevada respectfully submits that Congress is presumed to have taken into consideration the condition of the troops therein and made special provision for them in said statute of June 27, 1882, and such as the peculiar public exigencies in that locality and at that time fully justified, and of none of which was Congress ignorant. This pay was not in the nature of a bounty as an encouragement to enlist, and because it applied only to troops in the active service of the United States, and it was paid by the month and was to terminate, and did terminate, whenever said troops ceased to be in the service of the United States.

The State of Nevada respectfully submits that she has acted in perfect good faith in all these premises, and that to make this monthly pay to her troops was not only necessary by virtue of the foregoing recitals, but also by virtue of the fact that the only rich silver mines then being extensively and successfully worked in the United States—principally on the Comstock lodes—rendered available men few and services high, and when the very miners were getting by the day a sum fully equal to this pay received by her troops in the field per month, and that too only when they were in the services of the United States.



The State of Nevada further submits that all these public and notorious facts were well known to Congress when enacting said statute of June 27, 1882, and that such expense must have been regarded by Congress as a proper expense, and as such was intended to be allowed to her by the Secretary of War when adjusting her claim presented under the aforesaid statute.

Wherefore, the State of Nevada, in her own behalf, and as the successor to the Territory of Nevada, in view of these recitals and of said act of Congress of June 27, 1882, and of the intent thereof, and of the equitable and liberal construction that should now be placed upon this remedial statute by you, as the administrator of the law of the United States, for whose use and benefit all such expenses in good faith have been incurred, now respectfully submits her claim for re-imbusement thereof, and prays that same may be allowed her in the adjustment of the several claims presented by her under the said act of June 27, 1882.

In conclusion, the State of Nevada submits an extract from Senate Report No. 575, relating to Nevada's war claims, made to the Senate on May 12, 1882, by its Committee on Military Affairs, recommending the payment of said claims, and which, having had the serious attention of Congress, resulted in the passage of said act of June 27, 1882, and which extract is as follows, to wit:

"*Nevada.*—It appears by the report of the Adjutant-General, U. S. Army, of February 25, 1882, that one regiment of cavalry and one battalion of infantry were raised in the late Territory of Nevada during the late war of the rebellion, and that the expenses of raising, organizing, and placing in the field said forces were never paid by said Territory, but were assumed and paid by the State of Nevada, and that none of said expenses so incurred by said Territory, and assumed and paid by said State, have ever been re-imbursed the State of Nevada by the United States, and that no claims therefor have ever been heretofore presented by either said Territory or said State for audit and payment by the United States. Under section 3489 of the Revised Statutes, hereinbefore referred to, the payment of these claims is barred by limitation.

"These forces were raised to guard the overland mail route and emigrant road to California, east of Carson City, and to do other military service in Nevada, and were called out by the governor of the late Territory of Nevada, upon requisitions therefor by the commanding general of the Department of the Pacific, and under authority of the War Department, as appears by copies of official correspondence furnished to your committee by the Secretary of War and the general commanding the Division of the Pacific; and it further appears that there are some unadjusted claims of the State of Nevada for expenses growing out of the so-called White Pine Indian war of 1875, and aggregating \$17,650.98, and of the so-called Elko Indian war of 1878 therein, and aggregating \$4,654.64, and which sums, it appears by the official statement of the controller of said State of Nevada, were expended and paid out of the treasury of said State."

Respectfully,

JOHN MULLAN,  
*State Agent for Nevada.*

*Senate joint memorial and resolution No. 4, relative to war claims of the State of Nevada against the United States.*

[Introduced by committee on ways and means January 17, 1887.]

Read first time, rules suspended, read second time by title, considered engrossed, placed on its third reading and passed by the following vote: Yeas, 19; nays, none.

CHAS. E. LAUGHTON,  
*Assistant Secretary.*

January 18, 1887: Received from senate January 19—Read first time, rules suspended, read second time by title, and referred to committee on federal relations. January 21—Returned from the committee favorably and passage recommended and placed on general file. January 24—Read third time and passed. Yeas, 38; nays, none.

R. L. THOMAS,  
*Assistant Clerk.*

Received from assembly January 24—To enrolling committee.

Whereas claims of the State of Nevada against the United States growing out of the late war of the rebellion have been properly made out, authenticated, and forwarded to the proper authorities of the Government for allowance and payment; and

Whereas it appears from correspondence between the agent of this State at Washington City and the State controller that there is danger of great delay in respect to

final action upon said claims, if not of their ultimate rejection and non-payment, in part, if not wholly; and

Whereas it has been established that said claims are most just and equitable and ought to be paid without further delay:

Therefore, the senate and assembly of the State of Nevada hereby jointly memorialize our Senators and Representative in Congress, and do most respectfully and urgently request them, and each of them, to use all proper means and efforts before the honorable Secretary of War, before Congress, or any other department, body or officer, so far as necessary to secure the earliest possible allowance and payment of our said war claims against the United States; and

*Be it resolved by the senate and assembly, jointly,* That his excellency the governor be, and he hereby is, respectfully requested to forward by mail a certified copy of the foregoing (to be accompanied by a printed copy of the recent argument of Capt. John Mullan before the honorable Secretary of War upon the allowance of said claims), to each of our Senators and Representative in Congress, at the earliest practicable date, and that he and Hon. J. F. Hallock immediately telegraph to Capt. John Mullan that said memorial and argument will be so forwarded without delay.

### EXHIBIT No. 15.

#### REPORT OF THE MAJORITY OF THE BOARD OF WAR CLAIMS EXAMINERS.

WAR DEPARTMENT,  
Washington, D. C., February 9, 1887.

SIR: The undersigned, examiners of State and Territorial war claims, appointed by paragraph 4, Special Orders No. 232, Adjutant-General's Office, October 6, 1886, to examine the claims submitted under the acts of Congress of June 27, 1882, and August 4, 1886, have the honor to submit herewith their report upon the claims presented by the governor of Nevada, under said acts.

The examiners believe that the wording of the first section of the act of 1882 assumes the necessity of the calls for troops from the State by the proper authorities thereof, and that the second section of said act of 1882 refers to the necessity of the expenditures and the rate of allowances therefor, and they report the amounts which should be allowed under the act of 1882 as proper and necessary, and the amounts which should be disallowed as improper, unnecessary, and unauthorized by law.

The examiners, in acting upon the claims for subsistence stores, have taken into consideration the fact that the supplies were purchased in open market, and that the prices are not as low as might have been obtained by the U. S. Army, under its contract system, and bought in cities at a great distance from Nevada, and they believe that there can be no just comparison between the systematized purchases of the Government and the open market purchases made during an Indian excitement, and that the amounts expended may be somewhat more than was actually needed owing to the inability to determine the duration of the campaigns.

The vouchers are not of the form demanded by Army and Treasury regulations, for the reason that the State of Nevada had not had the experience of the United States in such matters, and the examiners are of the opinion that it was the real intent of the act of August 4, 1886, to take the vouchers away from the exacting scrutiny of the Treasury Department in order that they might be examined solely on their merits, as in their present shape they would not be likely to pass the crucial test of a bureau examination. Most of them have already passed an examination by a State board of audit of Nevada, and the examiners have no reason to doubt the integrity of that board, while their liberality has been curtailed by the present examiners where the expenditures were found to be excessive or injudicious.

The examiners have allowed the same rate for pay and clothing as was allowed by the United States for its troops for the same period, and 40 cents per day for use of each enlisted man's own horse, instead of the pay and clothing allowed by the State where the State paid a greater amount for services than the United States Army rates.

The pay of the adjutant-general of Nevada was allowed under decision of Second Comptroller, viz:

"Under the act of Congress of July 17 and 27, 1861, the amount paid by the several States for their adjutant-general, down to August 20, 1866, may be refunded, provided the maximum of allowance shall not exceed \$3,000 per annum" (Sec. 1122, p. 387, Digest 2d Comp., vol. 2).

The examiners deem it just that the State should receive the amount claimed for pay of its adjutant-general prior to August 20, 1866, from January 1, 1862, although the first call for troops was not made upon the State till April, 1863, yet the war had

been in progress since April, 1861, and it was *necessary* and *proper* that the State should have an adjutant-general's office in readiness to supply the volunteers promptly at the first call. The amount paid by the State for the time *prior* to April, 1861, was at the small rate of \$1,000 per annum.

Bounty or premium for each enlistment has been disallowed. This bounty was paid to captains for expenses incurred by them in enlisting, lodging, and subsisting the men of their companies *prior* to their entering the United States service, in lieu thereof, as is shown by the fact that no other bills are presented for those expenses, and, under the circumstances, this expense was economical; but this claim having been submitted by the State of Nevada as a premium or bounty, the examiners are debarred from considering it, as, under the second section of the act of 1882, no higher rate can be allowed than was paid by the United States, which was \$2 per enlistment, and that amount has already been paid by the United States for these enlistments.

Interest was disallowed under decision from the Secretary of War.

Very respectfully, your obedient servants,

JAMES BIDDLE,  
*Major Sixth Cavalry, U. S. Army, Senior Examiner.*  
 H. J. FARNSWORTH,  
*Major and Inspector-General, U. S. Army, Examiner.*  
 FRANK WEST,  
*First Lieutenant Sixth Cavalry, U. S. Army, Secretary to the Board.*

The SECRETARY OF WAR.

### EXHIBIT No. 16.

#### REPORT OF THE MINORITY OF THE BOARD OF WAR CLAIMS EXAMINERS.

WAR DEPARTMENT,  
 Washington, D. C., February 9, 1887.

SIR: I have the honor to submit that I have made a careful examination of the claims of the Territory and State of Nevada presented for examination and investigation under the acts of Congress approved June 27, 1882, and August 4, 1886, and that as just and impartial a statement thereof as required by said act of 1882 as it is possible for your examiner to make will be found in the following:

From the wording of the first section of the act of 1882 it is believed the Congress assumed the necessity of the calls into active service of the troops of Nevada, by the proper authorities thereof, for the wars for which these claims are presented. Evidence that the calls were made in each instance by the proper authorities will be found in the fact that in the war of the rebellion the call was made by the governor of the Territory, upon the authority of the United States War Department, and in each of the Indian wars for which claims are presented the call was by the governor of the State of Nevada (see letter of General Wright, dated April 2, 1863; third and fourth biennial messages of the governor of Nevada, and biennial report of the adjutant-general of Nevada for 1877-'78).

In my examination of these war claims of Nevada, I have not attempted to apply rigorously the requirements of the Army Regulations, for the reason that this method would prove an insuperable bar to their adjustment, and allowance has been made for the exigencies under which the expenses were incurred, and for a lack of familiarity with army methods of keeping accounts on the part of those intrusted with the record and preservation of the war expenses of the State. Full and impartial consideration has been given to the merits of these claims, and in ascertaining the amounts believed to be fairly and justly due the State of Nevada; the restrictions imposed in the second section of the act of 1882 have been complied with as far as was possible.

The rates paid by the Government for supplies, transportation, rents, \* \* \* for the Army in the localities and during the periods of time for which these claims are made have been, where they could be ascertained, the standard by which has been determined the reasonableness of every charge.

At the outset of the investigation of the claims of the war of the rebellion the difficulty was met to determine whether or not it was required by the act of 1882 to consider and adjust the demands of Nevada for re-imbusement of "bounties," "extra pay," "premium" and "interest." In this important question there is involved more than two-thirds of the entire amount claimed by Nevada. I have disallowed Nevada's claim for re-imbusement for amounts disbursed under the provisions of an act of the legis-

ature approved February 20, 1864, entitled "An act to encourage enlistments and give bounties and extra pay to our volunteer soldiers," as being a higher rate than was allowed and paid by the United States for similar services in the same grade and for the same time in the U. S. Army serving in Nevada. The troops of Nevada (war of the rebellion) received the bounties and pay allowed by the United States to her Army, and to repay the State her expenditure on account of "bounty" and "extra pay" would be, in my opinion, a violation of the law under which this examination is made.

The claim for interest is disallowed for the reason that the acts of Congress under which the examination is made do not *specifically* provide for the consideration of a claim of this character.

A second difficulty met in the examination of the claims of the war of the rebellion was to determine a just and impartial time for which to allow re-imbusement for salary paid an adjutant-general of the Territory. After mature consideration of this subject, I believe the proper dates between which to allow re-imbusement for such expense are April 2, 1863 (the date General Wright called on Nevada for troops), and August 20, 1866, the official date of the close of the war. A principal reason for fixing on the time of General Wright's call as the proper date from which to reckon said allowance, is found in the fact that there is no evidence furnished that Nevada, previous to this date (April 2, 1863), had a single soldier (volunteer or militia) in the field, or even on paper.

This call was for troops to protect from Indians the overland travel, and I find no evidence that, previous to the time of this call, Nevada had in anticipation a call from the President to furnish a quota for the war of the rebellion. The act of Congress of March 2, 1864, organizing the Territory of Nevada makes no mention of an office of adjutant-general. The act of the legislature providing for the organization and enrollment of the militia was passed March 4, 1865, and (March 3, 1866) was so amended as to make the secretary of state *ex officio* adjutant-general. From a careful examination of the evidence I am constrained to believe that from her organization as a Territory to the spring of 1863 (time of the call for troops) "there was no necessity at the time and under all circumstances" for an adjutant-general of Nevada, and further, that the labor performed by such officer during the period referred to does not, under the terms of the act of 1862, entitle the Territory to re-imbusement of his salary for such period (see acts referred to and report of adjutant-general of Nevada for 1865).

For the reasons above given, I have *disallowed* the claim of \$1,233.50 contained in vouchers 1 to 5, inclusive, Abstract B, it being for salary of an adjutant-general for 1862 and part of 1863.

A summary, in brief, of the result of my examination of Nevada's claim for the war of the rebellion is as follows:

Amount claimed .....		\$349,697.49
Amount allowed .....	\$8,559.61	
Amount disallowed .....	341,137.88	
		349,697.49

\* \* \* \* \*

Very respectfully, your obedient servant,

EDWARD HUNTER,  
 Captain First Cavalry, U. S. Army,  
 Examiner of State and Territorial War Claims.

The SECRETARY OF WAR.

EXHIBIT No. 17.

TABLE PREPARED BY BOARD OF WAR CLAIMS EXAMINERS SHOWING AMOUNTS OF CLAIM OF NEVADA ALLOWED, AND THOSE DISALLOWED, AND REASONS ASSIGNED THEREFOR.

Abstract of the claims of the Territory and State of Nevada (first, second, and third installments) submitted under acts approved June 27, 1882, and August 4, 1886.

WAR OF THE REBELLION—FIRST INSTALLMENT.

Abstract.	No. of voucher.	Date.	In whose favor.	Nature of claim.	Amount claimed.	Amount allowed.	Amount disallowed.	Remarks.
A	1-24	1863, 1864, 1865, 1866	Bounties paid to commanding officers of companies, of \$10 per capita for each recruit.	.....	\$11,840.00	.....	\$11,840.00	Unauthorized by act of June 27, 1882.
A	25	Sept. 22, 1863	John Church & Co.....	Printing.....	30.00	\$30.00	.....	
A	26	Dec. 6, 1863	do.....	do.....	25.00	25.00	.....	
A	27	Oct. 19, 1864	Daily Evening Post.....	do.....	18.00	18.00	.....	
A	28	Jan. 2, 1865	Gold Hill Daily News.....	do.....	34.30	34.30	.....	
A	29	Oct. 29, 1864	E. B. Wilson.....	do.....	13.75	13.75	.....	
A	30	Dec. 3, 1863	Daily Independent.....	do.....	20.00	20.00	.....	
A	31	Oct. 29, 1864	Lyon County Sentinel.....	do.....	5.00	5.00	.....	
			Total-Abstract A.....	.....	11,986.05	146.05	11,840.00	
B	1	Apr. 3, 1865	Gillig, Mott & Co.....	Furniture for adjutant-general's office.	37.00	37.00	.....	
B	2	May 24, 1865	W. E. Shun.....	Repairing and putting down carpet, etc.	6.00	6.00	.....	
B	3	Apr. 20, 1865	E. Barker.....	Seal for adjutant-general's office..	26.00	26.00	.....	
B	4	Apr. 10, 1865	Cowing & Co.....	Sign for adjutant-general's office..	18.00	18.00	.....	
B	5	Mar. 26, 1865	John G. Fox.....	Stationery for adjutant-general's office.	43.00	43.00	.....	
B	6	Apr. 22, 1865	B. F. Small, postmaster.....	Postage, etc., for adjutant-general's office.	21.00	21.00	.....	
B	7	May 1, 1865	P. Cavanaugh.....	Rent for adjutant-general's office..	83.33	45.00	38.33	A double charge.
B	8	Apr. 1, 1865	Silas Caulkins.....	Clerk, adjutant-general's office..	125.00	125.00	.....	
B	9	Apr. 1, 1865	do.....	Traveling expenses, adjutant-general's office.	50.00	50.00	.....	
B	10	May 24, 1865	John G. Fox.....	Stationery, adjutant-general's office.	41.00	41.00	.....	
B	11	May 7, 1865	Daily Morning Post.....	Printing.....	10.00	10.00	.....	



B	12	May 31, 1865	Silas Caulkins	Clerk	125.00	125.00	
B	13	June 30, 1865	do	do	125.00	125.00	
B	14	July 1, 1865	John Church	Printing	35.00	35.00	
B	15	July 30, 1865	Silas Caulkins	Clerk	50.00	50.00	
B	16	Apr. 23, 1866	F. Foster	Stationery	85.00	60.00	25.00
B	17	Apr. 20, 1865	Edwards & Co.	do	448.75	448.75	
B	18	Aug. 29, 1865	C. Tiller	Rent	120.00	120.00	
B	19	Aug. 31, 1865	Silas Caulkins	Clerk	50.00	50.00	
B	20	Nov. 20, 1865	do	Rollers	5.00	5.00	
B	21	Dec. 18, 1865	do	Clerk	200.00	200.00	
B	22	Dec. 6, 1865	Mason, Huff & Co.	Oil	10.00	10.00	
B	23	Dec. 18, 1865	E. B. Rail	Hardware	38.75	38.75	
B	24	Dec. 4, 1865	John G. Fox	Stationery	27.75	27.75	
B	25	Jan. 1, 1866	John Cradlebaugh	Rent	105.00	105.00	
B	26	May 29, 1866	Charles S. Hammer	Oil and glass	11.00	11.00	
B	27	Dec. 19, 1866	R. C. Crandall	Wood	52.50	52.50	
B	28	Dec. 31, 1866	B. F. Small, postmaster	Postage	23.25	23.25	
B	29	Mar. 1, 1865	Mason, Huff & Co.	Oil	10.50	10.50	
B	30	Mar. 5, 1866	E. B. Rail	Spittoons	9.50	9.50	
B	31	Mar. 31, 1866	John G. Fox	Stationery	3.00	3.00	
B	32	Apr. 23, 1866	Carson Appeal	Printing	14.00	14.00	
B	33	do	John G. Fox	Stationery	3.50	3.50	
B	34	Apr. 30, 1866	B. F. Small, postmaster	Postage, etc.	35.10	35.10	
B	35	Apr. 7, 1866	John Church	Printing	52.00	52.00	
B	36	June 30, 1866	Mason, Huff & Co.	Oil, etc.	11.81	11.81	
B	37	Oct. 8, 1866	B. F. Small, postmaster	Box-rent, adjutant-general's office.	8.70	8.70	
B	38	Jan. 1, 1867	do	do	8.40	8.40	
B	39	May 21, 1866	E. B. Rail	Lamps	2.50	2.50	
B	40	Jan. 1, 1867	J. Cradlebaugh	Rent	270.00	230.00	40.00
B	41	do	do	do	90.00		90.00
B	42	do	C. N. Noteware	Cartage	5.00	5.00	
B	43	Dec. 31, 1867		Premium on gold to pay soldiers' warrants.	42.92		42.92
B	44	Nov. 28, 1863	Daily Independent	Printing military commercial note.	30.00	30.00	
B	45	Jan. 5, 1864	H. P. Russell	Office desk, \$35; stationery, \$10	45.00	45.00	
B	46	May 1, 1865	do	Rent of adjutant-general's office and stationery.	500.00	500.00	
			Total Abstract B		3,114.38	2,873.13	236.25
C	*1-1513	1863, 1864, 1865	Volunteer soldiers	Extra pay for Nevada volunteers	96,054.78		96,054.78
			Total Abstract C		96,054.78		96,054.78
D	*1-10	1863, 1864, 1865	Volunteer soldiers	Extra pay for Nevada volunteers	1,153.75		1,153.75
			Total Abstract D		1,153.75		1,153.75

Printing of bounty certificates, unauthorized.

Allowed rent up to August 20, 1866, end of war.  
Do.

Premium on gold to pay extra pay and bounties disallowed.

Disallowed by section 2, act June 27, 1882.

Disallowed by section 2, act June 27, 1882.

\* Inclusive.

Abstract of the claims of the Territory and State of Nevada, etc.—Continued.

WAR OF THE REBELLION—FIRST INSTALLMENT—Continued.

Abstract.	No. of voucher.	Date.	In whose favor.	Nature of claim.	Amount claimed.	Amount allowed.	Amount disallowed.	Remarks.
E	1	Apr. 7, 1862	H. P. Russell.....	Salary as adjutant-general.....	\$250. 00	\$250. 00	.....	These amounts were allowed by the majority of the board of examiners, but were disallowed by the minority for the reason that "the amounts of these vouchers (1-5 inclusive) are disallowed on account of being salary paid before April 2, 1863, the time the Territory was called upon by the United States for troops." These items constitute the entire difference between the allowances of the majority and minority. (Note by Committee on Military Affairs.)
E	2	July 31, 1862	do .....	do .....	250. 00	250. 00	.....	
E	3	Aug. 7, 1862	do .....	do .....	250. 00	250. 00	.....	
E	4	Jan. 7, 1863	do .....	do .....	250. 00	250. 00	.....	
E	5	Apr. 1, 1863	do .....	do .....	233. 50	233. 50	.....	
E	6	July 1, 1863	do .....	do .....	250. 00	250. 00	.....	
E	7	Oct. 1, 1863	do .....	do .....	250. 00	250. 00	.....	
E	8	Jan. 1, 1864	do .....	do .....	250. 00	250. 00	.....	
E	9	Apr. 1, 1864	do .....	do .....	250. 00	250. 00	.....	
E	10	July 1, 1864	do .....	do .....	250. 00	250. 00	.....	
E	11	Oct. 1, 1864	do .....	do .....	250. 00	250. 00	.....	
E	12	Oct. 31, 1864	do .....	do .....	81. 00	81. 00	.....	
E	13	Mar. 31, 1865	John Cradlebaugh .....	do .....	112. 66	112. 66	.....	
E	14, 15	Apr. 29, 1865	do .....	Contingent expenses of adjutant-general.....	1, 000. 00	1, 000. 00	.....	
E	16, 17	June 30, 1865	do .....	Salary as adjutant-general.....	500. 00	500. 00	.....	
E	18, 19	Dec. 31, 1865	do .....	do .....	1, 000. 00	1, 000. 00	.....	
E	20, 21	Mar. 31, 1865	do .....	do .....	500. 00	500. 00	.....	
E	22	June 30, 1866	do .....	do .....	500. 00	500. 00	.....	
E	23	Sept. 30, 1866	do .....	do .....	500. 00	277. 77	\$222. 23	This disallowance is from August 20, 1866, end of the war, according to decision Supreme Court; also see decision Second Comptroller dated February 6, 1877, page 387, vol. 2, Digest Second Comptroller.
E	24	Dec. 31, 1866	do .....	do .....	500. 00		500. 00	
Total Abstract E .....					7, 431. 16	6, 708. 93	722. 23	

F	1	July 1, 1864	G. L. Gibson .....	Transportation of arms .....	29.00	29.00	.....
F	2	Apr. 28, 1865	Shaw's East Freight and Express Company.	Transportation of blank .....	8.00	8.00	.....
F	3	Apr. 27, 1865	.....do .....	Transportation of stationery .....	23.00	23.00	.....
			Total Abstract F .....		60.00	60.00	.....
G	1	Mar. 3, 1866	State of Nevada .....	Interest paid on \$46,950.12 from February 10, 1865, to March 3, 1866, at 2 per cent. per month.	11,925.33	.....	11,925.33
G	2	May 30, 1867	.....do .....	Interest paid on \$46,950.12 from March 3, 1866, to May 30, 1867, at 15 per cent. per annum.	8,744.46	.....	8,744.46
G	3	Mar. 28, 1872	.....do .....	Interest paid on \$119,800.12 from May 30, 1867, to March 28, 1872, at 15 per cent. per annum.	86,755.25	.....	86,755.25
G	4	Jan. 1 1883	.....do .....	Interest paid on \$119,800.12 from March 28, 1872, to January 1, 1883, at $\frac{3}{4}$ per cent. per annum.	122,472.33	.....	122,472.33
			Total Abstract G .....		229,897.37	.....	229,897.37

## RECAPITULATION.

A	.....	1865 to 1866	State of Nevada .....	Enrolling, recruiting, etc .....	\$11,986.05	\$146.05	\$11,840.00
B	.....	1863 to 1867	.....do .....	Supplying .....	3,114.38	2,875.13	236.25
C	.....	1863 to 1865	.....do .....	Pay to troops .....	96,151.78	.....	96,054.78
D	.....	1863 to 1865	.....do .....	Pay to troops (liabilities) .....	1,153.75	.....	1,153.75
E	.....	1862 to 1866	.....do .....	Pay of salary of adjutant-general .....	7,431.16	6,708.93	722.23
F	.....	1864 and 1865	.....do .....	Transportation .....	60.00	60.00	.....
G	.....	1866, 1867, 1872, and 1883.	.....do .....	Interest actually paid .....	229,897.57	.....	229,897.37
			Total .....		349,697.49	9,793.11	339,904.38

The undersigned examiners of State and Territorial war claims certify on honor that the foregoing is a just and impartial statement of the claim of the State of Nevada, as determined by them after examination and consideration according to the acts of June 27, 1862, and August 4, 1866.

JAMES BIDDLE,  
Major Sixth Cavalry, U. S. Army, Senior Officer and Examiner.  
H. J. FARNSWORTH,  
Major and Inspector-General, U. S. Army, Examiner.

WAR DEPARTMENT,  
OFFICE OF THE STATE AND TERRITORIAL WAR CLAIMS,  
Washington, D. C., February 9, 1887.

NOTE.—The total amount allowed by the minority of the board of examiners was \$8,559.61. This allowance was approved by the Secretary of War, and has since been paid to the State of Nevada. The amount disallowed by said minority report was \$341,137.88, and this disallowance was also approved by the Secretary of War.

On 27th April, 1888, Hon. C. C. Stevenson, then and now governor of Nevada, to whom was paid by the Secretary of the Treasury said sum of \$8,559.61, so allowed by said minority member of said board of war-claim examiners, receipted to said Secretary for said sum ON ACCOUNT ONLY, and as a payment PRO TANTO ONLY of said claim, and on May 8, 1888, Governor Stevenson served upon the Secretary and upon the proper accounting officers of the Treasury at Washington an official notice to that effect.

### EXHIBIT No. 18.

#### PRECEDENTS OF CASES ALLOWED BY CONGRESS TO STATES FOR MONEYS BY THEM EXPENDED FOR TROOPS FOR THE USE AND BENEFIT OF THE UNITED STATES AFTER HAVING BEEN DISALLOWED BY ACCOUNTING OFFICERS OF THE TREASURY, AND FOR INTEREST ON SIMILAR CLAIMS PRESENTED WHICH WERE ALLOWED WITHOUT INTEREST.

Claims for payments made by the several States on account of expenses incurred for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting volunteers and militia called into the service of the United States in the war of 1812 were audited and settled under the supervision of the Secretary of War in pursuance of general laws, and paid by the United States.

Claims were afterwards presented by the several States to Congress and provision made for their payment on account of expenses which were disallowed by the accounting officers, and for interest on claims which had been presented and allowed without interest, as follows:

1. By an act approved April 2, 1830, the Secretary of the Treasury was authorized to cause to be paid to the mayor and city council of Baltimore the sum of \$7,434.53 in full for their claim against the United States for money borrowed and expended by them in defense of said city in the war of 1812, and by the second section of said act the Secretary of the Treasury was directed to cause to be paid interest on said sum according to the provisions and regulations of "the act to authorize payment of interest due the city of Baltimore," approved May 20, 1826.

2. By an act approved May 31, 1830, the proper accounting officers of the Treasury, under the superintendence of the Secretary of War, were authorized and directed to audit and settle the claims of the State of Massachusetts against the United States for services of her militia during the war of 1812, in the following cases:

(1.) Where the militia of said State were called out to repel actual invasion or under a well-founded apprehension of invasion, provided their numbers were not in undue proportion to the exigency.

(2.) Where they were called out by the authority of the State and afterwards recognized by the Federal Government.

(3.) Where they were called out by and served under the requisition of the President of the United States or of any officer thereof.

3. By a joint resolution approved May 14, 1836, entitled "A resolution to authorize the Secretary of War to receive additional evidence in support of claims of Massachusetts and other States of the United States for disbursements, services," etc., during the war of 1812, the Secretary was authorized, in preparing his report pursuant to the resolution of House of Representatives agreed to the 24th of February, 1832, without regard to existing rules and requirements to receive such evidence as was on file, and any further proofs which might be offered tending to establish the validity of the claims of Massachusetts upon the United States, or any part thereof, for services,

disbursements, and expenditures during the war with Great Britain; and in all cases where such evidence should, in his judgment, prove the truth of the items of the claim, or any part thereof, to act on the same in like manner as if the proof consisted of such vouchers and evidence as was required by existing rules and regulations touching the allowance of such claims; and it was provided that in the settlement of claims of other States upon the United States for services, disbursements, and expenditures during the war with Great Britain, the same kind of evidence, vouchers, and proof should be received as therein provided for in relation to the claim of Massachusetts.

4. By the sixth section of an act approved March 31, 1837, an appropriation was made for paying the claims of the State of Connecticut for the services of her militia during the war of 1812, to be audited and settled by the proper accounting officers of the Treasury under the superintendence of the Secretary of War in the following cases:

(1.) Where the militia of said State were called out to repel actual invasion or under a well-founded apprehension of invasion, provided their numbers were not in undue proportion to the exigency.

(2.) Where they were called out by the authorities of the State and afterwards recognized by the Federal Government, and

(3.) Where they were called out and served under the requisition of the President of the United States or of any officer thereof.

5. By an act approved August 14, 1848, the proper accounting officers of the Treasury were directed to settle the claims for one month's service of the officers and soldiers of the Fourth Regiment in the Second Brigade of the Third Division of the militia of the State of Vermont, who served at the battle of Plattsburgh on the 11th of September, 1814, for their military services on that occasion.

6. By act approved March 3, 1853, making appropriations for the civil and diplomatic expenses of the Government for the year ending June 30, 1854, an appropriation of \$10,334.31 was made for arrearages of pay, subsistence, and clothing due to Capt. Richard McRae's Company of Virginia Volunteers, which served in the war with Great Britain in 1812-'13, to be paid to the officers and soldiers of said company or their legal representatives, under the order of the Secretary of War, upon the production of proof as to the identity of said officers and soldiers, and that they have not been paid.

7. By an act approved August 31, 1852 (Army appropriation), the Secretary of War was required to pay to the State of South Carolina such sums of money as were paid by said State in 1838, 1839, and 1840 for services, losses, and damage sustained by her volunteers in the Florida war of 1836, 1837, and 1838, while in the service of the United States, and on their return from said service, as were ascertained and allowed by the board of commissioners appointed for that purpose by the act of the legislature of said State in 1837, with the proviso that no interest should be allowed upon moneys paid to the State of South Carolina under the provisions of said act. And it was by said act further provided that in the settlement of the claims of the State of Georgia, under the act of August 11, 1842, providing for the settlement of the claims of that State for the service of her militia, which had theretofore been suspended or disallowed, the accounting officers of the Treasury Department should allow and pay, upon proof that the State had allowed and paid the same, all accounts for forage, subsistence, hospital stores, medical service, and transportation which had not theretofore been allowed by the United States. And it was further provided by said act that in the adjustment of the accounts of the State of Maine, under the act of June 13, 1842, the proper accounting officers of the Treasury should include and allow the claims which had theretofore been presented under said act, provided it should be satisfactorily shown that said claims had been actually allowed and paid by said State.

8. By an act approved March 3, 1853, second section, the proper accounting officers of the Treasury Department were authorized to settle the claims of the State of Florida for services of her troops under the act of February 27, 1851, by the provision stated for the settlement of the claims of the State of Georgia for like services, under the act approved August 31, 1851 (Army appropriation bill).

9. By the eighth section of an act approved March 3, 1853, the Secretary of the Treasury was directed to pay to the State of Georgia her claims remaining unpaid for moneys paid by the State in suppressing hostilities of the Cherokee, Creek, and Seminole Indians in the year 1835 and since, upon proof that the same was paid by the State, and that the provisions of the act relative to the settlement of the claims of Georgia for military service, approved March 3, 1851, should be extended to payments under said act.

The Secretary of the Treasury was also by said act required to pay the State of Alabama, under the provisions of the acts of Congress of August 16, 1842, and January 26, 1849, the balance due said State, growing out of the Creek Indian hostilities of 1836 and 1837; and by the twelfth section of said act it was provided that in the adjustment of the accounts of the State of Virginia under the twelfth section of the act



of August 31, 1852, the Secretary of War should follow the provisions of the act of June 2, 1848, providing for refunding to the several States the amounts expended by them in raising regiments of volunteers for the Mexican war.

10. By an act approved January 26, 1849, the Secretary of War was directed to pay interest upon the advances made by the State of Alabama for the use of the United States Government in the suppression of hostilities by the Creek Indians in 1836 and 1837, at the rate of 6 per cent. per annum from the time of the advances until the principal of the same was paid by the United States to the State. And in ascertaining the amount of interest it was provided that interest should not be computed on any sum which Alabama had not expended for the use and benefit of the United States, as evidenced by the amount refunded to the State of Alabama by the United States, and that no interest should be paid on any sum on which the State of Alabama did not either pay or lose interest, as aforesaid.

11. By an act approved March 3, 1851, the Secretary of War was authorized to allow to the State of Georgia for advances made to the United States for the suppression of hostilities of the Creek, Seminole, and Cherokee Indians in the years 1835, 1836, 1837, and 1838, with interest at the rate of 6 per cent. per annum on all sums allowed and paid to the State of Georgia and that might thereafter be allowed and paid for any moneys advanced by the State for the purposes aforesaid, from the date of such advances until the principal sums were or might be paid by the United States, with the proviso that no interest should be paid on any sum on which Georgia did not either pay or lose interest.

12. By an act passed the same day as the above act, the proper accounting officers of the Treasury were directed to settle the claim of the State of Maine against the United States, being for interest on money borrowed and actually expended by her for the protection of the northeastern frontier of said State during the years 1839, 1840, and 1841, the amount of such interest to be ascertained under the following rules:

"(1.) Interest not to be computed on any sum not expended by the State for the use and benefit of the United States, as evidenced by the amount refunded or paid to the State by the United States.

"(2.) No interest to be paid on any sum on which the State did not either pay or lose interest."

13. By act approved July 21, 1852, making appropriations to supply deficiencies in the appropriations for the year ending June 30, 1852, the sum of \$50,741 was appropriated for pay of five companies of Texas mounted volunteers.

14. By act approved March 3, 1859, for the purpose of executing the resolution of May 14, 1836, the Secretary of the Treasury was directed to pay to Massachusetts \$227,176.48, reported to be due said State by Secretary of War J. R. Poinsett, in report dated December 23, 1837, made to House of Representatives December 27, 1837, and it was provided that in lieu of payment in money the Secretary of the Treasury might, at his discretion, issue to said State United States stock bearing 5 per cent. per annum, and redeemable at the end of ten years, or sooner, at the pleasure of the President.

### EXHIBIT No. 19.

SENATE REPORT IN SUPPORT OF THE PROPOSITION THAT PRINCIPAL AND INTEREST ARE THE TWO ELEMENTS CONSTITUTING ONE AND THE SAME UNIT OF A COMPLETE INDEMNITY OF A CLAIM.

[Senate Report No. 1060, Forty-ninth Congress, first-session.]

*The Committee on Claims, to whom was referred the bill (S. 1651) "authorizing the Secretary of the Treasury to make final adjustment of claims of certain foreign steam-ship companies arising from the illegal exaction of tonnage dues," have had the same under consideration and respectfully report as follows:*

This claim has been considered and favorably reported by the Committee on Foreign Relations to the House of Representatives of the Forty-sixth and Forty-eighth Congresses. It has likewise been favorably reported by the Committee on Claims of the House of Representatives at the present session.

The report of the Committee on Foreign Affairs of the Forty-eighth Congress, embodying the report of the same committee of the Forty-sixth Congress, is able and exhaustive, and is adopted, as follows:

[House Report No. 1568, Forty-eighth Congress, first session.]

The Committee on Foreign Affairs, to whom was referred the bill (H. R. 1062) authorizing the Secretary of the Treasury to make final adjustment of claims of certain

foreign steam-ship companies, arising from the illegal exaction of tonnage duties, respectfully report:

The matters arising herein were thoroughly and exhaustively considered by this committee in the Forty-sixth Congress, and a very able report made thereon, by Hon. Mr. Rice, then and now a member of the committee, was favorably considered by the committee.

The ninth article of the treaty of 1827 between the United States and the Hanseatic Republic is as follows:

"ART. 9. The contracting parties, desiring to live in peace and harmony with all the other nations of the earth by means of a policy frank and equally friendly with all, engage mutually not to grant any particular favor to other nations in respect of commerce and navigation which shall not immediately become common to the other party, who shall enjoy the same freely, if the concession was freely made, or on allowing the same compensation, if the concession was conditional."

This treaty is still in force. (See letter Secretary of State in H. Rep. No. 124, part 2, page 29, second session Forty-fifth Congress.)

Subsequently a treaty was ratified with Belgium, July 18, 1858, article 4 of which is in the following words:

"Steam-vessels of the United States and Belgium engaged in regular navigation between the United States and Belgium shall be exempt in both countries from the payment of duties of *tonnage, anchorage*, buoys and light-houses."

This treaty was abrogated July 1, 1875. (See notes to Treaties and Conventions concluded since May 1, 1870, p. 1261.)

From this it will appear that the United States agreed not to grant any particular favor to other nations in respect of commerce and navigation which should not immediately become common to the Hanseatic Republics.

By the fourth article of the treaty of July 17, 1858, with Belgium, quoted above, the United States directly stipulated that steam-vessels engaged in regular navigation between them and Belgium should be exempt from the payment of duties on tonnage, anchorage, buoys, and light-house charges. This favor having been extended, to Belgium, it immediately attached, under the foregoing ninth article of the Hanseatic treaty, to the steam-ships of the lines above referred to, both plying between the ports of Bremen and Hamburg (Hanseatic Republics) and ports of the United States. It is manifest that after July 17, 1858, the lines of steam-ships from Belgium and the Hanseatic Republics were upon precisely the same footing.

For thirty years anterior to July, 1862, tonnage duties were not levied or collected by the United States on vessels of foreign countries. The necessities of the Government at this time, however, compelled the imposition of tonnage duties, when an act was passed July 14, 1862, entitled "An act increasing temporarily the duties on imports, and for other purposes," providing—

"That upon all ships, vessels, or steamers, which, after the 31st day of December, 1862, shall be entered at any custom-house in the United States, whether ships or vessels of the United States or belonging wholly or in part to subjects of foreign powers, there shall be paid a tax or tonnage duty of ten cents per ton of the measurement of said vessel in addition to any tonnage duty now imposed by law. \* \* \* *Provided*, That nothing in this act contained shall be deemed in any wise to impair any rights and privileges which have been or may be acquired by any foreign nation under the laws and treaties of the United States relative to the duty on tonnage of vessels."

The act of March 3, 1865, amended the foregoing act by inserting *thirty cents* per ton in lieu of "ten" cents.

It was the manifest duty of the Secretary of the Treasury, upon the passage of the above law and before proceeding to administer it, to have caused a careful examination of the treaties with various foreign nations to learn what countries, if any, were exempt from the imposition of such duties.

The Secretary of the Treasury, however, immediately on the passage of the act of July 14, 1862, issued his instructions, in the form of circulars, to the collectors of the ports of New York, Baltimore, and New Orleans, making no exception of the vessels so exempted, but required the tonnage-tax to be levied and collected indiscriminately upon these vessels, notwithstanding the Attorney-General (Opinions, vol. 10, p. 481) had advised the Secretary of certain exemptions from the operation of said act by virtue of certain treaties.

The North German Lloyd Steamship Company accordingly paid, at the ports of New York, Baltimore, and New Orleans, as tonnage duties on vessels of their line thus exempted, the sum of \$130,800.09, and the Hamburg-American Packet Company also paid the sum of \$130,119, covering the period in both cases from December 31, 1862, to July 1, 1875, as appears by the books of the Treasury Department and by House Ex. Doc. No. 76, third session Forty-fifth Congress.

No laches can be imputed to the claimants in not having made prompt demand upon the United States for restitution.

The tax was first paid in 1863. Until 1867 the claimants had no knowledge that their lines were exempt. They were naturally misled by the Secretary of the Treasury, whose instructions to collectors were to levy tonnage indiscriminately.

The exemption depended as much upon the fourth article of the treaty with Belgium as upon the treaty with the Hanseatic Republics, since only by their concurrent operation was this privilege conferred. The exemption was nevertheless a plain and positive one, and the officers of the United States were clearly in the wrong in imposing and enforcing the collection of such duties. This is now admitted on all hands. We find no necessity of setting forth here the various diplomatic correspondence on the subject, and the decisions of the Secretary of State, and Secretary of the Treasury, and the Attorney-General, all of which hold that the treaty obligations of the United States were clearly violated. These are fully set forth in House Ex. Doc. No. 62, first session Forty-fourth Congress, and in House Report No. 124, second session Forty-fifth Congress, parts 1 and 2.

On the 19th June, 1878, Congress passed the following act, the bill having been maturely considered by the Committee on Foreign Affairs of the House of Representatives and the Committee on Finance in the Senate:

"AN ACT to amend section twenty-nine hundred and thirty-one of the Revised Statutes of the United States so as to allow repayment by the Secretary of the Treasury of the tonnage tax, where it has been exacted in contravention of treaty provisions.

*"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of section twenty-nine hundred and thirty-one, of chapter six, title thirty-four of the Revised Statutes, shall not apply to cases of the payment of tonnage tax on vessels where the Secretary of the Treasury and Attorney-General shall be satisfied that the exaction of such tax was in contravention of treaty provisions; and he may draw his warrant for the refund of the tax so illegally exacted, as is provided in section three thousand twelve and one-half of said statutes: *Provided,* That this act shall not be construed to authorize the refunding of any tonnage duties whatever exacted prior to the first day of June, eighteen hundred and sixty-two; nor shall it apply to cases of the payment of tonnage tax heretofore made on vessels other than those of the Hanseatic Republics, and Sweden and Norway."

The object of this act was to authorize the refund of the tonnage duties so illegally exacted from the companies in question, relieving them from the necessity of making protest against payment within the thirty days required by the act of June 30, 1862, above referred to.

Under this act the North German Lloyd Company presented its claim for \$130,785, as principal of duties paid, and \$80,737.50, as interest at 6 per cent. per annum to August 8, 1878; and the Hamburg American Packet Company presented its claim for \$130,119, as principal of duties paid, and for \$75,069.27, as interest on the same at 6 per cent. per annum to July 1, 1878.

In August last the amounts named as principal were paid by the Treasury Department to the two companies and accepted by them under protest, and the question now before your committee is the one embracing this claim for interest, referred to it by the letter of the Secretary of the Treasury, to be determined under the principles of international law; and the inquiry presented is, what shall be the just measure of reparation for an injury inflicted upon a foreign and friendly power in contravention of the solemn treaty obligations of the United States.

It is one of the highest national importance, not because it demands a considerable sum of money, but because it involves a question of national honor, and its determination will sanction a principle to which the Government will henceforth stand committed in the enforcement of its own demands against foreign powers.

The cause of said act of Congress authorizing a refund was the fact that the United States had violated treaty obligations by the exaction of moneys it had no right to receive. It has held these moneys for years, depriving the lawful owners of their use, benefit, and profit. We think it very plain that the United States, according to principles of public law, can not make just or complete reparation for this wrong without now determining that it will pay interest, at a reasonable rate, on the moneys thus wrongfully exacted and withheld to the injury of the other party to the compact.

Pending the consideration of the bill in the Senate, the Hon. Justin S. Morrill, chairman of the Committee on Finance (from which committee the bill was reported), in a letter addressed to the Secretary of the Treasury under date of April 8, 1878, submitted, among others, the following inquiry: "Again, let me ask you whether, if nothing is said in the act as to the payment of interest, you would pay any?" To this the Secretary of the Treasury, under date of April 15, 1878, replied:

"You further inquire whether, if nothing be said in the act about payment of interest, this Department would pay interest on the amounts originally exacted. I reply that the question whether interest should be paid on the original claim would depend on the obligations of the Government under the treaty stipulations referred to, as such stipulations are ordinarily construed by the law of nations."

Nevertheless, the Secretary of the Treasury, on more mature consideration, and

after obtaining the decision of the Attorney-General thereon, determined that he was not permitted to pay the interest under the peculiar phraseology of the act, and recommended further legislation by Congress.

It only remains to show, by the recognized authorities on international law, what the just obligations of the United States are under the treaty stipulations referred to; "as such stipulations are ordinarily construed by the law of nations."

It is sometimes asserted that "the Government never pays interest." This assumption doubtless arises from two ideas, namely: the principle that interest is often allowed in the nature of damage for money wrongfully withheld; and the common-law fiction, that the sovereign can do no wrong and can be guilty of no laches; therefore, the Government can not be chargeable with interest. The idea may also have obtained acceptance from the custom and usage of the accounting officers and Departments refusing to allow interest generally in their accounts with disbursing officers, and in the settlement of unliquidated domestic claims arising out of dealings with the Government. It will hardly be pretended, however, that this custom or usage is so "reasonable," well-known, and "certain" as to give it the force and effect of law.

But it is submitted that even were it true that the Government, as a rule, pays no interest to its own citizens, the fiction that "the sovereign can do no wrong" can be invoked only in its relation to its own subjects, and has no application whatever in its dealings with a foreign power, for both stand on the same footing of national equality.

By the principles of the public law, interest is always allowed as indemnity for the delay of payment of an ascertained and fixed demand. There is no conflict of authority upon this question among the writers on public law.

This rule is laid down by Rutherford in these terms:

"In estimating the damages which any one has sustained, when such things as he has a perfect right to are unjustly taken from him, or withholden, or intercepted, we are to consider not only the value of the thing itself, but the value likewise of the fruits or profits that might have arisen from it. He who is the owner of the thing is likewise the owner of the fruits or profits. So that it is properly a damage to be deprived of them as it is to be deprived of the thing itself." (Rutherford's Institutes, Book I, chap. 17, sec. 5.)

In laying down the rule for the satisfaction of injuries in the case of reprisals, in making which the strictest caution is enjoined not to transcend the clearest rules of justice, Mr. Wheaton, in his work on the law of nations, says:

"If a nation has taken possession of that which belongs to another, if it refuses to pay a debt, to repair an injury, or to give adequate satisfaction for it, the latter may seize something of the former and apply it to [his] its advantage till it obtains payment of what is due, together with interest and damages." (Wheaton on International Law, p. 341.)

Domat thus states the law of reason and justice on this point:

"It is a natural consequence of the general engagement to do wrong to no one that they who cause any damages, by failing in the performance of that engagement, are obliged to repair the damage which they have done. Of what nature soever the damage may be, and from what cause soever it may proceed, he who is answerable for it ought to repair it by an *amende* proportionable either to his fault or to his offense or other cause on his part, and to the loss which has happened thereby." (Domat, Part I, Book III, Title V, 1900, 1903.)

"Interest" is, in reality, in justice, in reason, and in law, too, a part of the debt due. It includes, in Pothier's words, the loss which one has suffered and the gain which he has failed to make. The Roman law defines it as "*quantum mea interfuit; id est, quantum mihi abest, quantumque lucrari potui.*" The two elements of it were termed "*lucrum cessans et damnum emergens.*" The payment of both is necessary to a complete indemnity.

"Interest," Domat says, "is the reparation or satisfaction which he who owes a sum of money is bound to make to his creditor for the damage which he does him by not paying him the money he owes him."

It is because of the universal recognition of the justice of paying, for the retention of moneys indisputably due and payable immediately, a rate of interest considered to be a fair equivalent for the loss of its use, that judgments for money everywhere bear interest. The creditor is deprived of this profit and the debtor has it. What greater wrong could the law permit than that the debtor should be at liberty indefinitely to delay payment, and, during the delay, have the use of the creditor's money for nothing? They are none the less the creditor's moneys because the debtor wrongfully withholds them. He holds them, in reality and essentially, in trust; and a trustee is always bound to pay interest upon moneys so held.

In closing these citations from the public law, the language of Chancellor Kent seems eminently appropriate. He says:

"In cases where the principal jurists agree the presumption will be very great in favor of the solidity of their maxims, and no civilized nation that does not arrogantly

set all ordinary law and justice at defiance will venture to disregard the uniform sense of established writers on international law." (1 Kent Com., 19.)

The practice of the United States in discharging obligations resulting from treaty stipulations has always been in accord with these well-established principles. It has exacted the payment of interest from other nations in all cases where the obligation to make payment resulted from treaty stipulations, and it has acknowledged that obligation in all cases where a like liability was imposed upon it.

The most important and leading cases which have occurred are those which arose between this country and Great Britain—the first under the treaty of 1794, and the other under the first article of the treaty of Ghent. In the latter case the United States claimed compensation for slaves and other property taken away from the country by the British forces at the close of the war in 1815. A difference arose between the two Governments, which was submitted to the arbitrament of the Emperor of Russia, who decided that "the United States of America are entitled to a just indemnification from Great Britain for all private property carried away by the British forces." A joint commission was appointed for the purpose of hearing the claims of individuals under this decision. At an early stage of the proceedings the question arose as to whether interest was a part of that "just indemnification" which the decision of the Emperor of Russia contemplated. The British commissioner denied the obligation to pay interest. The American commissioner, Langdon Cheves, insisted upon its allowance, and, in the course of his argument upon this question, said:

"Indemnification means a re-imbusement of a loss sustained. If the property taken away on the 17th of February, 1815, were returned now uninjured, it would not re-imburse the loss sustained by the taking away and consequent detention; it would not be an indemnification. The claimant would still be unindemnified for the loss of the use of his property for ten years, which, considered as money, is nearly equivalent to the original value of the principal thing."

Again, he says:

"If interest be an incident usually attendant on the delay of payment of debts, damages are equally an incident attendant on the withholding an article of property."

In consequence of this disagreement, the commission was broken up; but the claims were subsequently compromised by the payment of \$1,204,960, instead of \$1,250,000, as claimed by Mr. Cheves; and of the sum paid by Great Britain, \$418,000, was expressly for interest.

The propriety of this claim for interest was subsequently submitted to William Wirt, then Attorney-General, for his opinion. Mr. Wirt said:

"I am of the opinion that the just indemnification awarded by the Emperor involves not merely the return of the value of the specific property, but a compensation also for the subsequent use and wrongful detention of it in the nature of damages. \* \* \* I am of opinion that the interest, according to the usage of nations, is a necessary part of the just indemnification awarded by the Emperor of Russia." (Opinions Attorney-General, vol. 2, p. 33.)

An earlier case, in which this principle of interest was involved, arose under the treaty of 1794 between the United States and Great Britain, in which there was a stipulation on the part of the British Government in relation to certain losses and damages sustained by American merchants and other citizens by reason of illegal or irregular capture of their vessels or other property by British cruisers; and the seventh article provided in substance that "full and complete compensation for the same will be made by the British Government to said claimants."

A joint commission was instituted under this treaty, which sat in London, and by which these claims were adjudicated. Mr. Pinckney and Mr. Gore were commissioners on the part of the United States, and Dr. Nicholl and Dr. Swabey on the part of Great Britain; and it is believed that in all instances this commission allowed interest as a part of the damage. In the case of *The Betsey*, one of the cases which came before the board, Dr. Nicholl stated the rule of compensation as follows:

"To re-imburse the claimants the original cost of their property, and all the expenses they have actually incurred, together with interest on the whole amount, would, I think, be a just and adequate compensation. This, I believe, is the measure of compensation usually made by all belligerent nations, and accepted by all neutral nations, for losses, costs, and damages occasioned by illegal capture." (*Vide* Wheaton's *Life of Pinckney*, p. 198; also p. 205; note, p. 371.)

By reference to the American State Papers (Foreign Relations, vol. 2, pages 119, 120), it will be seen by a report of the Secretary of State of the 16th of February, 1798, laid before the House of Representatives, that interest was awarded and paid on such of these claims as had been submitted to the award of Sir William Scott and Sir John Nicholl, as it was in all cases by the board of commissioners. In consequence of some difference of opinion between the members of this commission, their proceedings were suspended until 1802, when a convention was concluded between the two Governments, and the commission re-assembled, and then a question arose as to the allowance



of interest on the claims during the suspension. This the American commissioners claimed, and though it was at first resisted by the British commissioners, yet it was finally yielded, and interest was allowed and paid. (See Mr. King's three letters to the Secretary of State, of 25th March, 1803, 23d April, 1803, and 30th April, 1803, American State Papers, Foreign Relations, vol. 2, pp. 387, 388.)

Another case in which this principle was involved arose under the treaty of the 27th October, 1795, with Spain, by the twenty-first article of which, "in order to terminate all differences on account of the losses sustained by citizens of the United States in consequence of their vessels and cargoes having been taken by the subjects of His Catholic Majesty during the late war between Spain and France, it is agreed that all such cases shall be referred to the final decision of commissioners, to be appointed in the following manner," etc. The commissioners were to be chosen, one by the United States, one by Spain, and the two were to choose a third, and the award of the commissioners, or any two of them, was to be final, and the Spanish Government to pay the amount in specie. This commission awarded interest as part of the damages. (See American State Papers, vol. 2, Foreign Relations, p. 283.)

So, in the case of claims of American citizens against Brazil, settled by Mr. Tudor, United States minister, interest was claimed and allowed. (See House Ex. Doc. No. 32, first session Twenty-fifth Congress, p. 249.)

Again, in the convention with Mexico of the 11th of April, 1839, by which provision was made by Mexico for the payment of claims of American citizens for injuries to persons and property by the Mexican authorities, a mixed commission was provided for, and this commission allowed interest in all cases (House Ex. Doc. No. 291, Twenty-seventh Congress, second session).

So, also, under the treaty with Mexico of February 2, 1848, the board of commissioners for the adjustment of claims under that treaty allowed interest in all cases from the origin of the claim until the day when the commission expired.

So, also, under the convention with Colombia, concluded February 10, 1864, the commission for the adjudication of claims under that treaty allowed interest in all cases as a part of the indemnity.

So, under the recent convention with Venezuela, the United States exacted interest upon the awards of the commission from the date of the adjournment of the commission until the payment of the awards.

The recent Mixed American and Mexican Commission allowed interest in all cases from the origin of the claim, and the awards were paid with interest.

The distinguished tribunal at Geneva, under the treaty of Washington, allowed interest on the claims of the United States against Great Britain as being "just and reasonable."

In discussing the measure for determining damages to be awarded against Great Britain by the tribunal at Geneva, the eminent counsel of the United States, Mr. Everts, Mr. Cushing, and Mr. Waite, contended as follows:

"The counsel assume that interest will be awarded by the tribunal as an element of the damage. We conceive this to be conformable to public law and to be required by paramount considerations of equity and justice."

The counsel thereupon cited the then recent decision by Sir Edward Thornton, the British minister at Washington, as umpire of a claim on part of the United States against Brazil, which held that the claimants were entitled to interest by the same right that entitled them to reparation—the interest allowed being \$45,077, nearly half the total award of \$100,740. The counsel for the United States further relied upon the awards under the treaty of Ghent and the Jay treaty, herein elsewhere referred to, as marked precedents for the allowance of interest.

The counsel on behalf of Great Britain, while objecting to the principle urged by the United States as not being applicable to unliquidated claims, nevertheless admitted its reason or justice as to liquidated or ascertained claims in the following words:

"Interest, in the proper sense of that word, can only be allowed where there is a principal debt of liquidated and ascertained amount detained and withheld by the debtor from the creditor after the time when it was absolutely due and ought to have been paid, the fault of the delay in payment resting with the debtor, or where the debtor has wrongfully taken possession of and exercised dominion over the property of a creditor. In the former case, from the time when the debt ought to have been paid, the debtor has had the use of the creditor's money and may justly be presumed to have employed it for his own profit and advantage. He has thus made a gain corresponding with the loss which the creditor has sustained by being deprived, during the same period of time, of the use of his money, and it is evidently just that he should account to the creditor for the interest, which the law takes as the measure of this reciprocal gain and loss. In the latter case the principle is exactly the same; it is, ordinarily, to be presumed that the person who has wrongfully taken possession of the property of another has enjoyed the fruits of it; and if instead of this he has de-

stroyed it, or kept it unproductive, it is still just to hold him responsible for interest on its value, because his own acts, after the time when he assumed control over it, are the causes why it has remained unfruitful. In all these cases it is the actual or virtual possession of the money or property belonging to another, which is the foundation of the liability of interest. The person liable is either *lucratus* by the detention of what is not his own, or is justly accountable as if he were so."

And in pursuance of the principles thus asserted, the exalted tribunal at Geneva allowed interest on the demands of the United States against Great Britain in the following words:

"And whereas it is just and reasonable to allow interest at a reasonable rate." (See decision and award of the arbitrators.)

In Judge Hale's report of November, 1873, to the Secretary of State, of claims before the American British Mixed Commission under article 12 of the treaty of 8th of May, 1871, he says:

"The commission ordinarily allowed interest at the rate of 6 per cent. per annum from the date of the injury to the anticipated date of the final award" (Ex. Doc., part 1, 1st session, 43d Congress. Part 2, Foreign Affairs, p. 21).

It can hardly be necessary to pursue these precedents further. They sufficiently and clearly show the practice of the Government of the United States with foreign nations or with claimants under treaties.

Aside from considerations of international character, it will be found upon examination of the precedents where Congress has passed acts for the relief of citizens of the United States, that in almost every case where the Government has withheld a sum of money which had been decided by competent authority to be due, or where the amount due was ascertained, fixed, and definite, Congress has directed the payment of interest together with the principal. (See "Law of Claims against Governments," being Report No. 134, 2d sess. 43d Congress.)

Nor has the recovery of interest as against foreign powers depended upon arbitration or joint commissions for recognition of the principle. Such claims for interest have been directly and successfully urged by the diplomatic representatives of the United States as a matter of right under principles of established international law.

The cases are innumerable where claims have been enforced in behalf of citizens of the United States against foreign governments with interest, and where, too, the damages were unliquidated and rested even in tort. These cases may be found stated at length in Senate Ex. Doc. No. 18, second session Thirty-fifth Congress. But confining ourselves rigidly to precedents established by the Government of the United States, like case now presented, we find numerous instances.

The United States presented a claim against Portugal for loss by seizure in 1829, at Lisbon, of specie belonging to James Hall and J. Shepherd, citizens of the former Government, which was being shipped contrary to law. Restitution was subsequently made, \$17,741.98 being allowed to the United States, of which sum \$7,652.98 was expressly allowed as interest.

Claims asserted against Mexico in behalf of Jonas P. Levy for illegal duties exacted in 1843-'46, where \$3,675 was recovered, including interest. Case of William B. Hatch for overcharge of tonnage duties, where \$277.65 was recovered, with interest.

The case against Brazil of William W. Harper, administrator, for fine paid custom-house at Maranhã, interest, etc., where \$1,130.40 was recovered. The case of John Devereux, for anchorage and tonnage dues unlawfully imposed on the bark *Globe*, where, including interest, \$196.99 was recovered.

The case of Foster & Elliott, for fine exacted on ship *Louisiana*, at Rio, in January, 1835, where \$577.94 was recovered, including interest. The case of Francis A. Gray, for illegal exaction of fine at Rio in the same year, where \$1,453.94 was recovered, including interest. The case of Hyman Gratz, president Pennsylvania Insurance Company, for interest (only) on customs duty illegally exacted and previously refunded by Brazilian Government \$506.65 was allowed and recovered.

The United States claimed certain indemnity from the Government of Brazil in the matter of the brig *Caroline*, which was paid. Subsequently, on review by this Government, the conclusion was reached that the money had been unjustly demanded and received, and in a letter of Secretary Fish to Senõr de Barros, of the Brazilian legation, dated Department of State, June 26, 1874, he says:

"I now have the honor to inform you that the President, after a careful examination of the case, has come to the conclusion that the Government of Brazil is not justly responsible for the damages in this case. It is understood that the Government of His Majesty the Emperor of Brazil is of the same opinion respecting it. Under these circumstances the President regards it as the duty of the United States to repay to Brazil the amount thus received by their minister at Rio, with interest thereon at 6 per cent. per annum. \* \* \*"

Here the sum of \$96,405.73 was accordingly paid, covering the amount originally exacted, with 6 per cent. interest thereon, as being a just reparation for moneys wrong-

fully exacted from a foreign power. (See Foreign Relations United States, 2d sess. 43d Congress, No. 63, page 95.)

It will thus be seen that no principle is now urged that has not hitherto been repeatedly and successfully enforced by the United States in behalf of its own citizens against foreign governments.

The Federal courts of the United States have repeatedly determined, where an illegal tax has been collected, that in a suit against the collector, the person so paying the tax is entitled to interest from the time of the illegal exaction (*Erskine vs. Van Arsdale*, 15 Wall., 77; *Howland vs. Maxwell*, 3 Blatchf., 147; *Harrison vs. Same*, *ibid.*, 421).

Reason furnishes no distinction in this regard between the collector who first receives it and the Secretary of the Treasury to whom it is ultimately paid. They are equally the representative of the Government. Besides, the latter stands in the attitude of an accessory after the fact, and for this reason, of itself, should be held accountable.

As to the rule for the construction of treaties and the determination of rights thereby guaranteed, the engagements and obligations are to be interpreted in accordance with the principles of the public law, and not in accordance with any municipal code or executive regulation. No statement of this proposition can equal the clearness or force with which Mr. Webster declares it in his opinion on the Florida claims, attached to the report in the case of Letitia Humphreys (Senate Report No. 93, 1st sess. 36th Congress, p. 16). Speaking of the obligation of a treaty, he said:

"A treaty is the supreme law of the land. It can neither be limited, nor restrained, nor modified, nor altered. It stands on the ground of national contract, and is declared by the Constitution to be the supreme law of the land, and this gives it a character higher than any act of ordinary legislation. It enjoys an immunity from the operation and effect of all such legislation.

"A second general proposition, equally certain and well established, is that the terms and the language used in a treaty are always to be interpreted according to the law of nations, and not according to any municipal code. This rule is of universal application. When two nations speak to each other they use the language of nations. Their intercourse is regulated, and their mutual agreements and obligations are to be interpreted, by that code only which we usually denominate the public law of the world. This public law is not one thing at Rome, another at London, and a third at Washington. It is the same in all civilized states, everywhere speaking with the same voice and the same authority."

Again, in the same opinion, Mr. Webster used the following language:

"We are construing a treaty, a solemn compact between nations. This compact between nations, this treaty, is to be construed and interpreted throughout its whole length and breadth, in its general provisions, and in all its details, in every phrase, sentence, word, and syllable in it, by the settled rules of the law of nations. No municipal code can touch it, no local municipal law affect it, no practice of an administrative department come near it. Over all its terms, over all its doubts, over all its ambiguities, if it have any, the law of nations 'sits arbitress.'"

The levying of tonnage taxes on the vessels of these companies being unlawful, the exaction of the money on such unlawful levies was wrongful; and we think the wrongful taking of money excuses the necessity of a demand for the repayment. It therefore follows, in accordance with the principles of well-adjudicated cases, irrespective of the international rule, that if the money was wrongfully taken by the United States from these companies, it is bound to allow and pay interest on the money from the time it was so wrongfully taken.

The general doctrine which prevails on the subject of interest was elaborately discussed and correctly expounded in *Reid vs. Rensselaer Glass Factory* (3 How., 436). Ch. J. Savage, after a full examination of the cases, asserts that interest is allowed: 1. Upon a special agreement; 2. Upon an implied agreement; 3. When money is withheld against the will of the owner; 4. By way of punishment for an illegal conversion or use of another's property; 5. Upon advances in cash.

It has been the invariable practice, at the circuits, for more than a quarter of a century, to allow interest in cases like the present. So well settled has our practice been in this respect, that the question of interest on a debt which is withheld after it is due, without the assent of the creditor, rarely passes into the reports unless some more important question is connected with it.

These tonnage duties being paid under duress and without warrant of law, and being immediately transferred to the Secretary of the Treasury, they came into the hands of these officers unlawfully, the taking was tortious and a conversion *per se*, and no demand for repayment was necessary to sustain trover or assumpsit for the value.

Where the property came lawfully in the defendant's possession there must be a demand and refusal to sustain trover or assumpsit for the value (*Spoor vs. Newall*, 3 Hill, 307).

Where the taking is tortious no demand is necessary (*Connah vs. Hale*, 23 Wend., 471; *Bates vs. Conkling*, 10 Wend., 391).

To maintain an action for the wrongful conversion of property, it is enough that the rightful owner has been deprived of it by the unauthorized act of another assuming dominion over it (*Boyce et al. vs. Brockway*, 31 N. Y., 490).

In accordance with the law of these cases, there was tortious taking, conversion *per se*, at the date of exaction of these tonnage duties. The date of conversion, where the taking is lawful, is fixed from the date of the demand for the goods or money lawfully held, and by refusal to surrender them the possession becomes unlawful; and in assumpsit for the value the owner is entitled to the value at the time of taking, with interest from the same date.

This rule gives interest from the date of seizure, where the taking is tortious or the plaintiff is wrongfully deprived of his money. As, in an action against a public officer to recover damages for a tort, it was held:

"The plaintiff has a vested right to the amount of the assessment. The interest thereon is but an incident—an outgrowth from that right. The defendant's wrongful act has prevented him from realizing his money. It was a willful, because an intentional wrong, and a plain violation of a legal duty which the defendant owed to the plaintiff. If entitled to sustain this action at all, the plaintiff should obtain complete satisfaction" (*Clark vs. Miller*, 47 Barb., 43).

The correct rule of damages is its value at the time of taking an interest (*N. Y. Guaranty and Indemnity Co. vs. Flynn*, 65 Barb., 363).

Having ascertained what plaintiff's damage was, the referee properly allowed interest on the amount thereof from the time plaintiff became entitled to payment of the same. Without the interest plaintiff would not have secured full indemnity (*Maller vs. Express Propellor Line*, 61 N. Y., 316).

The same rule is affirmed in *Wehle vs. Haviland et al.*, 66 N. Y., 450; *Prince vs. Connor*, 69 N. Y., 608.

This is the rule as to illegal exactions by revenue officers (*Erskine vs. Van Arsdale*, 15 Wall., 77).

Interest is chargeable from the time the money was wrongfully obtained or wrongfully detained, and not from the time of demand (*Wood vs. Robbins*, 11 Mass., 506; *Atlantic Nat. Bank vs. Harris*, 118 Mass., 147).

The cases cited from Massachusetts reports are based upon the same principle, which was clearly laid down as the law by Judge Story, in the United States circuit court, in the case of *Ricketson et al. vs. Wright et al.*, 3 Sumner, 336.

In this case the proceeds of a cargo belonging to the plaintiffs had been taken under legal process by the defendants, the consignees, in Rio de Janerio, for the debts of prior owners of the ship.

The court held the taking was unlawful, but that the tort had been waived by bringing assumpsit. The question arose as to the time from which interest should be computed, whether from the time of the actual receipt of the money by the defendants at Rio, or from the time when the same would have been received as cash by the plaintiffs in Boston, if remitted in the ordinary course of business.

The plaintiffs insisted that the defendants, having had the money and the use of it, should pay interest from the time of its receipt. The defendants held that the interest, being in the nature of damages for the detention of the money, must date from the time when the defendants were bound to have it paid over.

The court held:

"The question is not without difficulty; but from the best consideration which I have been able to give it, my opinion is that interest ought to run from the receipt of the money by the defendants. If this were the case of an ordinary transaction and sale by consignees, who had sold property on account of consignors in violation of their orders, and held the proceeds for and on account of their principals, I should have no doubt that the plaintiffs, by bringing assumpsit for the proceeds, had affirmed the sale and proceedings throughout, and that the acts of the consignees, being done by them throughout for and on account of the principals, must be all deemed to be adopted by the principals. But here the case is entirely otherwise. The defendants, so far from attaching or selling the property on account of the plaintiffs and retaining the proceeds for their account, professedly acted throughout adversely to the plaintiffs and on their own sole account. They insisted upon the right to hold the proceeds for themselves, as their own property, rightfully acquired; and although the plaintiffs, by bringing assumpsit for the proceeds, have waived the tort, it is impossible to say that they have adopted or ratified the acts of the defendants in retaining the proceeds for their (the defendants') own use and account. That would be to defeat their own right to recover in this very suit upon the merits. I think, therefore, that the defendants must still be deemed to have received and held the proceeds adversely to the plaintiffs, and, of course to have had possession of the funds, and to have used them for their own benefit. And, if so, they ought to pay interest for the same from the time when the funds were appropriated to their own use. In the com-

men case of an illegal conversion of property by a defendant acting adversely and for his own interests in the sale of the property, the plaintiff does not, by waiving the tort and bringing assumpsit for the proceeds, do more than affirm the sale.

"The defendant is still liable for interest upon the amount from the time of receiving the proceeds of the sale; for he has received and detained them, not for the plaintiff, but for himself. And the presumption of law is, that the defendant in such a case has derived a benefit from the use of the funds equivalent to the interest; or, what is equally potent, that the plaintiff has lost the use of his money from the time of the receipt thereof by the defendant by the unlawful and wrongful detention of the defendant. In the present case it is perfectly clear that the plaintiffs never could have drawn a bill for the funds which would have been honored, nor could they have insisted successfully upon a remittance of them. And up to the very time of the trial of the present cause the defendants have claimed the proceeds as their own, not recognizing, but absolutely repudiating, the title of the plaintiffs. It seems to me that interest, therefore, belongs to the plaintiff during all the time of the detention.

"When money is wrongfully and illegally exacted, it is received without any legal right or authority to receive it; and the law at the very time of payment creates the obligation to refund it (*Bank of the United States vs. Bank of Washington*, 6 Pet., 19).

Even were this of the class of cases where demand is necessary to carry interest, the peculiar circumstances here would in all equity and fairness relieve it from such requirement. Had the exactions of these moneys been in direct violation of the provisions of the treaty with these Hanseatic Republics, patent upon the face of the treaty itself, then there might be some laches attributable to these companies in not having protested against their respective payments at the time and failing to demand an immediate return of the money. But the United States, in disregard of its obligations, at first unlawfully exacted these duties, even as against Belgium, whose treaty on its face carried like exemption, and a refund to subjects of that Government was made in February, 1872; but the restitution being promptly made and the amount being small, no claim for interest was set forth. The case is much stronger with the Hanseatic Republic. The United States gave them no notice that by virtue of a treaty with Belgium (made 30 years subsequent to their own), to which those republics were utter strangers, certain commercial rights had accrued to them which they could not anticipate, and it would be unreasonable, as well as unjust, to hold these republics of a knowledge of treaty privileges thus conferred which it seems our own officials, specially charged with their administration, had utterly overlooked and disregarded.

The diplomatic correspondence herein referred to, however, shows that demand was made upon this Government for the refund of these moneys as soon as the authorities of the Hanseatic Republics became advised concerning the character of the indirect concession made to them, viz, as early as 1872, and the official correspondence also shows a consistent and uninterrupted claim to these moneys from the beginning.

The concluding consideration is at what rate the interest should be allowed and paid. With this the committee find little or no difficulty, since this Government, from the earliest years, has established the rate at 6 per cent., by decisions of the Federal courts and by the multitude of cases we have examined, as the measure of lawful interest for moneys unjustly held. Nor would this rate of interest work any hardship upon this Government. These moneys were withheld from the year 1862 to the year 1878, when the United States was a borrower of money at a rate largely in excess of 6 per cent. During all this period the United States Government, unhappily, was not a creditor among nations, but an anxious borrower, and it is plain that, as a borrower, the needs of the Government were relieved to the extent of these moneys wrongfully exacted and withheld.

These moneys, from the beginning being those of another, should have been restored immediately. Had they been thus restored and by the owners loaned to the United States for a period covering most of the years they were retained, a much larger sum as interest would have accrued on any of the then current public loans than the simple interest at 6 per cent. to be now allowed. We think, therefore, that the rate thus sanctioned by a long current of judicial decisions and by acts of Congress may well be adhered to in the present instance.

From the facts in the case it appears:

1st. The United States, by treaty of 1827 with the Hanseatic Republics, engaged not to grant any particular favor to any other nation in respect of commerce and navigation that should not immediately become common to these republics.

2d. That by treaty of 1858 with Belgium, the steam-ships of that country were exempt from payment of tonnage duties in ports of the United States.

3d. That, by operation of these treaties taken together, the steam-ships of the Hanseatic ports were also exempted so long as both treaties should remain in force.

4th. That, notwithstanding such exemption by treaty, and the proviso in the act of 1862 "that nothing in this act contained shall be deemed in anywise to impair any rights and privileges which have been or may be acquired by any foreign nation under the laws and treaties of the United States relative to the duty on tonnage of vessels,"



nevertheless these provisions were totally disregarded by the United States officers, and large sums of money were exacted from companies thus exempt.

5th. That such exactions were made in contravention of the treaty stipulations of the United States has been decided by the Attorney-General, by the Secretary of State, and by the Secretary of the Treasury, and, lastly, determined by Congress, by the act of June 19, 1878, under construction of which the precise sum exacted has been refunded and no more (although claim was made for interest); the United States having the uninterrupted use of such moneys for a period varying from three to fifteen years.

6th. That such refund was taken under protest, with a distinct declaration on part of claimants that claims for interest would be urged before Congress. Under these circumstances your committee are clearly of the opinion that a just reparation for the injury committed alone by the United States can not be made by returning to the innocent party simply the money wrongfully exacted without an allowance for its use. The United States would otherwise derive a large pecuniary benefit from its wrongful act, and an innocent friendly power would sustain a corresponding pecuniary loss. For the United States to claim such a benefit would violate one of the fundamental axioms of the common law as well as a cardinal principle of morality, that no one should be permitted to derive an advantage from his own wrong to the detriment of another.

It should not be forgotten that during the entire period of these exactions all steam-vessels of the United States entering the ports of Bremen and Hamburg were wholly exempt from the payment of like duties, and that not a dollar has been levied upon American tonnage to excuse or justify the exactions of the United States, and that perfect reciprocity could have existed only on exemption by the United States.

The obligations of the United States, construed as they must be in this instance by rules and precedents of an international character, are not and can not be properly discharged without the payment of interest on these claims. This Government must and should uncomplainingly submit to the administration of such rules of international law as it has aided to establish for the determination of rights between itself and other powers. It could not now with propriety and for the purpose of a temporary and pecuniary gain ask other nations to change a rule to which it has long and consistently adhered, and by which its citizens have hitherto been repeatedly benefited. As we have said before, the question is one of the highest national importance, as it involves a consideration of national honor, and its determination will sanction a principle to which the United States will henceforth stand committed in the enforcement of its own demands against foreign powers.

The time will surely come when American commerce will again, as in the past, maintain its supremacy upon the seas, and when kindred questions affecting commercial concessions to us under treaties will receive the interpretation which a liberal and enlightened judgment has hitherto invoked for the determination of questions arising between friendly powers.

It would be unjust, unwise, and unstatesmanlike to deviate in the present instance from uniform precedents, and such course would most likely be found at no remote day to have been a humiliating and unprofitable evasion of just obligations, the fulfillment of which has been already too long delayed.

Your committee adopt the said report made to the Forty-sixth Congress, so far as herein set forth, and recommend the passage of said bill (H. R. 1062) as amended and attached to this report.

That the claim is considered just by the Treasury Department is apparent from the following letter from Assistant Secretary Fairchild to the Secretary of State, under date March 4, 1886, to wit:

TREASURY DEPARTMENT, *March 4, 1886.*

SIR: I have the honor to acknowledge the receipt of your letter of the 3d instant, submitting for the consideration of this Department a translation of a note, under date of the 16th ultimo, from the minister of Germany at this capital in relation to the claim of certain German steam-ship companies for the payment of interests on certain moneys which were exacted from said companies in contravention of treaty provisions and heretofore refunded to them under the act of July 19, 1878.

You request the views of this Department as to the justice of the claim of the German steam-ship companies.

I have the honor to reply that the companies referred to in the note of the German minister are the North German Lloyd, the Hamburg-American Packet Company, and the Eagle Line. The amounts paid to these several companies will be found tabulated in Senate Executive Document No. 30 of the second session of the Forty-eighth Congress, a copy of which was transmitted to the Department of State in a communication from this Department of the 16th of January last, relating to claims for repayment of tonnage duties on French vessels.

I would say in this connection that a special claim for the refund of the tonnage tax

paid on a steam-ship of the Lloyd Line with interest was presented to this Department in 1875, and was rejected solely on the ground of a lack of protests and appeal, and not on the ground that it was not a just claim. In January, 1873, these German steam-ships were declared exempt by order of this Department from payment of tonnage dues on account of the exaction of such dues being in contravention of treaty stipulations. The sheer inability of this Department to refund tonnage dues illegally exacted in the absence of a proper protest and appeal led to the passage of the act of July 19, 1878. The justice of the claim to the original sum never was disputed or doubted by this Department. In a communication of the Secretary of the Treasury to the chairman of the Committee on Finance of the Senate, under date of April 15, 1878, it was declared that "the money (the tonnage exactions) of which refund is demanded was taken in violation of law and in contravention of treaty stipulations." Congress admitted the justice of the original claims by the passage of the act of July 19, 1878. In the letter of this Department above referred to it was said, in response to the question whether interest could be paid on the original claims, that that would depend upon the obligations of this Government under its treaty stipulations with the Hanseatic towns, "as such stipulations are ordinarily construed by the law of nations." It is not for this Department to decide what usage may require in this class of cases, but it is known that this Government demanded interest in the settlement of the Alabama claims, and has paid interest on claims of foreign Governments where such claims had no basis in justice more clearly evident than those of these German companies.

The original moneys were taken and have been long held from the original claimants, simply because the power of this Department to cut off interest was so restricted by the law requiring protest and appeal. The refusal to pay interest in cases of this character might be a detrimental precedent should claims of a similar character arise or be discovered where this Government might be claimant.

Respectfully yours,

C. S. FAIRCHILD,  
*Acting Secretary.*

The honorable the SECRETARY OF STATE.

The Imperial Government of Germany, through its minister resident, is pressing upon the proper Department the payment of this claim. It requires legislative action. In view of the favorable reports made from time to time upon the claim, and of its palpable merits, it hardly comports with the dignity and justice of such a Government as ours that favorable and final action upon it should be longer deferred.

The committee reports back the bill with the recommendation that it do pass.

## EXHIBIT No. 20.

### PRECEDENTS OF CASES WHERE INTEREST WAS ALLOWED IN THE SAME ACT ALLOWING PRINCIPAL TO STATES BY THEM EXPENDED FOR TROOPS DOING MILITARY SERVICE FOR THE UNITED STATES.

#### REFERENCES TO ACTS AUTHORIZING PAYMENT OF CLAIMS OF STATES FOR EXPENSES ON ACCOUNT OF THE WAR WITH MEXICO.

1. By a joint resolution approved March 3, 1847 (Stats. at Large, vol. 9, p. —), the Secretary of War was authorized and required to cause to be refunded to the several States or to individuals for services rendered, acting under the authority of any State, the amount of expenses incurred by them in organizing, subsisting, and transporting volunteers previous to their being mustered and received into the service of the United States for the war with Mexico, and for subsisting troops in the service of the United States.

2. By an act approved June 2, 1848, the provisions of said joint resolution were extended so as to embrace all cases of expenses theretofore incurred in organizing, subsisting, and transporting volunteers previous to their being mustered and received into the United States for the war with Mexico, whether by States, counties, corporations, or individuals, either acting with or without the authority of any State, and that in refunding moneys under said act and said joint resolution it should be lawful to pay interest at the rate of 6 per cent. per annum on all sums advanced by States, corporations, or individuals in all cases where the State, corporation, or individual paid or lost the interest or was liable to pay it.

3. By act approved August 5, 1854, the sum of \$924,259.65 was appropriated to reimburse the State of California for expenditures "in the suppression of Indian hostilities within the State prior to the 1st day of January, 1854." (See U. S. Stats. at Large for 1853 and 1854.)

4. By act approved August 18, 1856 (section 8), the Secretary of War was authorized and directed to pay to the holders of the war bonds of the State of California the amount of money appropriated by act of Congress approved May [August] 5, 1854, in payment of expenses incurred and actually paid by the State of California for the suppression of Indian hostilities within the said State prior to the 1st day of January, 1854, under the following restrictions and regulations:

Before any bonds were redeemed by the Secretary of War they were required to be presented to the board of commissioners appointed under an act of the legislature of said State, approved April 19, 1856, and the amount due and payable upon each bond indorsed thereon by said commissioners; the amounts in the aggregate not to exceed the amount appropriated by act of August 5, 1854.

PRECEDENTS OF CASES AUTHORIZING PAYMENT OF INTEREST ON PRINCIPAL EXPENDED BY STATES FOR TROOPS FOR THE USE AND BENEFIT OF THE UNITED STATES DURING THE WAR OF 1812 WHERE THE PRINCIPAL HAD BEEN ALREADY PAID AT PRIOR DATES.

1. By act approved March 3, 1825, the accounting officers of the Treasury Department were authorized and directed to settle the claim of the State of Virginia against the United States for interest upon loans on moneys borrowed and actually expended by her for the use and benefit of the United States during the war of 1812.

2. By this act it was provided that, in ascertaining the amount of interest, as aforesaid, due to the State of Virginia, the following rules should be understood as applicable to and governing the case, to wit: First, that interest should not be computed on any sum which Virginia had not expended for the use and benefit of the United States as evidenced by the amount refunded or repaid to Virginia by the United States. Second, that no interest should be paid on any sum on which she had not paid interest. Third, that when the principal, or any part of it, had been paid, or refunded by the United States, or money placed in the hands of Virginia for that purpose, the interest on the sum or sums so paid or refunded should cease, and not be considered as chargeable to the United States any longer than up to the repayment, as aforesaid.

The mode of computing interest provided by the above act appears to have been satisfactory at the time to all the States, and their claims against the General Government were authorized to be adjusted, and were adjusted under the same rules for computing interest.

3. By an act approved May 13, 1826, entitled "An act authorizing the payment of interest due to the State of Maryland," the accounting officers of the Treasury Department were authorized and directed to liquidate and settle the claim of the State of Maryland against the United States, for interest upon loans on moneys borrowed and actually expended by her for the use and benefit of the United States, during the late war with Great Britain, and the same rules for computing the interest was provided by the act as in the case of the State of Virginia.

4. By an act approved May 20, 1826, entitled "An act authorizing the payment of interest due to the State of Delaware," the accounting officers of the Treasury Department were authorized and directed to take similar action in regard to the settlement of the claim of the State of Delaware against the United States as that directed to be taken in the case of the claim of Maryland, and to be governed by the same rules.

5. By act approved May 20, 1826, the proper accounting officers of the Treasury Department were directed to settle the claim of the city of Baltimore against the United States, for interest on money borrowed and actually expended by the city in its defense during the war of 1812; and the act further provided that the amount due should be ascertained under rules which were the same as those provided by the foregoing act for the adjustment of the accounts in the cases of Virginia, Maryland, and Delaware.

6. By an act approved May 22, 1826, entitled "An act authorizing the payment of interest due to the State of New York," the accounting officers of the Treasury Department were authorized and directed to take similar action and to be governed by the same rules as in the cases of Virginia, Maryland, and Delaware.

7. By an act approved March 3, 1827, the accounting officers of the Treasury Department were authorized and directed to settle the claim of the State of Pennsylvania in the same manner as in the cases of Maryland, Delaware, and New York.

8. By an act approved March 22, 1832, entitled "An act for the adjustment and settlement of the claims of the State of South Carolina against the United States," the accounting officers of the Treasury were authorized and directed to liquidate and settle the claim of the State of South Carolina against the United States for interest upon money actually expended by her for military stores for the use and benefit of the United States, and on account of her militia, whilst in the service of the United

States, during the late war with Great Britain, the money so expended having been drawn by the State from a fund upon which she was then receiving interest. The act designates upon what sums interest shall be paid, and recites in detail other claims of the State theretofore disallowed, which shall be adjusted and settled, such as claims for cannon-balls, transportation of troops and supplies, pay to certain staff officers, blankets (\$7,500 being the amount of this item), and muskets.

9. By an act approved March 3, 1857, a re-examination and re-adjustment of the account of the State of Maryland was directed to be made, and it was provided that in the calculation of interest the following rules should be observed:

"Interest shall be calculated up to the time of any payment made. To this interest the payment shall be first applied, and if it exceeds the interest due, the balance shall be applied to diminish the principal; if the payment fall short of the interest, the balance of interest shall not be added to the principal so as to produce interest. Second, interest shall be allowed on such sums only on which the State either paid interest or lost interest by the transfer of an interest-bearing fund."

Under this act Maryland received the additional sum of \$275,770.23.

10. By section 7 of said act (March 1, 1837), an appropriation was made to pay all the claims of North Carolina for the services of her militia during the war of 1812 with Great Britain in the cases enumerated in the act approved May 31, 1830, entitled "An act to authorize the payment of the claims of the State of Massachusetts for certain services of her militia during the war of 1812," and also the claims of said State for disbursements in the purchase of munitions or other-supplies on account of the war and expended therein.

11. On the 8th day of July, 1870, an act was passed directing the account between the United States and Massachusetts and Maine to be re-opened and re-adjusted, and Massachusetts received the sum of \$678,362.42, of which one-third, was allotted to the State of Maine as an integral part of Massachusetts when the advances were made.

The ninth section of an act approved June 12, 1853, entitled "An act making appropriations for civil service" (11 Stat. at Large, p. 326), is as follows:

"And be it further enacted, That the Secretary of the Treasury be instructed to report to Congress, at its next regular session, all applications, made by State authority of the States and cities for the re-opening and re-examination of the settlements heretofore made with such States and cities and upon the principle of re-adjustment upon which such claims are based, and the amount thereof; and the Secretary of the Treasury is further instructed to report to Congress, at its next regular session, the gross amount that will be required to pay such claims to the States and cities of the United States."

The Secretary of the Treasury made his report at the next session of Congress, showing an aggregate, computing interest down to the date of his report, January 8, 1859, of \$1,588,521.69, as follows:

South Carolina .....	\$202, 230. 90
Virginia .....	1, 076, 683. 35
Delaware .....	18, 540. 97
New York .....	48, 896. 21
Pennsylvania .....	218, 507. 71
City of Baltimore .....	23, 662. 55
Total .....	1, 588, 521. 69

(See H. Ex. Doc. No. 35, second session, Thirty-fifth Congress, vol. 5.)

12. At the first session of the present Congress a bill was introduced in the House of Representatives (H. R. 5431) to apply to the above States the same rule of computing interest which was applied to the cases of Maryland, Massachusetts, and Maine. The bill was reported favorably by Mr. Broadhead May 29, 1884, from the Committee on the Judiciary.

## EXHIBIT No. 21.

## CONGRESSIONAL REPORTS CITING AUTHORITIES IN SUPPORT OF CLAIM FOR INTEREST UPON PRINCIPAL EXPENDED BY STATES TO FURNISH AND PAY TROOPS DOING MILITARY SERVICE FOR THE UNITED STATES.

[House Report No. 1670, Forty-eighth Congress, first session.]

*The Committee on the Judiciary, to whom was referred the bill (H. R. 5431) directing the Secretary of the Treasury to examine and settle the accounts of certain States and the city of Baltimore, growing out of moneys expended by said States and the city of Baltimore for military purposes, during the war of 1812, have had the same under consideration, and ask leave to submit the following report:*

During the war of 1812-14 with Great Britain the States of Massachusetts, New York, Pennsylvania, Delaware, Maryland, Virginia, South Carolina, and the city of Baltimore expended certain moneys for military purposes. After many years the United States acknowledging the debt to be just and payable with interest, refunded the money with interest; but the rule of casting interest that was applied was to compute interest on the sum advanced by the State from the date of advancement up to the time of refunding to the State by the United States any portion of the sum advanced, deduct the sum refunded from the advancement, and then compute interest on the balance; and so on until the final payment of the principal. The aggregate of the interest columns so computed was the amount of interest paid (see Second Auditor's Report of October 30, 1858). In other words, the payments were applied, first to the payment of the principal, and, after the principal was wholly extinguished, then to the several items in the column of interest.

Against this mode of computing interest the States formally protested (S. Doc., 2d session, 22d Congress, 1832-'33). It was a plain neglect and refusal of the United States to refund the whole amount borrowed. To illustrate: Suppose, in the emergency of war, Virginia, one of the States, should borrow a million of dollars at 6 per cent., and advance the amount to the United States. Sixteen years afterward, when the interest would about equal the principal, the United States should refund a million, but insist that it shall be applied to the payment of the principal. Sixteen years afterward another million is refunded, and it is applied to the payment of the item of interest; the interest not bearing interest, the whole debt, principal and interest, would be paid, according to this mode of adjustment. Meanwhile Virginia has paid her creditors one million of interest during the first sixteen years, another million during the second period of sixteen years, and still owes the million of principal. Virginia, in the case supposed, paid out a million dollars more than the United States refunded. If one borrowed a thousand at 6 per cent. to lend a friend in distress, and after sixteen years the friend should repay a thousand dollars, but compelled the lender to accept it in full of the principal, and sixteen years afterward should pay another thousand dollars in full of the interest, leaving his friend still in debt for the principal, what court would sanction such a settlement, and what justice would there be in it? Yet such is the treatment received by the States that made advances to the United States in the war of 1812-'14. It is evident that the United States have not refunded in full the advances made by the States embraced in this bill.

It was not until the act of March 3, 1857, that partial redress was obtained. By that act a re-examination and re-adjustment of the account of the State of Maryland was directed to be made, and it was provided that in the calculation of interest the following rules should be observed:

"Interest shall be calculated up to the time of any payment made. To this interest the payment shall be first applied, and, if it exceeds the interest due, the balance shall be applied to diminish the principal; if the payment fall short of the interest, the balance of interest shall not be added to the principal so as to produce interest. Second, interest shall be allowed on such sums only on which the State either paid interest or lost interest by the transfer of an interest-bearing fund."

Under this act Maryland received the additional sum of \$275,770.23.

And on the 8th of July, 1870, an act was passed directing the accounts between the United States and Massachusetts and Maine to be re-opened and re-adjusted, and Massachusetts received the sum of \$678,362.42, of which one-third was allotted to the State of Maine as an integral part of Massachusetts when the advances were made.

Previously to this period, however, the account between the United States and the State of Alabama had been settled on the basis of the Maryland settlement. Indeed, the bill now under consideration passed the Senate of the United States by a vote of 33 yeas to 19 nays, on the — day of —, 1857. It went to the House of Repre-



representatives, which substituted for this bill the following, which was subsequently concurred in by the Senate, and stands as the ninth section of the act of that session:

"And be it further enacted, That the Secretary of the Treasury be instructed to report to Congress at its next regular session all applications made by State authority of the States and cities for the re-opening and re-examination of the settlements heretofore made with such States and cities and upon the principle of re-adjustment upon which such claims are based, and the amount thereof; and the Secretary of the Treasury is further instructed to report to Congress, at its next regular session, the gross amount that will be required to pay such claims to the States and cities of the United States. (11 Stat. at Large, p. 326, an act making appropriations for civil service, approved June 12, 1858.)"

The Secretary of the Treasury made his report at the next session of Congress, showing an aggregate, computing interest down to the date of his report, of \$1,588,521.69, as follows:

South Carolina.....	\$202, 230. 90
Virginia.....	1, 076, 683. 35
Delaware.....	18, 540. 97
New York.....	48, 896. 21
Pennsylvania.....	218, 507. 71
City of Baltimore.....	23, 662. 55
Total.....	1, 588, 521. 69

(See Ex. Doc., second session Thirty-fifth Congress, vol. 5.)

These are the States embraced in this bill. None others have unsettled accounts with the Government of the United States growing out of moneys expended during the war of 1812.

This bill proposes to apply to the above States that made similar advances the same rule of computing interest which was applied in the case of Maryland—a rule which has been long and firmly established by the decisions of the Supreme Court of the United States, by the practice of every State in the Union, and adopted for many years past by the accounting officers of the Treasury.

The bill gives simple (not compound) interest on any balance of principal that may be found unpaid, upon the proposed basis of settlement, until its payment by the United States. It provides for any and all proper offsets which the United States may have against any of the States hereby entitled. Both Virginia and South Carolina are largely indebted to the United States, and will receive but a part of what is reported in their favor.

In conclusion, the committee recommend a settlement of the accounts of the United States with the other States by the same rule of computing interest that was applied in the case of Maryland. It makes this recommendation because the rule itself is just and equitable—because, otherwise, the money advanced will not be fully repaid; because the rule has been applied to some of the States, and if applied to one should be applied to all; and because the rule has been repeatedly approved by the Supreme Court of the United States and sanctioned by the practice of every State in the Union, and for many years past followed in similar cases by the accounting officers of the Treasury.

Therefore the committee report the accompanying bill and respectfully recommend its passage, and ask leave to submit as a part of this report the following extracts from debate in the United States Senate on this subject. (See Congressional Globe, vol. 36, part 3, p. 2540, first session, Twenty-fifth Congress.)

IN SENATE, MAY 31, 1858.

Mr. IVERSON. No, sir; no more than was the case of the State of Maryland. The act in relation to Maryland directs that "the proper accounting officers of the Treasury be, and they are hereby, authorized and directed to re-examine the accounts between the United States and the State of Maryland, as the same was from time to time adjusted under the act," etc.

That proposed a re-examination of an account which had been adjusted, did it not? Precisely. Whether the account had been closed or not, whether it had been adjusted or not, whether it was still in existence or not, this act directed the accounting officers to re-examine the account for interest, and make the computation on a particular basis. It was done in the case of Alabama. I desire to apply the same rule to all the States. It is just, equitable, and proper, if you apply it to two States, that you should give it to all. I do not know that my State is interested to any great extent. The State of South Carolina is interested, and her account has not been settled.

The comptroller of that State, in his report to the governor, made a few years ago, states the difficulties between the accounting officers of the United States and himself. That account is still lying open. The State of South Carolina protested against the settlement by its officers at the time. This amendment will meet that case, and authorize the accounting officers to re-adjust the accounts of South Carolina on the basis applied to the State of Maryland. This amendment simply directs that the provisions and principles applied under the twelfth section of the act of 1857 to Maryland shall be applied to all the States. It does not re-open accounts.

Mr. BENJAMIN. Will the Senator from Georgia give us some information on one or two points suggested by his amendment? First, in what way this matter comes before the committee of which he is the organ? Is there a claim from the States? Has it been referred to the committee on behalf of the States?

Mr. IVERSON. Yes, sir; a memorial from the State of South Carolina was referred to the Committee on Claims, and it was upon that memorial that the committee have predicated their amendment.

Mr. BENJAMIN. A general section?

Mr. IVERSON. Yes, a general section, believing that it was equitable to apply the rule to all the States.

Mr. BENJAMIN. The next question I would desire to ask the Senator is: If he has any idea what the amount involved in this appropriation will be?

Mr. IVERSON. I have no idea. The comptroller of the State of South Carolina alleges, in his report to the governor of that State, which I have in my hand, that in the settlement between him and the accounting officers of the United States the State of South Carolina lost \$55,000 in interest. That is the difference between the mode of computation of the accounting officers and the mode of accounting as regulated by the act in relation to Maryland. I do not know how other States may be affected. I do not suppose the amounts are very large. I expect that the amount of the State of South Carolina is larger than that of any other State.

Mr. BENJAMIN. It does not seem to me that this section is liable to the objection made by the Senator from Virginia. This is not to pay a private claim of the State of South Carolina. It is a general rule by which the Treasury is to be guided in its settlements with the States; and we having already sanctioned the payments to some of the States on this basis, this section provides that even in cases which have already been closed by the Comptroller of the Treasury, not to the satisfaction of the State, as the Senator from Virginia suggests, but to the dissatisfaction of the State, the account shall be re-opened and examined, and settled according to principles which we have declared to be just. The idea of applying a payment made at any time by the Government of the United States to the extinction of a part of the capital of the debt due to a State whilst there remains interest unsatisfied, is contrary to all principle, to every rule by which computation of payments is made. The State of South Carolina having presented this memorial, if the proposition of the Senator from Georgia, now, was to pay the claim, I admit it would be a private claim; but the committee, instead of treating this as a private claim, preferred to report a section which amounts to a general law, for the very reason that they are not willing to act upon the claim of one State as a private claim. My State has no interest in this question; but I do think that justice requires that the adjustment of these accounts with the States should be made all upon the same footing; and as it has already been made on this footing with the States of Alabama and Maryland, I can not conceive why South Carolina should be made an exception, or any other State which has had accounts to adjust with the General Government. It is a general rule now provided by Congress for the settlement of accounts with States, and the mode of adjusting the interests that arise in accounts with States. It is not an appropriation for the benefit of the State of South Carolina. The committee, it appears to me, have carefully avoided reporting a private claim, and have *ex industria* changed the legislation into a general law. I do not see that it comes under the rule of the Senate which has been cited, and I shall vote for the amendment.

The PRESIDING OFFICER. Inasmuch as authority is given by the rules to take the opinion of the Senate on questions of this sort, and inasmuch as the facts in this case are disputed, the Chair will submit the question of order to the Senate.

Mr. HAMLIN. I think the matter has been so clearly and so well stated by the Senator from Louisiana, that really there can be no doubt about it. Certainly there is none in my mind; and I have only risen for the purpose of inviting the attention of the Senate to its action on other cases which I think are very similar, if not entirely parallel to this. We pass pension laws, in which we prescribe the time of service; we prescribe the rules which shall entitle a person to a pension. We find, outside of that class of pensions, a very large class of cases that come very nearly up to the rules we have prescribed; they come here, and what is done? Our Committee on Pensions recommend this special case, and that special case, and they are passed. By and by we see there are so many special cases that we remove the limitation by general law, and it has been done in appropriation bills, precisely in the way now proposed.

I will cite an instance. We removed the limitations as to the time or mode of proof required at the Department, and that takes in a whole class of cases. True, if each one came here and asked action separately by itself, it would be a private claim; but you make a general law to include all cases. That is precisely this case.

I refer, now, to an instance in my mind, with regard to those who drew pensions for Revolutionary service. You prescribed, originally, that only those widows of Revolutionary soldiers should draw a pension who were married previous to 1783, I think. Then you limited it to 1794; and then you limited it to 1800, because you found such a large number of cases coming so nearly up to the time, that it was deemed advisable to extend it. The last amendment I recollect distinctly, because I drew it, was ingrafted on an appropriation bill in 1853, and it was to meet a class of special cases here pending.

Mr. GREEN. I will inquire when the rule is to apply under the resolution adopted this morning, for a recess, to-day or to-morrow.

The PRESIDING OFFICER. To-morrow.

Mr. GREEN. Then I move that the Senate do now adjourn.

Mr. HUNTER. I hope that we shall get through with this bill.

Mr. GREEN. We can not get through, because I have an amendment to offer, and so have others.

Mr. HUNTER. Let us hear them.

The motion to adjourn was not agreed to.

The PRESIDING OFFICER. Will the Senate receive the amendment proposed by the Senator from Georgia?

The amendment was received.

The PRESIDING OFFICER. The question now is on agreeing to the amendment.

Mr. HUNTER. The amendment is a proposition which certainly ought to receive some examination before it is passed. We ought to know how much money it will take from the Treasury; we ought to know what changes it is to make in the principles on which accounts have been settled with States. I apprehend it will be found that it makes other changes besides the one which has been referred to by the Senator from Louisiana the mode of stating the account as to interest and principal. I believe there have been some rules as to whether interest shall be allowed to States at all, and upon which settlements have been made with most of the States, and that will be changed if this provision be adopted; and it is probable that under the change it will be found that very large sums will be due to the States of this Union. I have no doubt that most of the old States would come in if this amendment be adopted, and some of them might claim very largely. This is eminently a subject for separate legislation. We ought to know what changes are made. We ought to know whether, under this amendment, we shall not pay to some States interest on claims on which interest has never been voted.

The first deviation, if I remember, was in the case of Alabama; but there it was determined to make certain allowances of interest, because the State had paid the interest, because it had sold stocks, as was done in Maine; and an exception was made in the case of Alabama for that reason. I believe that was the case, also, in Maryland, where the allowance was on the principle of the Alabama case. Unless you treat this as having arisen out of those exceptional circumstances, you will re-open all the settlements that have been made with the States; and you will pass out of the Treasury a large sum of money, in my opinion. I speak, though, only from general recollection; I have had no time to examine the amendment particularly; but I am afraid it will be found when we come to see the effect of it—if it should be adopted—that it will go much further than any of us suppose.

Mr. FESSENDEN. The Senator from Virginia, if he would take the pains to read the amendment, would see that it is not open to the objections he has stated. It does not provide, if I read it rightly, for the payment of any interest to a State, in any case whatever, where interest has not been allowed heretofore. It does not make any new claim in that respect. The whole amount of it is simply this: The Treasury, as I understand, has adopted the rule that where a certain amount of debt is owing to a State, and a certain amount of interest has accumulated on that debt, and where the principal thus owing bears interest, and the interest thus owing does not, if the claim is paid in part, they apply that part payment to the principal which bears interest, instead of to the interest which does not, thus reversing the rule which exists in every State in the Union and operating most unjustly towards the States themselves. For instance, suppose a debt is due to a State, which debt bears interest, and by the law at the same time there is an amount of interest accumulated upon it which does not bear interest—let us call one \$50,000 and the other \$30,000, the \$50,000 bearing interest and the \$30,000 not bearing interest. The Government, in these circumstances, instead of paying the whole, pay up \$30,000. Then, instead of applying it to the amount which does not bear interest against the Government, and which the State has paid, they apply it to the principal, reducing the claim which bears interest to \$20,000, and leaving the State to lose its interest on \$30,000.

Mr. TOOMBS. It is worse than that.

Mr. FESSENDEN. That is bad enough. The provision is, in regard to all these claims which the States have where the United States will not pay accumulating interest, as they ought to do, that the partial payment shall first go to sink the interest that is due. If a man owes me money and interest has been accumulating year after year which he has failed to pay, and especially if I am in debt for it, as is very often the case with the States, he ought to indemnify me; but the rule adopted by the Treasury is worse than that. They say they will not only not indemnify me and leave me to pay my interest, but when they do make a payment it shall not go to sink the interest, but to sink the principal, leaving the interest to stand. That is unjust. It does not apply in the case of any private claim anywhere, but has been arbitrarily adopted by the accounting officers of the Treasury. In the case of Maryland, which was precisely similar, Maryland remonstrated, and at the last session Congress said that account should be adjusted upon proper principles—the same principles that exist in every State of the Union between man and man—that where principal and interest are due and the Government paid any part, that payment should be applied to the interest first; if it paid it off, very well; if it overbalanced it, the balance should be so much towards the principal. This was on the common, ordinary principles of justice.

In the case of the State of South Carolina, if I understand it, the officers went so far as to keep an account with the State, crediting her with interest accumulating on the principal, and if there was any left they then took the part they had paid, cast interest on that, and then offset the two! That is to say, they paid their interest in part and retained to themselves the right of offsetting the interest which accrued on their own payment of money due to the State to pay the rest of the debt with. [Laughter.]

It does not do to make it a matter of account current between the two, because the account is really all on one side; but the Treasury officers apply the principle of accounts current to it as if so much was due from Maryland and so much from the United States, and cast interest on both and then offset the two; but, instead of that, it is all due from the United States. They say, "We will owe you the interest; we will pay you part of the principal; we will cast interest on the money we allow you and pay you interest with it." That is the principle they have adopted. This is simply to set that right and to say that where these things exist the Government shall do what is proper. \* \* \* Why, sir, what difference will it make how much money it amounts to? If there be more or less, the Government ought to pay, and pay it at once, without the slightest hesitation, and calculate the interest upon proper principles.

The Maryland provision came from the Senator's own Committee on Finance and was agreed to by the Senate. If it was proper in that case, why is it not in every other?

Mr. HUNTER. I have stated that was made under peculiar circumstances; that I do not recollect perfectly. The Senator from Maryland can explain them. It will be found, I think, that they do not apply to other cases.

Mr. PEARCE. I will state the facts in relation to the claim of Maryland. The State of Maryland advanced large sums of money to the Government of the United States during the war of 1812, and some time after the close of that war the United States re-imbursed the principal. In 1812, an act was passed for the payment of interest to the State of Maryland, and the interest was paid upon a mode of calculation novel to me, though I find it has been adopted as the usual rule of computation in such cases at the Treasury. That is to say, having determined to settle the accounts, and commenced to make payments on it, the first payment was applied to the reduction of the principal, the interest being made to stand aside; and so payments were made from time to time, until the whole of the principal was liquidated; and then they went back to the period when they began to pay, and ascertained what the amount of interest due at the time was, and paid that sum without any interest on it. In 1829, or 1830, an act was passed through both houses of Congress authorizing the payment of interest to the State of Maryland upon the proper principle, such as prevailed in mercantile transactions, and it was vetoed by General Jackson, and the veto came in at the next session of Congress, on the ground that it was disturbing the usual mode of settlement. [Laughter.]

After I became a member of the Senate, I revived this claim of Maryland, under instructions from my State legislature, and I introduced a general bill, providing for the liquidation of the interest due to the different States of the Union, which had made such advances in a body. It was objected to by a gentleman, then a Senator from Alabama, who preferred that each State should have its own claim rest on his own basis. He introduced another bill for the benefit of the State of Alabama, and it was passed through the Senate, and under that bill the State of Alabama was paid according to the old mode of computation. The Senate will remark, however, that this rule was always adopted in the allowance of interest. The Government of the United States

never paid interest, except where the State had paid interest itself upon its advance, or had lost interest, and Alabama obtained her allowance of interest because the funds which she had applied to aid the General Government were taken from a bank which was her property, and she had thus been obliged to contract her line of discounts, and so lost interest. The State of Maryland obtained interest because she had liquidated the bonds which she had given to her creditors for the money she applied for the service of the Government during the war, by selling United States stock of which she was owner, thus transferring to the liquidation of this obligation an interest-bearing fund. The principle was that the United States would pay no interest, except where interest had actually been paid or lost by the State.

As the State of Maryland came within that category she was entitled to interest, and after long years of dispute on the subject, the Congress of the United States at the last session passed the act which has been referred to, providing for the re-examination and re-adjustment of the account of the State of Maryland, and directing that the interest should be calculated according to certain rules laid down by the Supreme Court of the United States for that purpose; that is to say, first applying the payments to the interest, and when the interest was all liquidated then applying them to the principal; and under that act I think the State of Maryland received after the last session of Congress about two hundred and seventy thousand dollars. There are several States interested in like manner; I do not recollect how many; but when I originally introduced the bill I carefully noticed the States interested and their number, and no doubt the amount will be very large. Delaware, South Carolina, Virginia, and several other States are interested, and the amount is very large; but I do not know that magnitude of the obligation is any defense against the passage of an act for payment according to the principles of equity which have been applied to the State of Maryland. This is an inconvenient time, it is true, for us to be dunned for this money; but I think we ought to settle fairly, if we do nothing else. If we can not pay the money we ought, at least, to acknowledge the obligation.

{Second session Thirty-fifth Congress.}

IN SENATE, FEBRUARY —, 1859.

The army bill being under consideration—

Mr. IVERSON. I am instructed by the Committee on Claims to offer the following amendment:

“That all the States which have had or shall have refunded to them by the United States moneys expended by such States for military purposes during or since the war of 1812 with Great Britain, which have not already been allowed interest upon the moneys so expended, shall now be allowed interest, so far as they have themselves paid or lost it, said interest to be computed by the proper accounting officers of the Treasury according to the provisions and principles directed to be applied to the case of Maryland by the twelfth section of the act of March 3, 1857, entitled ‘An act making appropriations for certain civil expenses of the Government for the year ending the 30th of June, 1858,’ and that all the States which have been allowed interest upon claims against the United States accruing during or since said war of 1812 shall be entitled to have their interest accounts re-examined and restated by the proper accounting officers of the Treasury according to the provisions and principles of the twelfth section of said act of March 3, 1857, and that those provisions and principles shall govern the computation of interest in all cases in which interest may hereafter be allowed to any of the States. Any money found to be due to any State, as directed by this section to be computed and ascertained, shall be paid to such State out of any money in the Treasury not otherwise appropriated: *Provided*, That, in lieu of the payment of money, the Secretary of the Treasury may allow the State of Maryland interest on such sums only on which the said State either paid interest or lost interest by the transfer of an interest-bearing fund.”

This provision was applied by that act to the State of Maryland, and under it the accounts of that State were re-opened and re-adjusted at the Treasury Department, and she was paid back, if I remember aright, the sum of \$272,000. The amendment which I now propose simply puts all the States precisely on the footing that the act of 1857 put the State of Maryland. It is just and proper that the rule, if applied to one State, should be applied to all; and the rule is itself just and proper. Heretofore the mode of calculating interest at the Treasury Department has been the old one which was in vogue some half century or century ago, and which has long since been exploded in every civilized country. They calculated the interest upon the principal up to the time of the settlement, and they calculated interest upon the various payments up to the time of the settlement, and struck a balance. That mode of calculating interest has been exploded in every State in the Union. Not a single State now adheres to it, although it was, in early days, when I was a boy, the mode of calculating interest. The mode now is that applied to the accounts of the State of Maryland, first to compute interest up to the time of the first payment, and then apply the payment, in the first place, to the extinguishment of the interest, and then apply any surplus to the extinguishment of the principal, and so on of each payment



of interest. That is the principle on which the accounts of Maryland have been settled, and I propose to apply it to all the States of the Union. It is just and proper.

The amendment, you will perceive, does not give the States interest unless they paid it themselves or lost it by the transfer of an interest-bearing fund. It is just and proper that every State should be put on the same footing as the State of Maryland. And the principle of settlement proposed is just and proper in itself. It is the mode adopted by every State in the Union in the calculation of interest. I have put in the amendment a provision that the Secretary of the Treasury shall pay these amounts to the States in 5 per cent. bonds of the United States, redeemable in ten years, or sooner, at the discretion of the President. The States, I understand, are perfectly willing to take 5 per cent. bonds of the United States instead of the money. In the present embarrassed condition of the country we think it prudent and proper to make this provision. With this explanation of the case I hope the Senate will adopt the amendment.

Mr. HUNTER. At the last session I voted against the provision when it was introduced, but I believe the opinion of the State which I represent is, that she is entitled to the money; and although I would never have used my official position to introduce it, I feel bound to vote for it as her representative. I suppose, in justice, if we were settling the account originally, this would be the proper mode of doing it. I do not think it well to re-open these old accounts, which have been settled, and with the settlements of which the States were satisfied in former times; but the precedent which has been set in the case of Maryland has made all the States desire the application of the same principle to them, and I believe most of them have agents here, and are insisting upon it.

\* \* \* \* \*

Mr. IVERSON called for the yeas and nays, and they were ordered.

Mr. FESSENDEN. I wish to say a word about this proposition; because I think, when the Senate understands it, there will be no difficulty in passing it. I think there can be no dispute about it. I advocated this provision last year against the opposition of the chairman of the Committee on Finance; and I have no sort of disposition to change my action because it turns out that the State of West Virginia is so largely interested as she is. I do not mean to say that that affects his action, because everybody knows that he is not influenced in that way. I mean simply to say, in regard to myself, that Virginia has a large claim under this provision, much larger than it was supposed any State could have; but that does not affect my action, or induce me to change my vote. I have no doubt, from the honorable Senator's well-known habit of looking out for the Treasury, that if Virginia would let him alone he would vote against the amendment, although his State will be so much benefited by it.

But, sir, the principle of settlement proposed is a very simple one, and a perfectly honest one. In settling these claims the Government officers have heretofore acted on the principle of applying partial payments to the discharge of the principal, and letting the interest accumulate. It is no question about paying interest; that is settled. This class of claims always carry interest, and it is always allowed. The Government let the interest run on until it got to be as large as the principal. They then paid a certain amount; but instead of applying that amount to the interest which was due, they applied it to the principal and let the interest stand, which did not carry interest; that is to say, they paid the principal before the interest. They did worse than that in many cases, as I understand; when they came to settle up fairly they charged interest on the payment of the principal up to the time of the settlement, and allowed no interest on the interest existing. Thus they made the payment of the principal eat up the interest.

This mode of settlement was grossly unjust, and as great an outrage as anything could be. It was contrary to the mode in which interest is computed between individual and individual. Maryland applied for a recomputation, and Congress passed a law to allow it. All that is now asked is to place every other State on the same footing—there may be some half dozen of them—that advanced money on the same foundation on which you placed Maryland, not only to do the thing equally as between the States, but to do the just thing, and pay money which is absolutely due without any sort of question.

The following thirty-four Senators voted in favor of the amendment, viz, twenty-six in 1858, and eight others in 1859:

Bayard,	Dixon,	Harlan,	Rice,
Benjamin,	Doolittle,	Hunter,	Seward,
Bigler,	Durkee,	Iverson,	Simmons,
Bright,	Fessenden,	Kennedy,	Thomson,
Brown,	Fitch,	Mallory,	Toombs,
Chestnut,	Foot,	Mason,	Wade,
Clark,	Foster,	Pearce,	Wilson,
Collamer,	Hamlin,	Polk,	Yulee—34.
Crittenden,	Hammond,		

The amendment prevailed in the Senate, but failed in the House of Representatives in a close vote, when avowed friends, enough to have carried it, voted in the negative, because of the then condition of the Treasury.

[House Report No. 303, Forty-ninth Congress, first session.]

*The Committee on Claims, to whom was referred the bill (H. R. 3877) to authorize the Secretary of the Treasury to settle the claim of the State of Florida on account of expenditures made in suppressing Indian hostilities, beg leave to submit the following report :*

In accordance with the requirements of the joint resolution of Congress approved March 3, 1881, the Secretary of War has investigated, audited, and made a report to Congress, May 22, 1882, of the amount due the State of Florida for expenditures made in suppressing Indian hostilities in that State between the 1st day of December, 1855, and the 1st day of January, 1860 (Ex. Doc. 203, Forty-seventh Congress, first session).

The expenditures grew out of the Seminole war of 1855, 1856, and 1857, the State authorities being compelled, in the presence of an anticipated and subsequently actual outbreak of the Indians, to call forth the militia of the State, the force of United States troops then on duty being inadequate to the protection of the people. The report of the Secretary of War (Ex. Doc. 203) fully sets forth in detail the items of expenditure allowed and disallowed, the total amount found due the State being the sum of \$224,648.09.

It is established that the funds at the command of the executive of the State of Florida in the years referred to were insufficient to equip, supply, and pay the troops in the field; and, relying upon the approval given by the President of the United States, through the Secretary of War, on the 21st day of May, 1857, of the services of these volunteers, the State legislature, in order to provide their equipment and maintenance, authorized the issue of 7 per cent. bonds.

A portion of the bonds, amounting to \$132,000, was sold by the governor to the Indian trust fund of the United States, and the proceeds of such sale were disbursed by the treasurer of the State for the "expenses of Indian hostilities," as appears from his report to the legislature for the year ending October 31, 1857 (Ex. Doc. 203, Forty-seventh Congress, first session). Another portion was hypothecated to the banks of South Carolina and Georgia as security for a loan of \$222,015, and \$192,331 of this loan was disbursed directly by a disbursing agent of the State in payment of "expenses of Indian hostilities," including pay of volunteers (Ex. Doc. 203, Forty-seventh Congress, first session).

This case is one where the Government, through the President of the United States by the Secretary of War, promised to pay these troops when mustered into the United States service, and they would have been long since paid by the Government if so mustered, but the mustering officer arrived in the State after they had been mustered out, and the State was compelled to borrow money with which to pay them. (See letter of Secretary of War hereto appended.)

Congress has universally paid interest to the States where they have paid interest. We cite the cases where interest has been allowed and paid for moneys advanced during the war of 1812-15, as follows: Virginia, act March 3, 1825 (4 Stat. at L., p. 132); Maryland, act May 13, 1826 (4 Stat. at L., p. 161); Delaware, act May 20, 1826 (4 Stat. at L., p. 175); New York, act May 22, 1826 (4 Stat. at L., p. 192); Pennsylvania, act March 3, 1827 (4 Stat. at L., p. 241); South Carolina, act March 22, 1832 (4 Stat. at L., p. 499); Maine, act of March 31, 1851 (9 Stat. at L., p. 626); Massachusetts and Maine, act of July 8, 1870 (16 Stat. at L., p. 198).

For advances for Indian and other wars the same rule has been observed in the following cases: Alabama, act January 26 (4 Stat. at L., p. 344); Georgia, act March 31, 1851 (9 Stat. at L., p. 626); Georgia, act March 3, 1870 (20 Stat. at L., p. 385); Washington Territory, act March 3, 1859 (11 Stat. at L., p. 429); New Hampshire, act January 27, 1852 (10 Stat. at L., p. 1); California, act August 5, 1854 (10 Stat. at L., p. 582); California, act August 18, 1856 (11 Stat. at L., p. 91); California, act June 23, 1860 (12 Stat. at L., p. 104); California, act July 25, 1868 (15 Stat. at L., p. 175); California, March 3, 1881 (21 Stat. at L., p. 510); and in aid of the Mexican war. (See statute of June 2, 1848.)

Attorney-General Wirt, in his opinion on an analogous case, says:

"The expenditure thus incurred forms a debt against the United States which they are bound to re-imburse. If the expenditures made for such purposes are supplied from the treasury of the State, the United States re-imburse the principal without interest; but if being unable itself, from the condition of its own finances, to meet the emergency, such State has been obliged to borrow money for the purpose, and thus to incur a debt on which she herself has had to pay interest, such debt essentially

a debt due by the United States, and both the principal and interest are to be paid by the United States. (See Opinions of Attorneys-General, vol. 1, p. 174.)

Thus it will be seen that the precedent for the payment of interest, under the rule adopted for the settlement of claims of war of 1812-15, and Indian wars above cited, is well established.

The committee are of the opinion that the urgent necessity for the services of these troops, and the action of the President and the Secretary of War, are well established, and create an equitable obligation on the part of the General Government, and as it is clearly shown by Ex. Doc. 203, Forty-seventh Congress, that the State of Florida not only borrowed money from the Indian trust fund, but also from the banks of the States of Georgia and South Carolina, for their payment, upon which the State has since paid interest, your committee have concluded to recommend the passage of the bill, with the following amendments:

In line 18 of section 1, after the word "it," insert the words "upon said claim or claims."

In line 8 of section 2 strike out the words "and to pay such sum so ascertained due the said State," and insert the words "and shall adjust and settle the claim of the State therefor, and shall pay such sum as may be ascertained to be due the State thereon."

WAR DEPARTMENT,  
Washington, D. C., May 21, 1857.

SIR: I have the honor to acknowledge the receipt of your letter of the 8th instant, asking an approval of the services of certain volunteers called out by you, and in reply to inform you that the explanations as to the necessity of their services is satisfactory, and orders have been issued to the officer commanding in Florida to muster them in and out of the service of the United States.

Very respectfully, your obedient servant,

JOHN B. FLOYD,  
Secretary of War.

His Excellency JAMES E. BROOME,  
Governor of Florida.

[House Report No. 3126, Forty-ninth Congress, first session.]

*The Committee on Claims, to whom was referred the bill (H. R. 1125) for the relief of the First National Bank of Newton, Mass., having considered the same, respectfully report:*

That this bill was favorably reported by the Committee on Claims of the Senate in the Forty-eighth Congress, and after an exhaustive discussion passed that body. It has again been favorably reported by the Committee on Claims of the Senate, the report being made by Senator Jackson, which we adopt, as follows:

That on and prior to February 28, 1867, Julius F. Hartwell was cashier of the United States sub-treasury in Boston, Mass. While acting as such cashier he embezzled a large amount of the Government's money by lending the same to the firm of Mellon, Ward & Co., who were extensively engaged in stock speculations. As the time for the examination of the funds in the sub-treasury approached, March 1, 1867, when Hartwell's accounts would have to be passed, some plan had to be devised by the guilty parties to prevent or delay exposure. The device resorted to and put in operation was to procure funds and assets of innocent third parties to be placed temporarily on deposit in the sub-treasury till the examination was had, and then to be immediately withdrawn again, and thus tide Hartwell and his associates in the embezzlement over the crisis. Edward Carter, the active financial member of said firm of Mellon, Ward & Co., who concocted this scheme with Hartwell, was a director in the First National Bank of Newton, and seems to have possessed not only the confidence of, but unlimited influence over, E. Porter Dyer, the cashier of said bank. By means of this confidence and influence, and in execution of his and Hartwell's fraudulent conspiracy, Carter procured from Dyer the money, bonds, securities, and checks of the First National Bank of Newton, to the amount of \$371,025, which were deposited in the sub-treasury on February 28, 1867, Hartwell giving a receipt therefor, as cashier, that the deposit was "to be returned on demand in Governments, or bills, or its equivalent." This receipt, being in the name of Mellon, Ward & Co., was immediately indorsed by Carter, as follows: "Pay only to the order of E. Porter Dyer, jr., cashier," and signed Mellon, Ward & Co.

This deposit of its funds and assets was made without the knowledge and consent of the president and directors of the First National Bank of Newton. Hartwell's default was discovered on the night of February 28, and on March 1, 1867, when Dyer

presented the above receipt and demanded its redemption, payment was refused, and the bank's funds and securities were held and applied by the Government to make good Hartwell's default. The capital stock of the bank was \$150,000. It was doing and for years had done a prosperous and profitable business; but this fraudulent misapplication and appropriation of its assets ruined the institution, and on March 11, 1867, it was placed in the hands of a receiver, and to make good its losses and provide the means to discharge its debts the stockholders were compelled to pay in a second time the amount of their respective holdings of its capital stock. On February 24, 1873, the First National Bank of Newton filed its petition in the Court of Claims against the United States to recover the amount of its funds and assets so deposited in the sub-treasury and appropriated by the Government. The case was heard in December, 1880, and judgment was rendered in favor of the bank January 24, 1881, for the full amount of principal claimed, viz, \$371,025. The full details of the conspiracy and transaction by which the Government, through the fraud of its agent, wrongfully got possession of the bank's assets, are clearly set forth in 10 Court of Claims Reports, p. 519; 96 United States Supreme Court Reports, 30; and 16 Court of Claims Reports, p. 54, to which reference is here made for a more complete statement of the facts than hereinabove stated. In delivering the opinion of the Court of Claims in the bank's suit, Chief-Justice Drake characterized the taking of its assets as a "villainous scheme," and the transaction as "simply a case of a bank being robbed, and of its stolen assets being put into the hands of the cashier of the sub-treasury for a purpose which by no possible view could in law be held to effect a transfer of the bank's right of property in them either to him or to the United States." That the United States could not derive a benefit from the fraudulent act of their cashier, or lawfully withhold the funds thus obtained, admitted of no question, either in law or morals. After referring to many of the authorities on the question, the Supreme Court (96 U. S. Reports, p. 36) say, in conclusion:

"But surely it ought to require neither argument nor authority to support the proposition that where the money or property of an innocent person has gone into the coffers of the nation by means of a fraud to which its agent was a party, such money or property can not be held by the United States against the claim of the wronged and injured party. The agent was agent for no such purpose. His doings were vitiated by the underlying dishonesty and could confer no rights upon his principal."

On the 28th of April, 1881, a duly certified copy of the bank's judgment against the United States was presented to the Secretary of the Treasury, as provided by law. Before its payment the now Attorney-General of the United States, in March, 1881, entered an appeal to the Supreme Court. This appeal seems to have been taken for the purpose of enabling him to examine the case. After making such examination and finding the case undistinguishable from that reported in 96 United States Reports above cited, the appeal, which had been in the mean time entered in the Supreme Court, was, on his motion, dismissed in that court October 25, 1881.

Thereafter, on October 29, 1881, the sum of \$260,000 was paid on account of this judgment, by the Treasurer of the United States, that being the only amount available under the appropriation then existing. The balance of \$111,025 was paid August 30, 1882.

Such is the brief history of the case. The bill under consideration proposes to pay the bank interest on the amount of its funds so taken and appropriated by the United States, from date of conversion to time of payment. The Court of Claims was not authorized to award such interest, its jurisdiction in the matter of "interest" being confined to cases of contract expressly stipulating for the payment of interest. It will hardly be insisted that this restriction upon one of its tribunals settles either the question of the Government's liability or the measure of its duty in a case like the present, where the contract relation is not voluntarily assumed by the party making the claim. The Government may with propriety refuse to recognize any obligation to pay interest to those who voluntarily deal with it, without expressly stipulating for the payment of interest. But the question of its obligation to make indemnity by the allowance of interest, where the creditor relation is forced upon the individual by the wrongful act of the Government or its agents, stands upon a different footing and should be determined by the general principles of the public law and the rules of natural justice and equity applicable to the facts and circumstances of the particular case. Ordinarily the Government can not and should not be made responsible to the extent of individuals for the wrongful acts of its officers or agents. But this rule can not be justly invoked to shield or protect the Government from the measure of responsibility applied to private persons where it has adopted such wrongful acts and derived an advantage and benefit therefrom. Where the Government has profited by the fraud of its agent, why should it deny to the injured party the full redress that courts of equity would afford as between individuals and private corporations? In the jurisprudence of all civilized countries the general doctrine is well settled that any one—except a "bona fide" purchaser for value and without notice—who obtains

possession of property which has been procured from the owner by *fraudulent means* or practices is converted by the courts into a *trustee*, and ordered to account as such, or, as stated by Perry on Trusts, § 166, the principle "denotes that the parties defrauded, or beneficially entitled, have the same right and remedies against him as they would be entitled to against an express trustee who had fraudulently committed a breach of trust." Whenever the principal adopts the fraudulent act of his agent, or attempts to reap an advantage therefrom, his liability is properly measured by this rule. Indeed (says Perry on Trusts, 172), the doctrine has been thus broadly stated:

"That when once a fraud has been committed, not only is the person who committed the fraud precluded from deriving any benefit from it, but every innocent person is so likewise, unless he has innocently acquired a subsequent interest; for a third person by seeking to derive any benefit under such a transaction, or to retain any benefit resulting therefrom, becomes 'particeps criminis,' however innocent of the fraud in the beginning."

It would not admit of a moment's doubt that in the present case interest would have been awarded the bank as against the agent committing the fraud. It is also clear that as against any private principal occupying the position of the Government the bank could and would have received interest. Why should not the Government, standing as it does under this transaction in the attitude of a trustee, if not a "particeps criminis," be held to the same measure of responsibility and redress? Nothing short of this will meet the justice of the case or afford the equitable relief to which the bank is justly entitled. A great Government like ours, with unlimited resources and revenues at its command, should above all things deal justly with its citizens. It should not stand upon technicalities in withholding property or funds which may have wrongfully come into its possession. It should never make for itself a profit or secure and retain an advantage through the fraud of its agents or by any breach of trust which has worked a wrong or injury. It should in such cases make such reparation as its courts would enforce as between individuals.

The American consul at Geneva successfully claimed interest upon the amounts awarded to the United States against Great Britain. The counsel for Great Britain, while objecting to the application of the principle allowing interest, distinguished between cases where, in their view, it should and should not be allowed, in language strikingly applicable here; and attention is called to it as being a concession, on the part of a party objecting to the allowance of interest, which covers the present case, as follows:

"Interest, in the proper sense of that word, can only be allowed where there is a principal debt of liquidated and ascertained amount detained and withheld by the debtor from the creditor after the time when it was absolutely due and ought to have been paid, the fault of the delay in payment resting with the debtor; or where the debtor has wrongfully taken possession of and exercised dominion over the property of the creditor. In the former case, from the time when the debt ought to have been paid, the debtor has had the use of the creditor's money, and may be justly presumed to have employed it for his own profit and advantage. He has thus made a gain corresponding with the loss which the creditor has sustained by being deprived, during the same period of time, of the use of his money; and it is evidently just that he should account to the creditor for the interest which the law takes as the measure of this reciprocal gain and loss. In the latter case the principle is exactly the same. It is ordinarily to be presumed that the person who has wrongfully taken possession of the property of another has enjoyed the fruits of it; and if, instead of this, he has destroyed it or kept it unproductive, it is still just to hold him responsible for interest on its value, because his own acts, after the time when he assumed control over it, are the causes why it has remained unfruitful. In all these cases it is the *actual or virtual possession of the money or property belonging to another* which is the foundation of the liability of interest. The person liable is either *lucratus* by the detention of what is not his own, or is justly accountable as if he were so."

In the case under consideration, the funds of the bank—an amount fixed and liquidated—have been wrongfully withheld for many years, during which the Government has retained and used them, and to that extent has made or saved interest, of which the bank throughout the same period lost such interest. In allowing interest at a low rate the bank will receive only (or less than) what it was unjustly deprived of, while the United States will only yield up what it has received or saved that rightfully belonged to the bank, for it can not be questioned that the use of the principal sum has put the Government in receipt of additional funds to the amount of the value of such use. The claim is thus brought within the general principle so clearly and forcibly stated in the above-quoted extract from the counsel of Great Britain.

In this statement of the proposition which should govern the present case it is hardly necessary to say that the committee do not wish to be understood as even suggesting that the same rule could or should be applied to that large class of cases known as war claims. They stand entirely upon a different footing. Every man



woman, and child residing, during the war, in the insurrectionary territory, became thereby an enemy of the United States. The Government could have asserted against each and all of them the extremest measures conceded by the public law to belligerents. That it did not adopt this policy, but modified the harsher rules of war, by which it waived some of its belligerent rights, could not be made in any case the basis of a claim for interest, nor lay the ground for the payment of interest. Take, for illustration, the captured and abandoned property cases. This property and its proceeds, under the modern rules of war, could have been appropriated to the absolute use of the Government. Instead of pursuing this course, the Government, in a spirit of liberality, adopted the generous policy of making itself a depository of these funds, to be held for the benefit of the real owners. The proposition to allow interest on such claims should not and would not be entertained for a moment.

It can not be properly urged as an objection to this claim for interest that the bank should be held responsible to some extent for the unfaithfulness of the cashier whom it had selected and intrusted with certain well-defined duties in respect to its funds and assets. No want of care is shown in making the selection. There was nothing in his previous conduct to excite suspicion or put the bank upon inquiry or notice so as to charge it with any degree of negligence in retaining him in its employ. The doctrine of contributory negligence is sometimes looked to and considered in the determination of the better equity as between two innocent parties who have been defrauded by a third party who has been trusted by both. If there had been no previous default on the part of Hartwell, and he had on the night of February 28, 1867, embezzled the funds and assets of the bank that day deposited with him by Carter and Dyer, the Government and the bank might then have occupied the position of two innocent parties, whose equities would have to be determined and settled to some extent by the question of negligence in the employment of unfaithful agents. But that is not the present case. The Government had already lost its money by the previous embezzlement of its cashier of the sub-treasury, and then through the corrupt influence of that same agent and his confederate, the bank's agent is tempted by a "villainous scheme" into a breach of his trust, by means of which the Government obtains possession of the bank's entire assets, and wrongfully appropriates them in making good its previous losses. It would be shocking to every sense of right and justice for the Government now to urge that the unfaithfulness of the bank's trusted agent was a bar or valid defense to its liability and duty to refund either the principal or interest of the funds so procured and converted to its own use. Your committee have too much regard for the honor and good name of the Government to allow it to occupy a position so questionable. It should be observed, too, that the decision of its own courts declaring that the Government could not rightfully hold the assets so fraudulently obtained has really disposed of this question of negligence, which applied with equal force to the recovery of the principal as to the interest.

To the objection that the allowance of this claim for interest will establish a bad precedent, the reply of Mr. Sumner to a similar objection is a complete answer:

"If the claim is just, the precedent of paying it is one which our Government should wish to establish. Honesty and justice are not precedents of which either Government or individuals should be afraid" (Senate Report No. 4, Forty-first Congress, first session, p. 10).

But it is respectfully submitted that there are abundant precedents, both in the judicial and in the legislative branches of the Government, to support the present application for the allowance of interest. The prevalent idea that "the Government never pays interest" has grown up from the practice of the Departments which do not allow interest except where it is specially provided for in cases of contracts or expressly authorized by law. But this usage and custom of the Executive Departments can not be properly regarded as the settled rule and policy of the Government, for its action upon the subject of interest has not from the earliest time conformed to such usage. On the contrary, it will be found, upon an examination of the precedents where Congress has passed acts for the relief of private citizens, that in almost every case, except those growing out of the late war, Congress has directed the payment of interest where the United States had withheld a sum of money which had been decided by competent authority to be due, or where the amount due was ascertained, fixed, and certain. The highest court of the country has also affirmed this to be not only the practice of the Government but the measure of its duty. Thus, in 15 Wallace, p. 77, where the suit was against a United States collector for the recovery of taxes illegally collected, the Supreme Court used the following language upon the subject of interest allowed on the claim, viz:

"The third exception is to the instruction that if the jury found for plaintiff they might add interest. This was not contested upon the argument, and we think it clearly correct. The ground for the refusal to allow interest is the presumption that the Government is always ready and willing to pay its ordinary debts. Where an illegal tax has been collected, the citizen who has paid it and has been obliged to bring suit

against the collector is entitled to interest in the event of recovery from the time of the alleged exaction."

On June 8, 1872, Congress referred the claim of the heirs of Francis Vigo to the Court of Claims, in the following language:

"The claim of the heirs and legal representatives of Col. Francis Vigo, deceased, late of Terre Haute, Ind., for money and supplies furnished the troops under command of General George Rogers Clarke, in the year 1778, during the Revolutionary war, be, and the same hereby is, referred, along with all the papers and official documents belonging thereto, to the Court of Claims, with full jurisdiction to adjust and settle the same; and in making such adjustment and settlement, the said court shall be governed by the rules and regulations heretofore adopted by the United States in the settlement of like cases, giving proper consideration to official acts, if any have heretofore been had in connection with this claim, and without regard to the statutes of limitation."

The Court of Claims allowed the claim with interest thereon from the time it accrued, and, among other facts, found that—

"No rules and regulations have heretofore been adopted by the United States in the settlement of like cases except such as may be inferred from the policy of Congress when passing private acts for the relief of various persons. When passing such private acts, Congress has allowed interest upon the claim up to the time that the relief was granted."

The Attorney-General appealed from this judgment, awarding interest, but the decision of the court below was affirmed by the Supreme Court at the October term, 1875. (See 91 U. S. Rep., p. 443 *et seq.*) In delivering the opinion of the Supreme Court, Mr. Justice Miller says:

"It has been the general rule of the officers of Government, in adjusting and allowing unliquidated and disputed claims against the United States, to refuse to give interest. That this rule is sometimes at variance with that which governs the acts of private citizens in a court of justice would not authorize us to depart from it in this case. The rule, however, is not uniform; and especially is it not so in regard to claims allowed by special acts of Congress, or referred by such acts to some Department or officer for settlement."

This was said in reference to unliquidated and unadjusted claims. Where the Government, by and through the fraud of its agents, gets possession and withholds from the rightful owner an ascertained, fixed, and certain amount, the claim for interest certainly stands upon higher equitable grounds than in the cases cited. The finding by the Court of Claims that the policy of the Government, as shown by the general rule pursued by Congress in passing acts for the relief of private claims, was to allow interest, is supported by the precedents.

Your committee, upon this proposition, beg leave to refer to and adopt this portion of House Report 391, Fortv-third Congress, first session, which discusses the subject of interest as follows:

#### THE OBLIGATION TO PAY INTEREST ON THE AMOUNT AWARDED THE CHOCTAW NATION.

Your committee have given this question a most careful examination, and are obliged to admit and declare that the United States can not, in equity and justice, nor without national dishonor, refuse to pay interest upon the moneys so long withheld from the Choctaw Nation. Some of the reasons which force us to this conclusion are as follows:

1. The United States acquired the lands of the Choctaw Nation on account of which the said award was made on the 27th day of September, 1830, and it has held them for the benefit of its citizens ever since.

2. The United States had in its Treasury, many years prior to the first day of January, 1859, the proceeds resulting from the sale of the said lands, and have enjoyed the use of such moneys from that time until now.

3. The award in favor of the Choctaw Nation was an award under a treaty, and made by a tribunal whose adjudication was final and conclusive (*Comegys v. Vasse*, 1 Peters, 193).

4. The obligations of the United States, under its treaties with Indian nations, have been declared to be equally sacred with those made by treaties with foreign nations. (*Worcester v. The State of Georgia*, 6 Peters, 582.) And such treaties, Mr. Justice Miller declares, are to be construed liberally (*The Kansas Indians*, 5 Wall, 737-760).

5. The engagements and obligations of a treaty are to be interpreted in accordance with the principles of the public law, and not in accordance with any municipal code or executive regulation. No statement of this proposition can equal the clearness or force with which Mr. Webster declares it in his opinion on the Florida claims, attached to the report in the case of *Letitia Humphreys* (Senate report No. 93,

first session, Thirty-sixth Congress, page 16). Speaking of the obligation of a treaty, he said:

"A treaty is the supreme law of the land. It can neither be limited nor restrained nor modified nor altered. It stands on the ground of national contract, and is declared by the Constitution to be the supreme law of the land, and this gives it a character higher than any act of ordinary legislation. It enjoys an immunity from the operation and effect of all such legislation.

"A second general proposition, equally certain and well established, is that the terms and the language used in a treaty are always to be interpreted according to the law of nations, and not according to any municipal code. This rule is of universal application. When two nations speak to each other they use the language of nations. Their intercourse is regulated, and their mutual agreements and obligations are to be interpreted by that code only which we usually denominate the public law of the world. This public law is not one thing at Rome, another at London, and a third at Washington. It is the same in all civilized States; everywhere speaking with the same voice and the same authority."

Again, in the same opinion, Mr. Webster used the following language:

"We are construing a treaty, a solemn compact between nations. This compact between nations, this treaty, is to be construed and interpreted throughout its whole length and breadth, in its general provisions and in all its details, in every phrase, sentence, word, and syllable in it, by the settled rules of the law of nations. No municipal code can touch it, no local municipal law affect it, no practice of administrative department come near it. Over all its terms, over all its doubts, over all its ambiguities, if it had any, the law of nations 'sits arbitress.'"

6. By the principles of the public law interest is always allowed as indemnity for the delay of payment of an ascertained and fixed demand. There is no conflict of authority upon this question among the writers on public law.

This rule is laid down by Rutherford in these terms:

"In estimating the damages which any one has sustained, when such things as he has a perfect right to are unjustly taken from him, or WITHHOLDEN, or intercepted, we are to consider not only the value of the thing itself, but the value likewise of the fruits or profits that might have arisen from it. He who is the owner of the thing is likewise the owner of the fruits or profits. So that it is as properly a damage to be deprived of them as it is to be deprived of the thing itself" (Rutherford's Institutes, Book I, chap. 17, sec. 5).

In laying down the rule for the satisfaction of injuries in the case of reprisals, in making which the strictest caution is enjoined not to transcend the clearest rules of justice, Mr. Wheaton, in his work on the law of nations, says:

"If a nation has taken possession of that which belongs to another, IF IT REFUSES TO PAY A DEBT, to repair an injury, or to give adequate satisfaction for it, the latter may seize something of the former and apply it to his or its advantage till it obtains payment of what is due, together with INTEREST and damages" (Wheaton on International Law, p. 341).

A great writer, Domat, thus states the law of reason and justice on this point:

"It is a natural consequence of the general engagement to do wrong to no one that they who cause any damages by failing in the performance of that engagement are obliged to repair the damage which they have done. Of what nature soever the damage may be, and from what cause soever it may proceed, he who is answerable for it ought to repair it by an *amende* proportionable either to his fault, or to his offense, or other cause on his part, and to the loss which has happened thereby." (Domat, Part I, Book III, Tit. V., 1900, 1903.)

"Interest" is, in reality, in justice, in reason, and in law, too, a part of the debt due. It includes, in Pothier's words, the loss which one has suffered, and the gain which he has failed to make. The Roman law defines it as "*quantum mea interfuit; id est, quantum mihi abest, quantumque lucrari potui.*" The two elements of it were termed "*lucrum cessans et damnum emergens.*" The payment of both is necessary to a complete indemnity.

Interest, Domat says, is the reparation or satisfaction which he who owes a sum of money is bound to make to his creditor for the damage which he does him by not paying him the money he owes him.

It is because of the universal recognition of the justice of paying, for the retention of moneys indisputably due and payable immediately, a rate of interest considered to be a fair equivalent for the loss of its use, that judgments for money everywhere bear interest. The creditor is deprived of this profit, and the debtor has it. What greater wrong could the law permit than that the debtor should be at liberty indefinitely to delay payment, and, during the delay, have the use of the creditor's moneys for nothing? They are none the less the creditor's moneys because the debtor wrongfully withholds them. *He holds them, in reality and essentially, in trust; and a trustee is always bound to pay interest upon moneys so held.*

In closing these citations from the public law, the language of Chancellor Kent seems eminently appropriate. He says: "In cases where the principal jurists agree, the presumption will be very great in favor of the solidity of their maxims, and no civilized nation that does not arragantly set all ordinary law and justice at defiance will venture to disregard the uniform sense of established writers on international law."

7. The practice of the United States in discharging obligations resulting from treaty stipulations has always been in accord with these well-established principles. It has exacted the payment of interest from other nations in all cases where the obligation to make payment resulted from treaty stipulations, and it has acknowledged that obligation in all cases where a like liability was imposed upon it.

The most important and leading cases which have occurred are those which arose between this country and Great Britain; the first under the treaty of 1794, and the other under the first article of the treaty of Ghent. In the latter case the United States, under the first article of the treaty, claimed compensation for slaves and other property taken away from the country by the British forces at the close of the war in 1815. A difference arose between the two Governments which was submitted to the arbitrament of the Emperor of Russia, who decided that "the United States of America are entitled to a just indemnification from Great Britain for all private property carried away by the British forces." A joint commission was appointed for the purpose of hearing the claims of individuals under this decision. At an early stage of the proceedings the question arose as to whether interest was a part of that "just indemnification" which the decision of the Emperor of Russia contemplated. The British commissioner denied the obligation to pay interest. The American commissioner, Langdon Cheves, insisted upon its allowance, and in the course of his argument upon this question said:

"Indemnification means a re-imbusement of a loss sustained. If the property taken away on the 17th of February, 1815, were returned now uninjured it would not re-imburse the loss sustained by the taking away and consequent detention; it would not be an indemnification. The claimant would still be unindemnified for the loss of the use of his property for ten years, which, considered as money, is nearly equivalent to the original value of the principal thing."

Again he says:

"If interest be an incident usually attendant on the delay of payment of debts, damages are equally an incident attendant on the withholding an article of property."

In consequence of this disagreement the commission was broken up, but the claims were subsequently compromised by the payment of \$1,204,960, instead of \$1,250,000, as claimed by Mr. Cheves; and of the sum paid by Great Britain \$418,000 was expressly for interest.

An earlier case, in which this principle of interest was involved, arose under the treaty of 1794, between the United States and Great Britain, in which there was a stipulation on the part of the British Government in relation to certain losses and damages sustained by American merchants and other citizens by reason of the illegal or irregular capture of their vessels or other property by British cruisers; and the seventh article provided in substance that "full and complete compensation for the same will be made by the British Government to the said claimants."

A joint commission was instituted under this treaty, which sat in London, and by which these claims were adjudicated. Mr. Pinckney and Mr. Gore were commissioners on the part of the United States, and Dr. Nicholl and Dr. Swabey on the part of Great Britain; and it is believed that in all instances this commission allowed interest as a part of the damage. In the case of *The Betsy*, one of the cases which came before the board, Dr. Nicholl stated the rule of compensation as follows:

To re-imburse the claimants the original cost of their property and all the expenses they have actually incurred, together with interest on the whole amount, would, I think, be a just and adequate compensation. This, I believe, is the measure of compensation usually made by all belligerent nations, and accepted by all neutral nations, for losses, costs, and damages occasioned by illegal captures (Vide Wheaton's Life of Pinckney, page 198; also 265, note, and page 371).

By a reference to the American State Papers, Foreign Relations, vol. 2, pages 119, 120, it will be seen by a report of the Secretary of State of the 16th February, 1798, laid before the House of Representatives, that interest was awarded and paid on such of these claims as had been submitted to the award of Sir William Scott and Sir John Nicholl, as it was in all cases by the board of commissioners. In consequence of some difference of opinion between the members of this commission their proceedings were suspended until 1802, when a convention was concluded between the two Governments, and the commission re-assembled, and then a question arose as to the allowance of interest on the claims during the suspension. This the American commissioners claimed, and though it was at first resisted by the British commissioners, yet it was finally yielded, and interest was allowed and paid (See Mr. King's three letters to the Secretary of State, of 25th of March, 1803, 23d April, 1803, and 30th April, 1803, American State Papers, Foreign Relations, vol. 2, pages 387 and 388).

Another case in which this principle was involved arose under the treaty of the 27th October, 1795, with Spain; by the twenty-first article of which, "in order to terminate all differences on account of the losses sustained by citizens of the United States in consequence of their vessels and cargoes having been taken by the subjects of His Catholic Majesty during the late war between Spain and France, it is agreed that all such cases shall be referred to the final decision of commissioners, to be appointed in the following manner," etc. The commissioners were to be chosen, one by the United States, one by Spain, and the two were to choose a third, and the award of the commissioners, or any two of them, was to be final, and the Spanish Government to pay the amount in specie.

This commission awarded interest as part of the damages (See American State Papers, vol. 2, Foreign Relation, page 283). So in the case of claims of American citizens against Brazil, settled by Mr. Tudor, United States minister, interest was claimed and allowed. (See Ex. Doc., first session Twenty-fifth Congress, House Reps., Doc. 32, page 249.)

Again, in the convention with Mexico of the 11th of April, 1839, by which provision was made by Mexico for the payment of claims of American citizens for injuries to persons and property by the Mexican authorities, a mixed commission was provided for, and this commission allowed interest in all cases. (House Ex. Doc. 291, 27th Congress, 2d session.)

So also under the treaty with Mexico of February 2, 1848, the board of commissioners for the adjustment of claims under that treaty allowed interest in all cases from the origin of the claim until the day when the commission expired.

So also under the convention with Colombia, concluded February 10, 1864, the commission for the adjudication of claims under that treaty allowed interest in all cases as a part of the indemnity.

So under the recent convention with Venezuela, the United States exacted interest upon the awards of the commission, from the date of the adjournment of the commission until the payment of the awards.

The mixed American and Mexican Commission, now in session here, allow interest in all cases from the origin of the claim, and the awards are payable with interest.

Other cases might be shown in which the United States or their authorized diplomatic agents have claimed interest in such cases, or where it has been paid in whole or in part. (See Mr. Russell's letter to the Count de Engstein of October 5, 1818, American State Papers, vol. 4, p. 639, and proceedings under the convention with the Two Sicilies of October, 1835, Elliott's Dip. Code, p. 625.)

It can hardly be necessary to pursue these precedents further. They sufficiently and clearly show the practice of this Government with foreign nations, or with claimants under treaties.

8. The practice of the United States in its dealings with the various Indian tribes or nations has been in harmony with these principles.

In all cases where money belonging to Indian nations has been retained by the United States it has been so invested as to produce *interest*, for the benefit of the nation to which it belongs; and such interest is *annually* paid to the nation who may be entitled to receive it.

9. The United States in adjusting the claim of the Cherokee Nation for a balance due as purchase money upon lands ceded by that nation to the United States in 1858, allowed interest upon the balance due them, being \$189,422.76, until the same was paid.

The question was submitted to the Senate of the United States, as to whether interest should be allowed them. The Senate Committee on Indian Affairs, in their report upon this subject, used the following language:

"By the treaty of August, 1846, it was referred to the Senate to decide, and that decision to be final, whether the Cherokees shall receive interest on the sums found due them from a misapplication of their funds to purposes with which they were not chargeable, and on account of which improper charges the money has been withheld from them. It has been the uniform practice of this Government to pay and demand interest in all transactions with foreign governments, which the Indian tribes have always been said to be, both by the Supreme Court and all other branches of our Government, in all matters of treaty or contract. The Indians, relying upon the prompt payment of their dues, have in many cases contracted debts upon the faith of it, upon which they have paid, or are liable to pay, interest. If, therefore, they do not now receive interest on their money so long withheld from them they will in effect have received nothing" (Senate Report No. 176, first session Thirty-first Congress, p. 78).

10th. That upon an examination of the precedents where Congress had passed acts for the relief of private citizens, it will be found that in almost every case, Congress has directed the payment of interest, where the United States had withheld a sum of money which had been decided by competent authority to be due, or where the amount due was ascertained, fixed, and certain.



The following precedents illustrate and enforce the correctness of this assertion, and sustain this proposition:

1. An act approved January 14, 1793, provided that lawful interest from the 16th of May, 1776, shall be allowed on the sum of \$200 ordered to be paid to Return J. Meigs, and the legal representatives of Christopher Greene, deceased, by a resolve of the United States, in Congress assembled, on the 28th of September, 1785 (6 Stats. at Large, p. 11).

2. An act approved May 31, 1794, providing for a settlement with Arthur St. Clair, for expenses while going from New York to Fort Pitt and till his return, and for services in the business of Indian treaties, and "allowed interest on the balance found to be due him" (6 Stats. at Large, p. 46).

3. An act approved February 27, 1795, authorized the officers of the Treasury to issue and deliver to Angus McLean, or his duly authorized attorney, certificates for the amount of \$254.43, bearing interest at 6 per cent., from the first of July, 1783, being for his services in the Corps of Sappers and Miners during the late war (6 Stats. at Large, p. 20).

4. An act approved January 23, 1798, directing the Secretary of the Treasury to pay General Kosciusko an interest at the rate of six per cent. per annum on the sum of \$12,280.54, the amount of a certificate due to him from the United States from the 1st of January, 1793, to the 31st of December, 1797 (6 Stats. at Large, p. 32).

5. An act approved May 3, 1802, provided that there be paid Fulwar Skipwith the sum of \$4,550, advanced by him for the use of the United States, with interest at the rate of six per cent. per annum from the first of November, 1795, at which time the advance was made (6 Stats. at Large, p. 48).

6. An act for the relief of John Coles, approved January 14, 1804, authorized the proper accounting officers of the Treasury to liquidate the claim of John Coles, owner of the ship *Grand Turk*, heretofore employed in the service of the United States, for the detention of said ship at Gibraltar from the 10th of May to the 4th of July, 1801, inclusive, and that he be allowed demurrage at the rate stipulated in the charter-party, together with the interest thereon (6 Stat. at L., p. 50).

7. An act approved March 3, 1807, provided for the settlement of the accounts of Oliver Pollock, formerly commercial agent for the United States at New Orleans, allowing him certain sums and commissions, with interest until paid (6 Stat. at L., p. 65.)

8. An act for the relief of Stephen Sayre, approved March 3, 1807, provided that the accounting officers of the Treasury be authorized to settle the account of Stephen Sayre, as secretary of legation at the court of Berlin, in the year 1777, with interest on the whole sum until paid (6 Stat. at L., p. 65).

9. An act approved April 25, 1810, directing the accounting officers of the Treasury to settle the account of Moses Young, as secretary of legation to Holland in 1780, and providing that after the deduction of certain moneys paid him, the balance, with interest thereon, should be paid (6 Stat. at L., p. 89).

10. An act approved May 1, 1810, for the relief of P. C. L'Enfant, directed the Secretary of the Treasury to pay to him the sum of six hundred and sixty-six dollars, with legal interest thereon from March 1, 1792, as a compensation for his services in laying out the plan of the city of Washington (6 Stat. at L., p. 92).

11. An act approved January 10, 1812, provided that there be paid to John Burnham the sum of \$126.72, and the interest on the same since the 30th of May, 1796, which, in addition to the sum allowed him by the act of that date, is to be considered a re-imbusement of the money advanced by him for his ransom from captivity in Algiers (6 Stat. at L., p. 101).

12. An act approved July 1, 1812, for the relief of Anna Young, required the War Department to settle the account of Col. John Durkee, deceased, and to allow said Anna Young, his sole heiress and representative, said seven years' half-pay, and interest thereon (6 Stat. at L., p. 110).

13. An act approved February 25, 1813, provided that there be paid to John Dixon the sum of \$329.84 with 6 per cent. per annum interest thereon from the first of January, 1785, "being the amount of a final-settlement certificate, No. 596, issued by Andrew Dunscomb, late commissioner of accounts for the State of Virginia, on the 22d of December, 1786, to Lucy Dixon, who transferred the same to John Dixon" (6 Stat. at L., p. 117).

14. An act approved February 25, 1813, required the accounting officers of the Treasury to settle the account of John Murray, representative of Dr. Henry Murray, and that he be allowed the amount of three loan certificates for \$1,000, with interest from the 29th of March, 1782, issued in the name of said Murray, signed Francis Hopkinson, treasurer of loans (6 Stat. at L., p. 117).

15. An act approved March 3, 1813, directed the accounting officers of the Treasury to settle the accounts of Samuel Lapsley, deceased, and that they be allowed the amount of two final-settlement certificates, No. 78,446, for one thousand dollars, and No. 78,447, for one thousand three hundred dollars, and interest from the 22d day of

March, 1783, issued in the name of Samuel Lapsley, by the commissioner of army accounts for the United States on the 1st day of July, 1784 (6 Stat. at L., p 119).

16. An act approved April 13, 1814, directed the officers of the Treasury to settle the account of Joseph Brevard, and that he be allowed the amount of a final-settlement certificate for \$183.23, dated February 1, 1785, and bearing interest from the 1st of January, 1783, issued to said Brevard by John Pierce, commissioner for settling army accounts (6 Stat. at L., p. 134).

17. An act approved April 18, 1814, directed the receiver of public moneys at Cincinnati to pay the full amount of moneys, with interest, paid by Dennis Clark, in discharge of the purchase money for a certain fractional section of land purchased by said Clark (6 Stat. at L., 141).

18. An act for the relief of William Arnold, approved February 2, 1815, allowed interest on the sum of six hundred dollars due him from January 1, 1783 (6 Stat. at L., 146).

19. An act approved April 26, 1816, directing the accounting officers of the Treasury to pay to Joseph Wheaton the sum of eight hundred and thirty-six dollars and forty-two cents, on account of interest due him from the United States upon sixteen hundred dollars and eighty-four cents, from April 1, 1807, to December 21, 1815, pursuant to the award of George Youngs and Elias B. Caldwell, in a controversy between the United States and the said Joseph Wheaton (6 Stat. at L., 166).

20. An act approved April 26, 1816, authorized the liquidation and settlement of the claim of the heirs of Alexander Roxburgh, arising on a final-settlement certificate issued on the 18th of August, 1778, for \$480.87, by John Pierce, commissioner for settling Army accounts, bearing interest from the 1st of January, 1782 (6 Stat. at L., 167).

21. An act approved April 14, 1818, authorized the accounting officers of the Treasury Department "to review the settlement of the account of John Thompson," made under the authority of an act approved the 11th of May, 1812, and "to allow the said John Thompson interest at six per cent. per annum from the 4th of March, 1787, to the 20th of May, 1812, on the sum which was found due to him, and paid under the act aforesaid" (6 Stat. at L., 208).

22. An act approved May 11, 1820, directed the proper officers of the Treasury to pay to Samuel B. Beall the amount of two final-settlement certificates issued to him on the 1st of February, 1785, for his services as a lieutenant in the Army of the United States during the Revolutionary war, together with interest on the said certificates, at the rate of 6 per cent. per annum, from the time they bore interest, respectively, which said certificates were lost by the said Beall, and remain yet outstanding and unpaid (6 Laws of U. S., 510; 6 Stat. at L., 249).

23. An act approved May 15, 1820, required that there be paid to Thomas Leiper the specie value of four loan-office certificates, issued to him by the commissioner of loans for the State of Pennsylvania, on the 27th of February, 1779, for one thousand dollars each; and also the specie value of two loan-certificates, issued to him by the said commissioner on the 2d day of March, 1779, for one thousand dollars each, with interest at six per cent. annually (6 Stat. at L., 252).

24. An act approved May 7, 1822, provided that there be paid to the legal representatives of John Guthry, deceased, the sum of \$123.30, being the amount of a final-settlement certificate, with interest at the rate of six per cent. per annum from the 1st day of January, 1788 (6 Stat. at L., 269).

25. An act for the relief of the legal representatives of James McClung, approved March 3, 1823, allowed interest on the amount due at the rate of six per cent. per annum from January 1, 1788 (6 Stat. at L., 284).

26. An act approved March 3, 1823, for the relief of Daniel Seward, allowed interest to him for money paid to the United States for land to which the title failed, at the rate of six per cent. per annum from January 29, 1814 (6 Stat. at L., 286).

27. An act approved May 5, 1824, directed the Secretary of the Treasury to pay to Amasa Stetson the sum of \$6,215, "being for interest on moneys advanced by him for the use of the United States, and on warrants issued in his favor, in the years 1814 and 1815, for his services in the Ordnance and Quartermaster's Department for superintending the making of Army clothing and for issuing the public supplies" (6 Stat. at L., 298).

28. An act approved March 3, 1824, directed the proper accounting officers of the Treasury to settle and adjust the claims of Stephen Arnold, David and George Jenks, for the manufacture of three thousand nine hundred and twenty-five muskets, with interest thereon from the 26th day of October, 1813 (6 Stat. at L., 331).

29. An act approved May 20, 1826, directed the proper accounting officers of the Treasury to settle and adjust the claim of John Stemman and others for the manufacture of four thousand one hundred stand of arms, and to allow interest on the amount due from October 26, 1813 (6 Stat. at L., 345).

30. An act approved May 20, 1826, for the relief of Ann D. Taylor, directed the payment to her of the sum of three hundred and fifty-four dollars and fifteen cents, with

interest thereon at a rate of six per cent. per annum from December 30, 1786, until paid (6 Stat. at L., 351).

31. An act approved March 3, 1827, provided that the proper accounting officers of the Treasury were authorized to pay B. J. V. Valkenberg the sum of \$597.24, "being the amount of fourteen indents of interest, with interest thereon from the 1st of January, 1791, to the 31st of December, 1826" (6 Stat. at L., 365).

In this case the United States paid interest on interest.

32. An act approved May 19, 1828, provided that there be paid to the legal representatives of Patience Gordon on the specie value of a certificate issued in the name of Patience Gordon by the commissioner of loans for the State of Pennsylvania, on the 7th of April, 1778, with interest at the rate of 6 per cent. per annum from the 1st day of January, 1788 (7 Stat. at L., p. 378).

33. An act approved May 29, 1830, required the Treasury Department "to settle the accounts of Benjamin Wells, as deputy commissary of issues at the magazine at Monster Mills, in Pennsylvania, under John Irvin, deputy commissary-general of the Army of the United States, in said State, in the Revolutionary war"; and that "they credit him with the sum of \$574.04, as payable February 9, 1779, and \$326.67, payable July 20, 1780, in the same manner, and with such interest, as if these sums, with their interest from the times respectively as aforesaid, had been subscribed to the loan of the United States (6 Stats. at Large, 447).

34. An act approved May 19, 1832, for the relief of Richard G. Morris, provided for the payment to him of two certificates issued to him by Timothy Pickering, quartermaster-general, with interest thereon from the 1st of September, 1781 (6 Stats. at Large, 486).

35. An act approved July 4, 1832, for the relief of Aaron Snow, a Revolutionary soldier, provided for the payment to him of two certificates issued by John Pierce, late commissioner of Army accounts, and dated in 1784, with interest thereon (6 Stats. at Large, 503).

36. An act approved July 4, 1832, provided for the payment to W. P. Gibbs of a final settlement certificate dated January 30, 1784, with interest at 6 per cent. from the 1st of January, 1783, up to the passage of the act. This act went behind the final certificate and provided for the payment of interest anterior to its date (6 Stats. at Large, 504).

37. An act approved July 14, 1832, directed the payment to the heirs of Ebenezer L. Warren of certain sums of money illegally demanded and received from the United States from the said Warren as one of the sureties of Daniel Evans, former collector of direct taxes, with interest thereon at the rate of six per cent. per annum from September 9, 1820 (6 Stats. at Large, 373).

38. An act for the relief of Hartwell Vick, approved July 14, 1832, directed the accounting officers of the Treasury to refund to the said Vick the money paid by him to the United States for a certain tract of land which was found not to be property of the United States, with interest thereon at the rate of six per centum per annum, from the 23d day of May, 1818 (6 Stats. at Large, 523).

39. An act approved June 18, 1834, for the relief of Martha Bailey and others, directed the Secretary of the Treasury to pay to the parties therein named the sum of four thousand eight hundred and thirty-seven dollars and sixty-one cents, being the amount of interest upon the sum of two hundred thousand dollars, part of a balance due from the United States to Elbert Anderson on the 26th day of October, 1814; also the further sum of nine thousand five hundred and ninety-five dollars and thirty-six cents, being the amount of interest accruing from the deferred payment of warrants issued for balances due from the United States to said Anderson from the date of such warrants until the payment thereof; also the further sum of two thousand and eighteen dollars and fifty cents admitted to be due from the United States to the said Anderson by a decision of the Second Comptroller, with interest on the sum last mentioned from the period of such decision until paid (6 Stats. at Large, 562).

40. An act approved June 10, 1834, directed the Secretary of the Treasury to pay balance of damages recovered against William C. H. Waddell, United States marshal for the southern district of New York, for the illegal seizure of a certain importation of brandy, on behalf of the United States, with legal interest on the amount of said judgment from the time the same was paid by the said Waddell (6 Stats. at Large, 594).

41. An act approved February 17, 1836, directed the payment of the sum therein named to Marinus W. Gilbert, being the interest on money advanced by him to pay off troops in the service of the United States, and not repaid when demanded (6 Stats. at Large, 622).

42. An act approved February 17, 1836, for the relief of the executor of Charles Wilkins, directed the Secretary of the Treasury to settle the claim of the said executor, for interest on a liquidated demand in favor of Jonathan Taylor, James Morrison, and Charles Wilkins, who were lessees of the United States of the salt works in the State of Illinois (6 Stats. at Large, 626).

43. An act approved July 2, 1836, for the relief of the legal representatives of David Caldwell, directed the proper accounting officers of the Treasury to settle the claim of the said David Caldwell for fees and allowances, certified by the circuit court of the United States for the eastern district of Pennsylvania, for official services to the United States, and to pay on that account the sum of four hundred and ninety-six dollars and thirty-eight cents, with interest thereon at the rate of six per centum from the 25th day of November, 1830, till paid (6 Stats. at Large, 664).

44. An act approved July 2, 1836, provided that there be paid Don Carlos Delossus interest at the rate of six per centum per annum on three hundred and thirty-three dollars, being the amount allowed him under the act of July 14, 1832, for his relief, on account of moneys taken from him at the capture of Baton Rouge, La., on the 23d day of September, 1810, being the interest to be allowed from the said 23d day of September, 1810, to the 14th day of July, 1832 (6 Stats. at Large, 672).

In this case the interest was directed to be paid four years after the principal had been satisfied and discharged.

45. An act approved July 7, 1838, provided that the proper officers of the Treasury be directed to settle the accounts of Richard Harrison, formerly consular agent of the United States at Cadiz, in Spain, and to allow him, among other items, the interest on the money advanced, under agreement with the minister of the United States, in Spain, for the relief of destitute and distressed seamen, and for their passages to the United States, from the time the advances, respectively, were made to the time at which the said advances were re-imbursed (6 Stats. at Large, 734).

46. An act approved August 11, 1842, directed the Secretary of the Treasury to pay to John Johnson the sum of seven hundred and fifty-six dollars and eighty-two cents, being the amount received from the said Johnson upon a judgment against him in favor of the United States, together with the interest thereon from the time of such payment (6 Stats. at Large, 856).

47. An act approved August 3, 1846, authorized the Secretary of the Treasury to pay to Abraham Horbach the sum of five thousand dollars, with lawful interest from the 1st of January, 1836, being the amount of a draft drawn by James Reeside on the Post-Office Department, dated April 18, 1835, payable on the 1st of January, 1836, and accepted by the treasurer of the Post-Office Department, which said draft was indorsed by said Abraham Horbach, at the instance of the said Reeside, and the amount drawn from the Bank of Philadelphia, and, at maturity, said draft was protested for non-payment, and said Horbach became liable to pay, and, in consequence of his indorsement, did pay the full amount of said draft (9 Stats. at Large, 677).

48. An act approved February 5, 1859, authorized the Secretary of War to pay to Thomas Laurent, as surviving partner, the sum of \$15,000, with interest at the rate of six per cent. yearly, from the 11th of November, 1847, it being the amount paid by the firm on that day to Major-General Winfield Scott, in the City of Mexico, for the purchase of a house in said city, out of the possession of which they were since ousted by the Mexican authorities (11 Stats. at Large, 558).

49. An act approved March 2, 1847, directed the Secretary of the Treasury to pay the balance due to the Bank of Metropolis for moneys due upon the settlement of the account of the bank with the United States, with interest thereon from the 6th day of March, 1838 (9 Stats. at Large, 689).

50. An act approved July 20, 1852, directed the payment to the legal representative of James C. Watson, late of the State of Georgia, the sum of fourteen thousand six hundred dollars, with interest at the rate of six per cent. per annum, from the 8th day of May, 1838, till paid, being the amount paid by him, under the sanction of the Indian agent, to certain Creek warriors, for slaves captured by said warriors while they were in the service of the United States against the Seminole Indians in Florida (10 Stats. at Large, 734).

51. An act approved July 29, 1854, directed the Secretary of the Treasury to pay to John C. Fremont one hundred and eighty-three thousand eight hundred and twenty-five dollars, with interest thereon from the 1st day of June, 1851, at the rate of ten per cent. per annum, in full for his account for beef delivered to Commissioner Barbour, for the use of the Indians in California, in 1851 and 1852 (10 Stats. at Large, 804).

52. An act approved July 8, 1870, directed the Secretary of the Treasury to make proper payments to carry into effect the decree of the district court of the United States for the district of Louisiana, bearing date the fourth of June, 1867, in the case of the British brig *Volunt* and her cargo; and also another decree of the same court, bearing date the eleventh of June, in the same year, in the case of the British bark *Science*, and cargo, vessels illegally seized by a cruiser of the United States, such payments to be made as follows, viz: To the several persons named in such decrees, or the legal representatives, the several sums awarded to them respectively, with interest to each person from the date of the decree under which he receives payment (16 Stats. at Large, 650).

53. An act approved July 8, 1870, directed the Secretary to make the proper pay-

ments to carry into effect the decree of the district court of the United States for the district of Louisiana, bearing date July 13, 1867, in the case of the British brig *Dashing Wave*, and her cargo, illegally seized by a cruiser of the United States, which decree was made in pursuance of the decision of the Supreme Court, *such payments to be made with interest from the date of the decree* (16 Stats. at Large, 651).

An examination of these cases will show that, subsequent to the seizure of these several vessels, they were each sold by the United States marshal for the district of Louisiana as prize, and the proceeds of such sales deposited by him in the First National Bank of New Orleans. The bank, while the proceeds of these sales were on deposit there, became insolvent. The seizures were held illegal, and the vessels not subject to capture as prize. But the proceeds of the sales of these vessels and their cargoes could not be restored to the owners in accordance of the decrees of the district court, because the funds had been lost by the insolvency of the bank. In these cases, therefore, Congress provided indemnity for losses resulting from the acts of its agents, and made the indemnity complete by providing for the payment of interest.

Your committee have directed attention to these numerous precedents for the purpose of exposing the utter want of foundation of the often repeated assumption that "the Government never pays interest." It will readily be admitted that there is no statute law to sustain this position. The idea has grown up from the custom and usage of the accounting officers and Departments refusing to allow interest generally in their accounts with disbursing officers, and in the settlement of unliquidated domestic claims arising out of dealings with the Government. It will hardly be pretended, however, that this custom or usage is so "reasonable," well-known, and "certain," as to give it the force and effect of law, and to override and trample under foot the law of nations and also the well-settled practice of the Government itself in its intercourse with other nations.

11th. Interest was allowed and paid to the State of Massachusetts because the United States delayed the payment of the principal for twenty-two years after the amount due had been ascertained and determined. The amount appropriated to pay this interest was \$678,362.41, more than the original principal (16 Stats. at Large 198).

Mr. Sumner, in his report upon the memorial introduced for that purpose, discussing this question of interest, said:

"It is urged that the payment of this interest would establish a bad precedent. If the claim is just, the precedent of paying it is one of which our Government should wish to establish. Honesty and justice are not precedents of which either Government or individuals should be afraid" (Senate Report 4, Forty-first Congress, first session, p. 10).

14th. Interest has always been allowed to the several States for advances made to the United States for military purposes.

The claims of the several States for advances during the Revolutionary war were adjusted and settled under the provision of the acts of Congress of August 5, 1790, and of May 31, 1794. By these acts interest was allowed to the States, whether they had advanced money on hand in their treasuries or obtained by loans.

In respect to the advances of States during the war of 1812-'15, a more restricted rule was adopted, viz: That States should be allowed interest only so far as they had themselves paid it by borrowing, or had lost it by the sale of interest-bearing funds.

Interest, according to this rule, has been paid to all the States which made advances during the war of 1812-'15, with the exception of Massachusetts. Here are the cases:

Virginia, U. S. Stats. at Large, vol. 4, p. 161.

Delaware, U. S. Stats. at Large, vol. 4, p. 175.

New York, U. S. Stats. at Large, vol. 4, p. 192.

Pennsylvania, U. S. Stats. at Large, vol. 4, p. 241.

South Carolina, U. S. Stats. at Large, vol. 4, p. 499.

In Indian and other wars the same rule has been observed, as in the following cases:

Alabama, U. S. Stats. at Large, vol. 9, p. 344.

Georgia, U. S. Stats. at Large, vol. 9, p. 626.

Washington Territory, U. S. Stats. at Large, vol. 11, p. 429.

New Hampshire, U. S. Stats. at Large, vol. 10, p. 1.

13th. The Senate Committee on Indian Affairs, in the report to which reference has heretofore been made, speaking of this award and of the obligation of the United States to pay interest upon the balance remaining due and unpaid thereon, used the following language:

"Your committee are of opinion that this sum should be paid them with accrued interest from the date of said award, deducting therefrom \$250,000, paid to them in money, as directed by the act of March 2, 1861; and, therefore, find no sufficient reason for further delay in carrying into effect that provision of the aforementioned act, and the act of March 3, 1871, by the delivery of the bonds therein described, with accrued interest from the date of the act of March 8, 1861.



“Your committee have discussed this question with an anxious desire to come to such a conclusion in regard to it as would do no injustice to that Indian nation whose rights are involved here, nor establish such a precedent as would be inconsistent with the practice or duty of the United States in such cases. Therefore, your committee have considered it not only by the light of those principles of the public law—always in harmony with the highest demands of the most perfect justice—but also in the light of those numerous precedents which this Government in its action in litigation has furnished for our guidance. Your committee can not believe that the payment of interest on the moneys awarded by the Senate to the Choctaw Nation would either violate any principle of law or establish any precedent which the United States would not wish to follow in any similar case, and your committee can not believe that the United States are prepared to repudiate these principles, or to admit that because their obligation is held by a weak and powerless Indian nation it is any the less sacred or binding than if held by a nation able to enforce its payment and secure complete indemnity under it. Could the United States escape the payment of interest to Great Britain, if it should refuse or neglect, after the same became due, to pay the amount awarded in favor of British subjects by the recent joint commission which sat here? Could we delay payment of the amount awarded by that commission for fifteen years, and then escape by merely paying the principal? The Choctaw Nation asks the same measure of justice which we *must* accord to Great Britain; and your committee can not deny that demand unless they shall ignore and set aside those principles of the public law which it is of the utmost importance to the United States to always maintain inviolate.

“Your committee are not unmindful that the amount due the Choctaw Nation under the award of the Senate is large. They are not unmindful, either, that the discredit of refusing payment is increased in proportion to the amount withheld and the time during which refusal has been continued.”

Few, if any, of the foregoing cases presented as strong and meritorious grounds for the allowance of interest as the claim now under consideration. Following these precedents, and for the reasons above set forth, the committee deem the present a proper case for the payment of interest on the sum converted (\$371,025) from date of conversion to date of payment. This interest they fix at the rate of four and a half (4½) per centum per annum, that being about the average rate paid by the Government between 1867 and 1881, and which it may be fairly assumed was saved or made by it for the use of the funds during the period of detention. On this basis the interest allowed will amount to the sum of \$249,039.95.

The committee accordingly recommend that the bill be amended as follows: In line one of section 2 strike out the words “seventy-five” and insert in lieu thereof “forty-nine,” and in line second of said second section, after the word “thousand,” insert the words “and thirty-nine and ninety-five hundredths.” And as thus amended that the bill be passed by the Senate.

In addition to the precedents cited in the foregoing Senate report, the committee refer to the following cases in which interest has been allowed by act of Congress or paid by the Treasury Department:

Case of—	Date of act.	Statutes at Large.	
		Volume.	Page.
Baron de Glaubeck.....	Sept. 20, 1780	6	1
Captain Markley.....	Aug. 11, 1790	6	4
Lieutenant Brewster.....	Aug. 11, 1790	6	4
John Stevens.....	Aug. 11, 1790	6	4
James Derry.....	Aug. 11, 1790	6	4
Benjamin Hardison.....	Aug. 11, 1790	6	4
Widow of General Lord Stirling.....	Aug. 11, 1790	6	4
Child of Colonel Laurens.....	Aug. 11, 1790	6	5
Oliver Pollock.....	Dec. 23, 1791	-----	-----
Widow of Colonel Roberts.....	Mar. 27, 1792	6	6
Widow of Captain White.....	Mar. 27, 1792	6	6
Widow of Colonel Elliott.....	Mar. 27, 1792	6	6
Widow of Major Wise.....	Mar. 27, 1792	6	6
Widow of Major Hager.....	Mar. 27, 1792	6	6
Widow of Lieutenant Bush.....	Mar. 27, 1792	6	6
Widow of Major Motte.....	Mar. 27, 1792	6	6
Captain McIntire.....	Mar. 27, 1792	6	7
Colonel Pannil.....	Mar. 27, 1792	6	7
General De Hass.....	Mar. 27, 1792	6	7
Dr. Debevere.....	Mar. 27, 1792	6	7
Lieutenant King.....	Mar. 27, 1792	6	7
Sailingmaster Sherman.....	Mar. 27, 1792	6	7
General Nathaniel Greene.....	Apr. 27, 1792	6	9

Case of—	Date of act.	Statutes at Large.	
		Volume.	Page.
Colonel Dubois	June 4, 1794	6	16
Moses White	Mar. 2, 1803	6	50
Widow of Thomas Flinn	Mar. 3, 1805	6	57
De Beaumarchais	Apr. 18, 1806		
Thomas Barclay	Apr. 18, 1808	6	72
Mary Rappleyea	Feb. 2, 1815	6	146
John Holkar	Apr. 29, 1816	6	175
Joshua Barney	Mar. 2, 1849	9	769
Nicholas Vreeland	Apr. 5, 1820	6	238
John Crute	May 7, 1822	6	276
Walter S. Chandler	Mar. 3, 1825	6	326
John Crain	Mar. 3, 1825	6	334
Heirs of John W. Baylor and others	May 20, 1826	6	351
Robert Johnson	May 26, 1828	6	392
Benjamin Wells	May 29, 1830	6	447
A. D. Baylor	May 29, 1830	6	437
Charles Yates's executor	May 29, 1830	6	440
Ward & Brothers	May 31, 1830	6	450
Lucian Harper	Mar. 2, 1831	6	457
Heirs of General Hazen	Mar. 3, 1831	6	466
Lieutenant Vawtes	May 25, 1832	6	489
Major Roberts	May 25, 1832	6	490
Lieutenant Hillary	May 25, 1832	6	490
Dr. Carter	May 25, 1832	6	490
Colonel Baylor	May 25, 1832	6	491
Lieutenant Brooke	May 25, 1832	6	491
Ichabod Ward	June 15, 1832	6	496
Dr. Axson	June 15, 1832	6	494
Dr. Knight	June 15, 1832	6	495
John B. Taylor	July 13, 1832	6	507
J. & J. Pettigrew	July 14, 1832		
A. McKnight	July 14, 1832		
Heirs of Colonel Harrison	July 14, 1832		
Lieutenant Jacob	July 14, 1832	6	516
The Union Bank of Florida	Mar. 3, 1849	9	778
William Greer	Mar. 26, 1852	10	731
Gray, McMurdo & Co	Mar. 27, 1854	10	776
John S. Wilson	July 27, 1854	10	791
Charles Cooper & Co	July 27, 1845	10	795
James Dunning	July 27, 1854	10	796
John Frazier and John G. Clendenin	July 29, 1854	10	803
Phineas M. Nightingale, administrator	Aug. 1, 1854	10	808
Thomas H. Baird	Aug. 18, 1856	11	467
The legal representatives of Thomas Gordon	Aug. 23, 1856	11	483
Mary Reeside	Feb. 7, 1857	11	495
Joseph D. Beers	Feb. 10, 1857	11	496
John Hamilton	Mar. 16, 1858	11	527
Rufus Dwinell	June 1, 1858	11	530
Heirs of Richard D. Rowland	June 8, 1858	11	538
Henry Hubbard	Feb. 9, 1859	11	559
Francis Huttman	Apr. 13, 1860	12	837
Nott & Co.	Feb. 22, 1869	15	440
British schooner Flying Scud	July 7, 1870	16	649
British steamer Labuan	July 7, 1870	16	649
James F. Joy	May 25, 1872	17	663
John N. Hall	Mar. 3, 1877	19	542
Executors of Samuel P. Fearon	June 18, 1878	20	576
Manhattan Savings Institution	Dec. 19, 1878	20	589
Commercial Bank of Knoxville	Feb. 28, 1878	20	602
Henry Page	Feb. 18, 1880	21	535
Albert Eisberg, administrator	Aug. 3, 1882	22	726
Robert Stodart Wyld	Jan. 5, 1883	22	752
German National Bank of Louisville	Mar. 3, 1883	22	805
Captain Davenport	July 14, 1832	6	518
Gertrude Gates	July 14, 1832	6	521
John Peck	July 14, 1832	6	524
John Laurens	July 14, 1832	6	514
Colonel Thornton	Feb. 9, 1833	6	533
Son of Alexander Brownlee	Feb. 9, 1833	6	533
Heirs of John Wilson	Feb. 27, 1833	6	537
Riddle, Beekle, Headington & Co	Feb. 27, 1833	6	537
Captain Thomas	Mar. 2, 1833	6	540
Lieutenant Foster	Mar. 2, 1833	6	540
Dr. Ledyard	Mar. 2, 1833	6	542
Col. John Ely	Mar. 2, 1833	6	543
Captain Triplett	Mar. 2, 1833	6	544
Lieutenant Wagon	Mar. 2, 1833	6	549
William Price	Mar. 2, 1833	6	551
Philip Slaughter	Mar. 2, 1833	6	551
James Burnett	Mar. 2, 1833	6	551
Archibald Watts	Feb. 47, 1833	6	537

Case of—	Date of act.	Statutes at Large.	
		Volume.	Page.
Captain Gibbon .....	Mar. 2, 1833	6	551
Philip Bush .....	Mar. 2, 1833	6	540
Eleanor Courts .....	Mar. 2, 1833	6	542
Dr. John Berrien .....	June 19, 1834	6	565
The legal representatives of Christian Ish .....	June 27, 1834	6	570
Joseph Falconer .....	June 28, 1834	6	574
Samuel Gibbs .....	June 28, 1834	6	576
Benjamin Bird .....	June 28, 1834	6	576
Grove Pomeroy .....	June 28, 1834	6	576
The representatives of General Lord Stirling .....	June 30, 1834	6	587
John Peck .....	June 30, 1834	6	582
Capt. George Hurlburt .....	June 30, 1834	6	589
Alvarez Fisk .....	Apr. 10, 1840	6	796
Matthew Lyon .....	July 4, 1840	6	802
John Johnston .....	Aug. 11, 1842	6	856
Felix St. Vrain .....	Aug. 3, 1846	9	658
Lewis C. Sartori .....	Mar. 3, 1847	9	704
The legal representatives of Simon Spaulding .....	Mar. 3, 1847	9	694

Every fact in the present case has been officially found by the Court of Claims, and that court in delivering judgment (16 Court of Claims Reports, 73) characterized the transaction as "simply a case of a bank being robbed, and of its stolen assets being put into the hands of the cashier of the sub-treasury for a purpose which by no possible view could in law be held to effect a transfer of the bank's right of property in them either to him or to the United States." Demand was immediately made for the return of the money, but it remained in the hands of the Government for fifteen years, and then repayment of the principal was made. So that the United States was able to hold property, which its courts has declared it had no right to hold, until it earned enough at 6 per cent. to pay for it. Surely reparation should be made in such a case. The principle of repaying interest under such circumstances seems to be established, in the language of several distinguished committees of this House, as follows:

"It will be found, upon examination of the precedents where Congress has passed acts for the relief of citizens of the United States, that in almost every case where the Government has withheld a sum of money which had been decided by competent authority to be due, or where the amount due was ascertained, fixed, and definite, Congress has directed the payment of interest, together with the principal. (Report No. 17, Forty-sixth Congress, first session; Report No. 1568, Forty-eighth Congress, first session; Report No. 661, Forty-ninth Congress, first session.)"

For a stronger reason should this be so in the present case, where not only was the amount ascertained, fixed, and definite, but where, also, the creditor relation was not voluntary, but was forced upon the claimants by the United States, who became, therefore, tort debtors.

There is abundant proof to show that at the time the property of the bank was transferred to the sub-treasury of the United States the bank was earning from 8 to 10 per cent. upon its assets, being in a very prosperous condition. The bill calls for the payment of 5 per cent. interest, but the Senate committee have found that 4½ per cent. was about the average rate of interest paid by the Government between 1867 and 1881, and accordingly your committee, recognizing the fact that the Government ought not to pay a higher rate of interest on this claim than they were in the habit of paying to other creditors, recommend that the bill be amended by striking out in lines 1 and 2 of section 2 the words "two hundred and seventy-five thousand dollars," and inserting in lieu thereof the words "two hundred and forty-nine thousand thirty-nine dollars and ninety-five cents," and thus amended, recommend its passage.

[Senate Report No. 183, Forty-ninth Congress, first session.]

*The Committee on Military Affairs, to whom was referred the bill (S. 1293 "to authorize the Secretary of the Treasury to settle and pay the claim of the State of Florida on account of expenditures made in suppressing Indian hostilities, and for other purposes," have considered the same and they beg leave to report:*

That in the Forty-eighth Congress they had under consideration the same subject, and they reported by bill to the Senate. A report accompanied the bill, and this report, now annexed, is adopted. They recommend the indefinite postponement of bill 1293, and the substitution of a bill hereby reported, that being the bill reported favorably by the committee in the Forty-eighth Congress.

[Senate Report No. 109, Forty-eighth Congress, first session.]

*The Committee on Military Affairs, to whom was referred the bill (S. 230) "to authorize the Secretary of the Treasury to settle the claim of the State of Florida on account of expenditures made in suppressing Indian hostilities," beg leave to submit the following report:*

In accordance with the requirements of the joint resolution of Congress approved March 3, 1881, the Secretary of War has investigated, audited, and made a report to Congress, May 22, 1882, of the amount due the State of Florida for expenditures made in suppressing Indian hostilities in that State between the 1st day of December, 1855, and the 1st day of January, 1860. (Ex. Doc. 203, 47th Congress, first session.)

The expenditures grew out of the Seminole war of 1855, 1856, and 1857, the State authorities being compelled, in the presence of an anticipated and subsequently actual outbreak of the Indians, to call forth the militia of the State, the force of United States troops then on duty being inadequate to the protection of the people. The report of the Secretary of War (Ex. Doc. 203) fully sets forth in detail the items of expenditure allowed and disallowed, the total amount found due the State being the sum of \$224,648.09.

It is established that the funds at the command of the executive of the State of Florida in the years referred to were insufficient to equip, supply, and pay the troops in the field, and, relying upon the approval given by the President of the United States and the Secretary of War, on the 21st day of May, 1857, of the services of these volunteers, the State legislature, in order to provide their equipment and maintenance, authorized the issue of 7 per cent. bonds.

A portion of the bonds, amounting to \$132,000, was sold by the governor to the Indian trust fund of the United States, and the proceeds of such sale were disbursed by the treasurer of the State for the "expenses of Indian hostilities," as appears from his report to the legislature for the year ending October 31, 1857. Another portion was hypothecated to the banks of South Carolina and Georgia as security for a loan of \$222,015, and \$192,331 of this loan was disbursed directly by a disbursing agent of the State in payment of "expenses of Indian hostilities," including pay of volunteers.

The portion of the bonds sold to the United States for the "Indian trust fund" is still held by that fund and accrued interest since 1857

The State of Florida paid out through a disbursing agent, as shown by

War Department report .....	\$193,330.16
And through warrants from State treasurer .....	78,056.11
<b>Total .....</b>	<b>271,386.27</b>
Interest on this sum from January 1, 1857, to April 1, 1883.....	498,672.27

Total cost to the State to date..... 770,058.54

We quote from a statement made by the United States Treasurer of the State indebtedness to the "Indian trust fund," June 12, 1882, as follows:

Loan on 7 per cent. bonds of the State of Florida.....	\$132,000
Coupons due and unpaid January 1, 1877.....	138,040
Interest to July 1, 1882, from January 1, 1857.....	50,820
Interest from July 1, 1882, to April 1, 1883.....	6,930
	<hr/>
	327,790.00
Due the State.....	442,268.54

There appears, therefore, lawfully due the State of Florida, according to the State treasurer's account, the sum of \$770,058.54, being the principal and interest of the sums which she borrowed and expended on behalf of the United States.

If from this sum be deducted the amount loaned the State by the Indian trust fund, principal and interest, \$327,790, there still remains due the State the sum of \$442,268.54.

In auditing the accounts of the State, however, the Secretary of War has disallowed many items under the rules and regulations governing payments to the regular forces, and yet, with all his disallowances, after an exhaustive examination, he finds due \$224,648.09. Now, if we add the interest on this sum from January 1, 1857, to April 1, 1883, to wit, \$412,790.86, we have \$637,438.95. Now, if we deduct the amount due the Indian trust fund, to wit, \$327,790, there is still due the State the sum of \$309,648.95.

This case is one where the Government, through the President of the United States and Secretary of War, promised to pay these troops when mustered into the United States service, and they would have been long since paid by the Government, if so mustered, but the mustering officer arrived in the State after they had been mustered out, and the State was compelled to borrow money with which to pay them.

Congress has universally paid interest to the States where they have paid interest. We cite the cases where interest has been allowed and paid for moneys advanced during the war of 1812-15 as follows: Virginia, act March 3, 1825 (4 Stat. at L., p. 132); Maryland, act May 13, 1826 (4 Stat. at L., p. 161); Delaware, act May 20, 1826 (4 Stat. at L., p. 175); New York, act May 22, 1826 (4 Stat. at L., p. 192); Pennsylvania, act March 3, 1827 (4 Stat. at L., p. 241); South Carolina, act March 22, 1832 (4 Stat. at L., p. 499); Massachusetts, July 8, 1870 (16 Stat. at L., p. 198).

For advances for Indian and other wars the same rule has been observed in the following cases: Alabama, act January 26, 1849 (4 Stat. at L., p. 344); Georgia, act March 31, 1851 (9 Stat. at L., p. 626); Georgia, act March 3, 1879 (20 Stat. at L., p. 385); Washington Territory, act March 3, 1859 (11 Stat. at L., p. 429); New Hampshire, act January 27, 1852 (10 Stat. at L., p. 1).

Thus it will be seen that the precedent for the payment of interest under the rule adopted for the settlement of claims of war of 1812-15 is well established.

The committee are of the opinion that the urgent necessity for the services of these troops and the action of the President and the Secretary of War create an equitable obligation on the part of the General Government; and as the State of Florida not only borrowed money from the Indian trust fund, but also from the banks of the States of Georgia and South Carolina, for their payment, upon which the State has since paid interest, your committee have concluded to recommend the sum of \$92,648.09 as a full payment to the State of all Indian war-claims, this being the difference after deducting the sum borrowed by the State from the Indian trust fund (\$132,000) from the amount found due the State by the Secretary of War (\$224,648.09), and to further recommend the delivery to the State of all bonds and coupons held by the trustee of the Indian trust fund.

The committee have amended the bill in accordance with the views expressed in this report, and they recommend the passage of the bill as thus amended. Accompanying the report is a communication from the Secretary of War, explaining the origin and the present condition of the claim of the State of Florida against the Government of the United States.

[House Report No. 309, Fiftieth Congress, first session.]

The Committee on War Claims, to whom was referred the bill (H. R. 1474) to reimburse the several States for interest on moneys expended by them on account of raising troops employed in aiding the United States in suppressing the late insurrection against the United States, beg leave to report the same back to the House, with the recommendation that it do pass.

This recommendation is founded upon the precedents which Congress has heretofore established of paying interest on moneys advanced by States on account of the war of 1812; also, Indian wars of 1835, 1836, 1837, and 1838, and the northeast frontier of the State of Maine, as evidenced by the following acts of Congress:

To reimburse Virginia, act of March 3, 1825, Stat. at Large, vol. 4, p. 132.

To reimburse Maryland, act of May 13, 1826, Stat. at Large, vol. 4, p. 161.

To reimburse city of Baltimore, act of May 20, 1826, Stat. at Large, vol. 4, p. 177.

To reimburse Delaware, act of May 20, 1826, Stat. at Large, vol. 4, p. 175.

To reimburse New York, act of May 22, 1826, Stat. at Large, vol. 4, pp. 192, 193.

To reimburse Pennsylvania, act of March 3, 1827, Stat. at Large, vol. 4, pp. 240, 241.

To reimburse South Carolina, act of March 22, 1832, Stat. at Large, vol. 4, p. 499.

To reimburse Alabama, act of January 26, 1849, Stat. at Large, vol. 6, p. 344.

To reimburse Georgia, act of March 3, 1851, Stat. at Large, vol. 6, p. 646.

To reimburse Maine, act of March 3, 1851, Stat. at Large, vol. 6, p. 626.

To reimburse New Hampshire, act of January 27, 1852, Stat. at Large, vol. 10, pp. 1, 2.

To reimburse Massachusetts, act of July 8, 1870, Stat. at Large, vol. 16, pp. 197, 198.

The President, by authority of Congress, called upon the governors of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, Kentucky, Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Kansas, Nebraska, Nevada, Oregon, and California to furnish volunteers and militia troops to aid the United States in suppressing the late insurrection against it, and these States expended various sums of money which were advanced to the Government in enrolling, equipping, subsisting, clothing, supplying, arming, paying, and transporting regiments and companies employed by the Government in suppressing the late insurrection, and it matters not to the Government from what sources these States obtained the moneys advanced by them for the benefit of the Government, they are equally and justly entitled to be paid interest on such advances from the time they presented their claims to the Government for payment to the time when the same were refunded by the Secretary of the Treasury.



These States incurred heavy obligations of indebtedness on account of raising these troops, on which they paid interest, and many of them are still paying interest on their bonded indebtedness.

As the Government had the use and benefit of these advances made by these States, above mentioned, and that, too, at a time when greatly needed, and added largely to the maintaining of the credit of the Government, it is deemed by your committee but equitable and just that interest should be allowed equally to all the States on moneys advanced by them to aid the Government in furnishing troops.

[Senate Report No. 518, Fiftieth Congress, first session.]

*The Committee on Military Affairs, to whom was referred the bill (S. 1364) to declare the sense of an act entitled "An act to re-imburse the State of Pennsylvania for moneys advanced Government for war purposes," and to authorize a re-examination of the settlement made by the Secretary of War thereunder, having had the same under consideration, beg leave to submit the following report:*

The object of this bill is to carry out the provisions of the act of April 12, 1866 (14 Stats., p. 32), entitled "An act to re-imburse the State of Pennsylvania for moneys advanced Government for war purposes," and to indemnify the State for the loss sustained by the non-fulfillment thereof.

The origin of this indebtedness is fully explained in the special message of Governor Curtin of April 30, 1864 (see copy herewith, marked Exhibit A), from which it appears that when the militia, called out by the governor under the proclamation of the President of June 15, 1863, were disbanded, the appropriation in the Treasury of the United States from which the militia were paid had been exhausted, and the Secretary of War requested the governor to borrow the money needed to pay them for services rendered the United States, assuring him at the same time that he would secure from Congress at the next session the appropriation to pay the parties from whom the money was obtained the expense incurred.

That upon the faith of this assurance the governor, with the sanction of the Secretary of War, induced a committee of bankers in Philadelphia, of which Charles H. Rogers was chairman, to borrow on their personal credit the amount required, with the understanding that if the United States failed to indemnify them, he would ask the legislature to do so, and the militia were paid by said committee in August and September, 1863, from funds thus obtained, the sum of \$671,476.43, the vouchers for which were forwarded to the War Department for payment in December, 1863, through the adjutant-general of the State.

Congress failed to make the appropriation promised by the Secretary of War, but the legislature promptly responded to the governor's request to redeem the pledge that he had made, and the Rogers committee were on the 8th of September, 1864, paid by the State treasurer their account of expenses incurred in paying off the militia in full to date, as follows:

For amount paid the militia in August and September, 1863 .....	\$671, 476. 43
For interest on the money borrowed to September 8, 1864 .....	41, 890. 71
For expenses .....	52. 47

Making a total of ..... 713, 419. 61  
(See official report of State treasurer for 1864, p. 421.)

The legislature of Pennsylvania, by joint resolution approved February 3, 1865, requested the governor to make a formal demand upon the United States for the payment of this sum with interest from September 8, 1864, and instructed the Senators and Representatives of the State in Congress to vote for and urge an appropriation to pay the same (State laws of 1865, p. 331; see copy appended to this report marked Exhibit B). This exhibit also contains a copy of the act of Congress of April 12, 1866.

This resolution was introduced in Congress the next session after its passage, and became, as the record shows, the inducing cause that brought about the passage of the act of April 12, 1866.

A bill, which is the counterpart of said act, differing therefrom in nothing essential, was reported from the Committee on Ways and Means, on the 21st of March, 1866, appropriating \$500,000 to re-imburse the State for money expended.

In reporting the same Mr. Stevens said, mentioning the amount paid to the militia by the Rogers committee:

"It is that amount, with the interest due to these individuals, which has since been paid by the State, that it is proposed to pay. Pennsylvania has paid it, and that State is now substituted for those individuals (Congressional Globe, Thirty-ninth Congress, first session, part 2, p. 1553).

In making this declaration Mr. Stevens was simply repeating what is conclusively established by the history of the times when said act was passed, and which occa-

sioned its passage, hereinbefore recited, which the Supreme Court has said may not only be resorted to in construing a statute, but that a recurrence thereto "is frequently necessary in order to ascertain the reason as well as the meaning of particular provisions in it" (3 Howard, p. 24; 1 Wheaton, p. 120, and 91 U. S. R., p. 72).

In this particular case such recurrence is indispensable, for otherwise the statute is unintelligible.

The transaction was in substance the borrowing of so much money by the United States through the agency of the State of Pennsylvania, upon the credit of the latter, the whole of which was paid by the latter as quasi security for the former, and as the former recognizes its liability to pay the principal, no part of the transaction can be repudiated, but interest as well as principal should be paid by the party for whose benefit and at whose request the loan was made.

From the large amount appropriated in excess of the principal expended by the State (\$713,419.61) the reasonable inference would be that Congress intended to include the interest thereon from September 8, 1864, as claimed in the joint resolution of February 3, 1865, which, if added, would very nearly exhaust the amount appropriated (\$800,000), as shown by the following statement:

Amount expended by the State September 8, 1864.....	\$713, 419. 61
Interest to June 18, 1866 (1 year 9 months and 10 days), date when the award of Secretary of War was made.....	78, 841. 77
Amount due .....	792, 361. 38

Assuming, however, that a strict interpretation of the statute only authorized a return of the principal expended by the State, which is probably all the language employed—namely, "to re-imburse the State of Pennsylvania for money expended"—would warrant, and deducting therefrom the amount paid by the United States, the account would stand as follows:

Amount expended by the State September 8, 1864 .....	\$713, 419. 61
Amount paid June 18, 1866, under the settlement of the Secretary of War .....	667, 074. 35
Balance due the State June 18, 1866.....	46, 345. 26

The State subsequently applied to the War Department for said balance, payment whereof was refused, upon the ground that the Secretary of War had no authority to review the settlement made by his predecessor, except to correct an error of computation therein, and that the State was concluded by the governor's acceptance of the payment made.

The plea that a State could be concluded by a payment made to any one of its officers, not authorized to bind the State, of a part only of what was due under the statute, or that the remedy provided by the statute could be exhausted by such a settlement as the record shows was made in this case, is certainly a novel one. It was not such a settlement as the statute contemplated. The statute authorized payment, and consequently settlement of the claim therein described, namely, the claim of the State for money expended by the State; that is to say, the claim presented to Congress, described in the joint resolution of the legislature of February 3, 1865.

The claim settled by the Secretary of War was the claim that the Rogers committee had presented to the War Department in December 1863, and the amount paid was a portion of that claim.

Furthermore, as shown by recently discovered testimony, the settlement of the Secretary of War was not intended to be a re-imbusement in full of the payment authorized by the statute, but only an advance *pro tanto* of the account due the State thereunder (see Exhibit C, appended to this report, consisting of a letter from the Register of the Treasury, dated December 31, 1887, transmitting copy of warrant No. 8447, of June 18, 1866).

This was the warrant issued in payment of the award made by the Secretary of War, and thereon appears the following indorsement:

"This payment, approved by the Secretary of War, is made as an advance to the State of Pennsylvania. The account as approved by the Secretary of War, not having been fully stated and passed by the accounting officers of the Treasury Department, will be subject to a re-examination and final settlement at this Department hereafter.

"H. McCULLOCH,  
"Secretary."

It is very evident from the facts stated that the settlement made by the Secretary of War was not a final settlement of the claim of the State of Pennsylvania for which re-imbusement was provided by the act of Congress approved April 12, 1866, nor so intended, and that the State has not received the full amount authorized by said act.

Your committee, therefore, beg leave to report the bill back to the Senate with an amendment in the nature of a substitute, and, as amended, recommend its passage.

## EXHIBIT A.

[April 30, 1864, journal of the senate.]

The secretary of the Commonwealth being introduced, presented a message from the governor, which was read as follows, viz :

EXECUTIVE CHAMBER,  
Harrisburg, April 30, 1864.

To the senate and house of representatives of the Commonwealth of Pennsylvania :

GENTLEMEN: On the 15th of June last, in consequence of the advance of the rebel army north of the Potomac, the President issued his proclamation calling for militia from this State to repel the invasion. I immediately issued my proclamation, of the same date, calling on the militia to come forward. When the men began to assemble under this call of the President, some difficulties arose from their unwillingness to be mustered into the service of the United States, as mischievous persons made themselves busy in misrepresenting the consequences of such muster. In this state of affairs I suggested to the President the expediency of my calling the militia so as to remove the difficulties which had been thus created. The President approved of the suggestion, and for the purpose of attaining the end proposed by his proclamation, directed me to make a State call for militia. I accordingly, on the 26th day of June, 1863, issued my call for the militia. The United States clothed, equipped, and subsisted the men thus called into service, but declined to pay them, on the ground that Congress had made no appropriation for that purpose. Assurances were, however, received from the War Department, that if the money to pay these troops should be advanced by corporations or individuals, application would be made to Congress, on its meeting, to make the necessary appropriations to refund the money thus advanced. Copies of two telegraphic dispatches from the Secretary of War are herewith submitted—one addressed to me, dated July 22, 1863, and the other addressed to a member of a committee of the Union League in Philadelphia, dated July 21, 1863, and which was immediately communicated to me. On the faith of these assurances I proposed that the moneyed institutions of the State should advance the money, there being no State appropriation for the purpose. I pledged myself that if the money should be so advanced I would recommend an appropriation by the legislature to refund it, in case Congress should fail to do so. A copy of my letter on this subject, dated July 22, 1863, is herewith submitted. This not being entirely satisfactory to the gentlemen composing the committee of banks, they had an interview with me here, and I finally handed to them the paper dated 24th July, 1863, a copy of which is also herewith submitted. Several of the banks, and other corporations in the State, acting with their accustomed spirit and patriotism, promptly came forward and agreed to advance the necessary funds, and the troops were accordingly paid. The disbursements were made, and the pay accounts were so faithfully, as well as formally, kept by gentlemen who acted entirely without compensation, that they were settled by the adjutant-general of the State with the accounting officers at Washington, without any objections arising.

The sums thus advanced amount, with interest, at the present time, to about \$700,000. It ought to be added that little more than one-half of this sum was required to pay the troops during the existence of the emergency. The remainder was expended in paying such of them as, against my remonstrance, were detained afterwards by the United States for the purpose of enforcing the draft.

The assurances given by the Secretary of War were, of course, sanctioned by the President. The pay of these troops was in fact a debt of the United States, and the faith of the Government was pledged to do all in its power to procure the proper appropriation by Congress to refund the money. I regret to say that the President has not considered it to be his duty to lay the matter openly before Congress by a message. A bill, it is true, has been introduced and is now pending in Congress, providing the necessary appropriation, but it has met with opposition, and in the absence of some public declaration by the Executive of the pledges made by Government, it may possibly be defeated.

Meanwhile, as your session is drawing to a close, I feel bound to redeem the faith of the executive department of Pennsylvania, and do therefore earnestly recommend the passage of a law providing for the repayment of the sums advanced as hereinbefore stated, if Congress should fail to provide therefor at its present session. Our own good faith will be thus preserved, and it can be in no other manner.

A. G. CURTIN.

J. R. FRY,  
Chairman Union League, Philadelphia :

WASHINGTON, July 21, 1863.

All that is necessary is that the governor of Pennsylvania should see that the company pay-rolls are properly made out and certified. This being done, the amount

Due is readily ascertained, and can be paid, and the pay-rolls will furnish the proper official voucher of the payment. This Department will lay before Congress, at the commencement of the session, an estimate to cover the amount, and request the appropriation. The matter has been arranged in this way in other States, and has been productive of no delay or complaint where the governors have given their attention to it, and seen that the muster-rolls are properly made out.

EDWIN M. STANTON,  
Secretary of War.

WASHINGTON, July 22, 1863.

To His Excellency Governor A. G. CURTIN:

Your telegrams respecting the pay of militia called out under your proclamation of the 27th of June have been referred to the President for instructions, and have been under his consideration. He directs me to say that while no law or appropriation authorizes the payment by the General Government of troops that have not been mustered into the service of the United States, he will recommend to Congress to make an appropriation for the payment of troops called into State service to repel an actual invasion, including those of the State of Pennsylvania. If in the mean time you can raise the necessary amount, as has been done in other States, the appropriation will be applied to refund the advance to those who made it.

Measures have been taken for the payment of troops mustered into the United States service as soon as the muster and pay rolls are made out.

The answer of this Department to you, as governor of the State, will be given directly to yourself whenever the Department is prepared to make answer.

EDWIN M. STANTON,  
Secretary of War.

EXECUTIVE CHAMBER,  
Harrisburg, Pa., July 22, 1863.

GENTLEMEN: In my interview with you on the 19th instant I had the honor to lay before you and the presidents of the other banks of the city of Philadelphia the difficulties which surround the militia of Pennsylvania called into service for the defense of the State, and more especially the want of any appropriation of money by the National or State Government for their payment. I proposed at the time that the money necessary for that purpose be raised from banks and other corporations, relying upon Congress for an appropriation at the next session, or, on failure, upon the legislature of our own State. I refer, with great pleasure, to the promptness and unanimity with which the gentlemen present expressed their willingness to respond to the call made upon them.

I inclose a copy of a telegram received this morning from the Secretary of War, which you notice is fully up to the expectations we entertained at the time of our meeting, and pledges the Government of the United States so far as it is possible in the absence of Congress. I can not give you a correct estimate of the amount of money we may require. I do not think, however, it can exceed \$700,000. Of that amount, the city of Philadelphia having appropriated \$150,000 to the payment of volunteers raised in the city, it would seem just and proper that it should be refunded in the same manner and made part of the fund to be disbursed.

I propose that your committee immediately address banks and other corporations throughout the State, requesting them to contribute in some just proportion, which I leave to your discretion.

Inasmuch as the money thus raised could not go into the treasury of the State, and if it could not be drawn out without authority of law, I suggest that gentlemen of known character be selected to pay the regiments as they pass out of service. In the mean time we will have the proper muster-rolls prepared, so that under the laws of the United States and regulations of the War Department the proper vouchers will be presented with our claim on the Government.

If there should be any failure on the part of the Government of the United States to refund the money raised as proposed, I will ask the legislature at the opening of the next session to make an appropriation to refund it, with interest.

You will excuse me for again reminding you that we should act promptly in this matter, as it is not only just to the men who have cheerfully taken up arms in defense of the State, but important to the Government, if it should be necessary to make any such calls in the future.

I am, gentlemen, very respectfully, your obedient servant,

A. G. CURTIN.

Messrs. Charles H. Rogers (chairman), Edwin M. Lewis, Joseph Patterson, Thomas Smith, John Jordan, B. B. Comegys, and John B. Austin, committee of the banks of Philadelphia.

EXECUTIVE CHAMBER,  
Harrisburg, July 24, 1863.

I ask the banks and other corporations in Pennsylvania to advance money to pay the militia called into service under my proclamation of the 26th of June, 1863, for the defense of the State, there being no appropriation made by the legislature for that purpose.

When the legislature meets in January I will ask and recommend an appropriation to refund the money thus advanced, with interest.

It will be noticed that the Secretary of War, by a telegram to me, dated the 22d of July, commits the Government of the United States to the payment of this money, so far as it is possible in the absence of Congress.

Having had an interview with the presidents of the banks in Philadelphia, and a correspondence on this subject, I request that if the money can be raised, the committee appointed by that body collect and disburse the fund through paymasters nominated by me.

A. G. CURTIN,  
Governor of Pennsylvania.

Messrs. Charles H. Rogers (chairman), Edwin M. Lewis, Joseph Patterson, Thomas Smith, John Jordan, B. B. Comegys, and John B. Austin, committee of the banks of Philadelphia.

Laid on the table.

---

EXHIBIT B.

No. 4.—JOINT RESOLUTION relative to the repayment by the United States of certain moneys advanced by the Commonwealth of Pennsylvania to pay the volunteer militia of eighteen hundred and sixty-three.

Whereas the United States are indebted to the Commonwealth of Pennsylvania in the sum of seven hundred and thirteen thousand dollars, with interest on the same from the eighth day of September, anno Domini one thousand eight hundred and sixty-four, for money advanced to pay the volunteer militia of eighteen hundred and sixty-three, which was promised to be paid by the General Government, as appears by the telegram of the Secretary of War to Governor Curtin, bearing date the twenty-second day of July, anno Domini eighteen hundred and sixty-three: Therefore be it

*Resolved by the senate and house of representatives of the Commonwealth of Pennsylvania in general assembly met,* That the President is hereby requested to recommend Congress to make the necessary appropriation to pay the said sum. And we further request the Senators and Representatives of this State in the Congress of the United States to earnestly urge and vote for an appropriation to pay the same.

That the governor be, and he is hereby, requested to cause a copy of the foregoing preamble and resolutions to be transmitted to the President and each of the Senators and Representatives of this State in the Congress of the United States.

ARTHUR G. OLMSTEAD,  
*Speaker of the House of Representatives.*  
WILLIAM J. TURRELL,  
*Speaker of the Senate.*

Approved the 3d day of February, A. D. 1865.

(Laws of 1865, p. 861.)

A. G. CURTIN

---

*Copy of act of Congress approved April 12, 1866.*

CHAP. XL. AN ACT to reimburse the State of Pennsylvania for moneys advanced Government for war purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That to supply a deficiency in paying the Army under the act of March fourteenth, eighteen hundred and sixty-four, and to reimburse the State of Pennsylvania for money expended for payment of militia in the service of the United States, the sum of eight hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided,* That before the same is paid the claim of the State shall be again examined and settled by the Secretary of War. (14 Stats. at Large, p. 32.)



*Memorandum.*

As stated in report, the bill which brought about the passage of the act of April 12, 1866, was reported to the House March 21, 1866.

In addition to the remarks of Mr. Stevens, quoted in the brief, explanatory of the object of the bill, the reference given (Cong. Globe, 1st sess. 39th Congress, 1865-1866, Part 2, page 1553; also contains copies of the correspondence between Secretary Stanton and Gov'r Curtin and J. R. Fry, chairman of the Union League, Philada., and between Secretary Stanton and Congress. The history of the legislation in the 39th Congress with the bill introduced, appropriating \$700,000.00 to pay the parties from whom the money was borrowed, is also explained.

## EXHIBIT C.

*Transcript certificate.*

TREASURY DEPARTMENT, REGISTER'S OFFICE,  
Washington, D. C., December 30, 1887.

Pursuant to section 886 of the Revised Statutes of the United States, I, W. S. Rosecrans, Register of the Treasury Department, do hereby certify that the annexed are true copies of warrant and draft in favor of Hon. Andrew G. Curtin, governor, on file in this Department.

W. S. ROSECRANS,  
*Register.*

Be it remembered that William S. Rosecrans, esq., who certified the annexed transcript, is now, and was at the time of doing so, Register of the Treasury of the United States, and that full faith and credit are due to his official attestations.

In testimony whereof, I, Charles S. Fairchild, Secretary of the Treasury of the United States, have hereunto subscribed my name and caused to be affixed the seal of this Department, at the city of Washington, this 30th day of December, in the year of our Lord 1887.

[SEAL.]

C. S. FAIRCHILD,  
*Secretary of the Treasury.*

[Warrant, War Dep't, No. 8447. Appropriation.]

## TREASURY DEPARTMENT.

To the Treasurer of the United States, greeting:

Pay to Hon. Andrew G. Curtin, governor, present, or order, out of the appropriation named in the margin, six hundred and sixty-seven thousand and seventy-four dollars and thirty-five cents, due the State of Pennsylvania on settlement, approved by the Secretary of War, pursuant to requisition No. 4195 of the Secretary of War, dated 16 June, 1866, countersigned by the Second Comptroller of the Treasury, and registered by the 2d Auditor. For so doing this shall be your warrant.

Given under my hand and the seal of the Treasury this 18th day of June, in the year of our Lord one thousand eight hundred and sixty-6, and of Independence the ninety-th.

H. McCULLOCH,  
*Secretary of the Treasury.*

Countersigned '88.  
\$667,074.35.

R. W. TAYLER,  
*Comptroller.*

Recorded, 18.  
[SEAL.]

J. A. GRAHAM,  
*Assistant Register.*

NOTE.—This payment, approved by the Secretary of War, is made as an advance to the State of Pennsylvania. The accounts, as approved by the Secretary of War, not having been fully stated and passed by the accounting officers of the Treasury Department, will be subject to re-examination and final settlement at this Department hereafter.

To re-imburse the State of Pennsylvania for money expended for payment of militia in the service of the United States. Act app'd April 12, 1866.

Received for the above warrant the following draft, No. 3878, on A. T., Phila.:  
 Draft No. 3878 on War.] Warrant No. 8447.  
 \$667,074<sup>35</sup>/<sub>100</sub>. D. F.

TREASURY OF THE UNITED STATES,  
 Washington, June 18, 1866.

At sight, pay to Hon. Andrew G. Curtin, governor, etc., or order, six hundred sixty-seven thousand seventy-four dollars <sup>35</sup>/<sub>100</sub>.

Registered June 18, 1866.

To ASST. TREASURER U. S.,  
 Philadelphia, Pa.  
 No. 3878.]

J. A. GRAHAM,  
 Asst. Register of the Treasury,  
 [\$667,074<sup>35</sup>/<sub>100</sub>]  
 F. E. SPINNER,  
 Treasurer of the United States.

DECEMBER 31, 1887.

DEAR SIR: In accordance with your request of 20th instant, I transmit herewith a copy of warrant No. 8447, dated June 18, 1866, in favor of Hon. A. G. Curtin, governor.

Respectfully,

W. S. ROSECRANS,  
 Register.

L. S. WELLS, Esq.

The Committee on War Claims in the House of Representatives having had under consideration the above Senate bill, reported the same back to the House, with a favorable recommendation, and that the same do pass—no amendment whatsoever having been suggested by said House War Claims Committee—and submitted House Report No. 2198, Fiftieth Congress, first session, of which report the following is a copy:

[House Report No. 2198, Fiftieth Congress, first session.]

*The Committee on War Claims, to whom was referred the bill (S. 2329) to authorize the Secretary of the Treasury to re-examine and re-audit the claim of the State of Pennsylvania for advances made and money borrowed by said State to pay the militia called into the military service by the governor, report as follows:*

The facts out of which this bill for relief arises will be found stated in Senate report from the Committee on Military Affairs of the present Congress, a copy of which is hereto annexed for information.

Your committee adopt the said report as their own, and report back the bill and recommend its passage.

The report so adopted by the House Committee on War Claims is the foregoing Senate Report No. 518, Fiftieth Congress, first session.

[House Report No. 1179, Fiftieth Congress, first session.]

*The Committee on Claims, to whom was referred the petition of Joseph W. Parish for relief, have examined the same and make the following report :*

On the 5th of March, 1863, Mr. Parish, in company with one William L. Huse, under the firm-name of J. W. Parish & Co., contracted with Henry Johnson, a medical store-keeper, acting on behalf of the United States, and under the direction of the then Surgeon-General, William Hammond, to "deliver at Memphis, Tenn., Nashville, Tenn., Saint Louis, Mo., and Cairo, Ill., the whole amount of ice required to be consumed at each respective point and vicinity during the remainder of the year 1863."

The price to be paid for the ice, as the same should be delivered at these various points, was stipulated in the contract, and the quantity left to be determined by the wants of the Government.

Very soon after this contract was made Huse withdrew from the firm, and the entire interest on the part of the contractors became vested in said Parish.

On the 25th of March following the date of the contract, Col. R. C. Wood, the assistant surgeon-general stationed at Saint Louis, directed Parish, in writing, to furnish 5,000 tons of ice each at Saint Louis and Cairo, and 10,000 tons each at Memphis and Nashville; 30,000 tons in all. Twenty thousand tons of this were to be furnished without delay. The contractor at once commenced the purchase of ice, and within a week had succeeded in securing sufficient to fill the order. Large portions of this were purchased at Ogdensburgh and Kingston, on the St. Lawrence River, and at Lake Pepin, in Minnesota.

After such purchases were all made and the contractor stood ready to fulfill his contract, he was notified by the said Assistant Surgeon-General Wood that the Surgeon-General of the Army had directed that the order above referred to should be suspended "until further instructions." That suspension was never removed. From that time to the close of the year 1863 (the date of the termination of the contract) the contractor was called upon by the proper medical officers to deliver only about 12,670 tons of ice, although it appears he was during all the time ready and desirous to deliver the full amount of 30,000 tons as Surgeon Wood had directed. The contract terminated, and the balance of the ice melted away and was a total loss.

The claimant at first applied to the executive department of the Government for relief. After the delays incident to the prosecution of a claim before the Departments, and utterly failing in his efforts in that direction, he applied to Congress.

On May 30, 1872, an act was approved which authorized the Court of Claims to hear and determine his claim. A large amount of testimony was taken at great expense, and the case finally brought to a hearing. The court entered a decree dismissing the petition, on the ground that Assistant Surgeon-General Wood had no authority to determine the quantity of ice that would be required, and that his action therein was wholly nugatory.

From this decree an appeal was taken to the Supreme Court. The decision below was reversed, the Supreme Court holding that the acts of the assistant surgeon-general were the acts of the Surgeon-General, having the same validity until countermanded or revoked.

In the Court of Claims, however, Parish had claimed as his measure of damages the contract price of the ice less the expense of delivering the same, and all his testimony had been taken on that theory. But the Supreme Court laid down another doctrine as to the measure of damages. It held that the claimant "was entitled to recover what he paid for the ice that was lost and what expense he was at in making the purchase and in keeping it until it was lost."

Thereupon the case was returned to the Court of Claims, to ascertain the damages under this new rule and to render judgment accordingly. But the testimony having been taken under another theory, there were only fragmentary and incidental proofs as to the cost of the ice or the expense of purchasing and keeping the same. Therefore a motion was made on the part of the claimant for leave to take further testimony. This the court denied, and gave judgment in the gross sum of \$10,444.91. This judgment a former committee of this House has characterized as follows:

"The action of the Court of Claims on this mandate, to the mind of your committee, was somewhat strange and inexplicable. The report of the Surgeon-General, which is made a part of this report, shows that upon application the court declined to allow any additional testimony to be taken, believing, perhaps, that it could not be regularly done under a mandate; it declined, upon request, to find the facts required by the rules, whereby the right of appeal was cut off under the rules. In allowing a mere fractional part of the claim, it declined, or rather omitted, to state any reasons whatever, either in writing or orally, as the grounds of its decision, leaving the parties wholly in the dark as to the data upon which it gave judgment. The effect of all this was to deny to the claimant a day in court, in the true and proper sense of that term, on the question or right of recovery as laid down by the Supreme Court"

(House Report No. 1956, Forty-seventh Congress, second session).

The only entry of this judgment in any printed report is found in 16 C. Cls., 642, in the following words, after giving title of the case:

"Mandate of Supreme Court. Contract to furnish ice. Amount awarded, \$10,444.91."

The claimant avers that he was advised by his counsel that a further appeal to the Supreme Court would be useless, as the technical assumption would be that the Court of Claims had obeyed the mandate of the Supreme Court, and the amount allowed was found in pursuance of the rule of damages established on the former appeal.

The claimant again promptly appealed to Congress for redress. At the succeeding term he secured the introduction of bills in both houses. The Committee on Claims in the Forty-seventh Congress sent the matter to the Secretary of War for a report. The Secretary referred it to Surgeon-General Barnes, who, on the 25th of May, 1882, made a very full report of the whole case to the Secretary, who reported the same to Congress. A copy will be found appended hereto.

General Barnes, after examining the case in the light of the testimony which was before the Court of Claims and some additional testimony submitted by the committee, and after applying the rule laid down by the Supreme Court, finds that there was due the contractor, on the termination of his contract, \$69,261.11. Then, after deducting from this amount the amount of the award by the Court of Claims and two small items for ice and lumber sold, he finds that there was still due at the date of his report \$58,341.85.

Upon the receipt of this report from the Surgeon-General, the committees of the Senate and House of the Forty-seventh Congress having the bills in charge reported them to their respective houses, recommending that the claim for above amount be allowed and paid. These bills were not reached on the Calendars for action. At each succeeding Congress favorable reports were made to both houses. In March last an act was approved providing that the balance of the principal sum due Mr. Parish on his contract, amounting to \$58,341.85, be paid.

The petitioner now claims interest. From the foregoing history of the matter it will be seen that he has been vigilant and persistent in his efforts to collect the amount due him. The claim has been constantly prosecuted before some Department of the Government. Congress and the Supreme Court have fully acknowledged its justice, and the principal sum, after a delay of more than twenty years, has finally been paid.

And right here it should be added that the rule applied by the Supreme Court was a hard, technical one, which reduced the claim to the lowest minimum amount. Equitably the claimant should have recovered the contract price of the ice ordered to be furnished, less the cost of delivering the same. This would have given him more than three times the amount which he finally received.

Your committee find: (1) That the original claim is based upon a written contract legally made with the Government by the petitioner—this point is *rec adjudicata*; (2) that the petitioner is not chargeable with *laches* in the prosecution of his claim; (3) that the delay in making payment of the principal is solely chargeable to the refusal or neglect of the various Departments of the Government.

The question then arises upon these propositions whether the Government should pay interest on the sum which was due on the 1st day of January, 1864, and which it did not finally pay until March, 1886. Your committee are of the opinion that it should.

If the contention was between two individuals there could be no possible question. Where there is a principal debt, either liquidated or depending for liquidation upon some act of the debtor, which is withheld from the creditor without fault on his part, the debtor should pay interest from inception of the debt until the same is paid; or, in the language of Mr. Parsons (Par. Contr. 2, 380), "where it is that money ought now to be paid, and ought to have been paid long since, the law, in general, implies conclusively that for the delay in the payment of the money, the debtor promised to pay legal interest" (*Silleck v. French*, 1 Conn., 32; 3 Cow., 393, and other authorities given by the author).

In fact as between man and man, this is hornbook law. No need to cite authorities. Every lawyer admits it as a sound legal principle, and every layman recognizes it as just and right.

The rule is equally applicable in every respect when the Government is the debtor. That the Government never pays interest is a saying more or less common among the people. It is wrong in principle and untrue in fact. It probably had its origin in the fact that the officers of the Executive Department, being strictly limited in their function by statutory law, can not pay interest to claimants unless the same is specially directed by Congress. The Government goes into the market to borrow money with an interest-bearing bond in its hand. It exacts interest of its citizens when they are debtors. It pays interest on claims of foreign nations. It insists upon interest from foreign nations. It pays interest to the Indian tribes.

The debtor is as much entitled to pay for the use of his principal as to the principal itself. For the Government to take the citizen's money without interest would be a violation of the spirit, if not the letter, of the Constitution where it provides "nor shall private property be taken for public use without just compensation."

In *Erschine v. Van Arsdale* (15 Wall., 75), which was a case against the Government, Erschine being a collector of internal revenue, Chief-Justice Chase, in delivering the unanimous opinion of the court, says:

"The court (below) also charged the jury that if they found for the plaintiff they might add interest. This was not contested upon the argument, and we think it clearly correct. The ground for the refusal to allow interest is the presumption that the Government is always ready and willing to pay its ordinary debts. Where an illegal tax has been collected, the citizen who has paid it, and has been obliged to bring suit against the collector, is, we think, entitled to interest in the event of recovery, from the time of the illegal exaction."

Here, the court says, the ground for the refusal to allow interest is the presumption that the Government is always ready and willing to pay its ordinary debts; a presumption which the court at once shows must give way when the Government forces the citizen to the delay and expense of a suit to recover the debt.

In *Cochran et al. v. Schell*, collector of customs (17 Otto, 625), which is a case where judgment was obtained in the United States circuit court against a collector of customs in his official capacity (virtually against the United States), and the solicitor-general took it on writ of error to the Supreme Court. The latter tribunal, on affirming the decision of the lower court, ordered interest on the judgment until paid. In this case the judgment below was for damages and interest; and now comes the Supreme Court and orders interest on this judgment, which, in effect, is, as to a portion of the judgment, interest upon interest. The theory of the whole case is that the Government forced the creditor to bring suit to enforce his claim; hence when judgment went for claimant he was entitled to interest from the date of his claim to date of judgment; and again, when further delay in payment was made by appealing, the Supreme Court says the judgment creditor must have interest on his judgment. (See also *Barber v. Schell*, 17 Otto, 617, and *Schell v. Dodge et al.*, *Id.*, 629.)

The Congressional precedents for paying interest on claims are very numerous. Attached to the petition on file with the claim is a report of Senator Jackson, from the Senate Committee on Claims, submitted to the first session of the Forty-eighth Congress (S. Report 326), in which is noted a long list of acts of Congress allowing interest to every class of claimants. That report will also be found in the appendix hereto.

We earnestly call attention, not only to the laws there cited, but also to the able argument it contains in favor of interest on a claim similar in its principles to the one we now present. The report was unanimously made by the Committee on Claims, and the bill passed the Senate providing for interest alone where the principal had previously been paid by Congress.

If Congress is authorized to do partial justice, it is authorized to do complete justice. It can not consistently hand over to Mr. Parish a portion of what is due him and retain the balance. For twenty-two years he besought payment of his claim. It is now admitted beyond dispute that during the whole of this time the Government was his debtor. He has been forced to the expenditure of large sums in prosecuting the matter in the courts and before Congress. There is absolutely nothing to be alleged against this claim for interest except the trite saying that the Government never pays interest. If the claimant were a tribe of Indians or a foreign nation, instead of one of our citizens, no question would be raised.

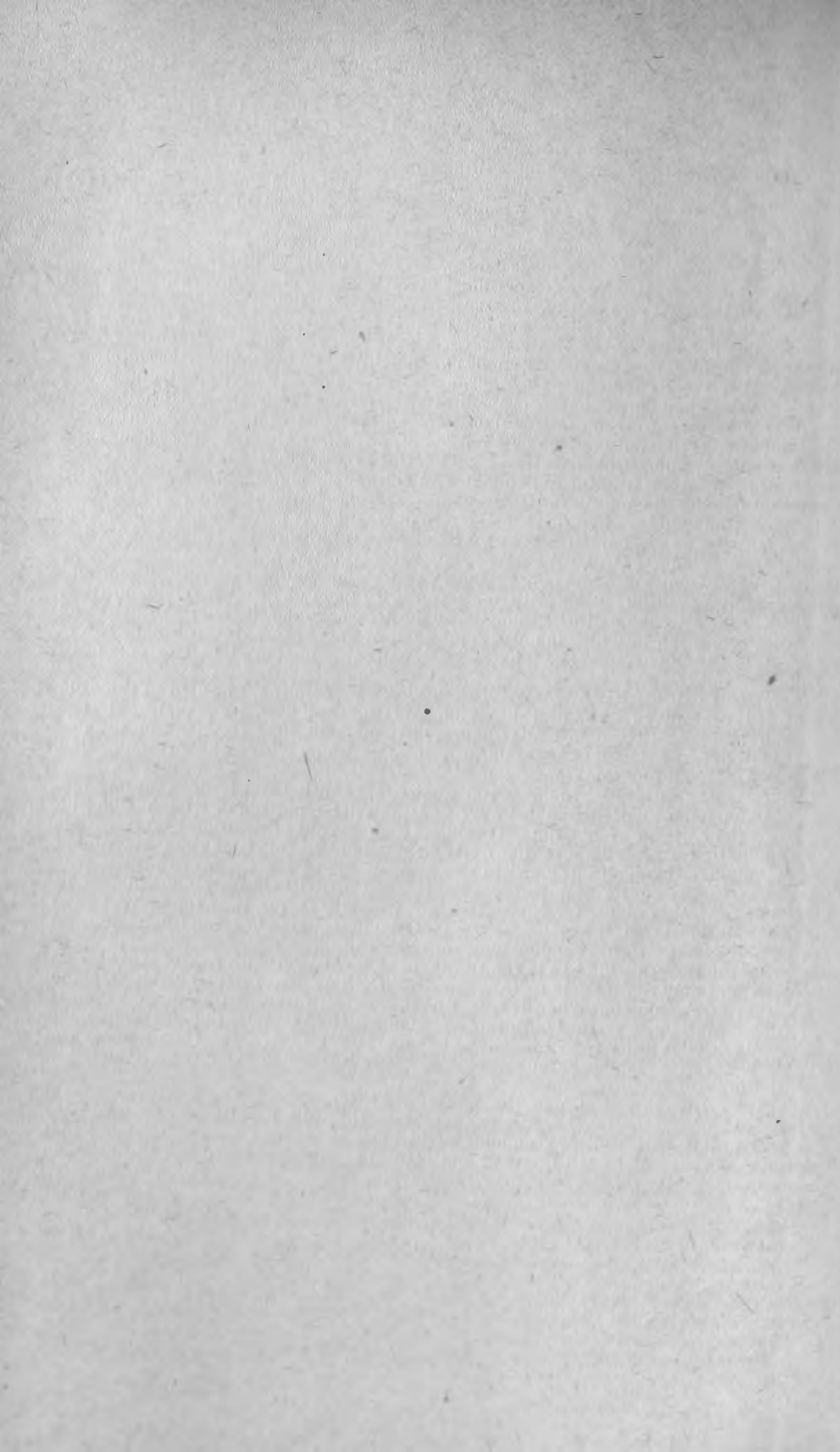
Suppose the Government had taken from one of its citizens interest-bearing securities, and for twenty-two years collected and appropriated the interest on them, could there be any question that when it came to make restitution it would, in very decency, be compelled to restore both interest and principal? But, upon principle, the case cited does not differ from the one which we now report. The Government has had the use of this claimant's money, and, by retaining it, deprived him of the benefits resulting from such use.

Your committee is therefore of the opinion that the prayer of the petitioner should be granted; and accordingly report the accompanying bill directing the Secretary of the Treasury to ascertain the amount of interest found due on the several sums awarded the claimant by the Court of Claims and the Congress and pay the same to the petitioner.

#### NOTE.

Senator Jackson's report (Senate, No. 326, Forty-eighth Congress, first session) herein referred to, and printed as a part of the foregoing House Report No. 1179, will be found printed in the appendix hereto, pages 120 to 135.





# INDEX.

## A.

	Page.
Adjutant-General, U. S. Army, and assistants, letters of .....	25, 26, 28
Adjutant-general of Nevada :	
Office created .....	2
Office abolished .....	16
Disallowance of pay, minority report .....	15
Affairs, condition of, rendering Nevada mounted troops necessary .....	2
Affairs, condition of, rendering second and third call for Nevada troops necessary .....	7

## B.

Baltimore City, re-imbursement of war claim to .....	110
Bill, Senate, No. 2918, object of .....	1

## C.

Claims, State war :	
Payment, on account, not a valid basis for repudiating balance .....	17
Precedents for paying .....	11
Allowed by Congress after having been disallowed by Treasury Department .....	96-98
Committee, Senate Military :	
Report of, in 1882 .....	11
Views of, in 1884 of act of June 27, 1882 .....	13
Conclusions of, in 1888 .....	21
Recommendation of, in 1888 .....	22

## C.

Congress:	
Proceedings in 1881, to pay Nevada .....	11
Resolution in 1881, by Senator Fair .....	11, 67
Action of, June 27, 1882 .....	12
Action of, August 4, 1886 .....	12, 13

## D.

Diligence used by Nevada .....	11, 13
--------------------------------	--------

## E.

Enrollment of Nevada volunteers, cost of, disallowed .....	92
Examiners war claims, board of :	
Authorized August 4, 1886 .....	12
Detailed by Secretary of War .....	14
Want of jurisdiction to fully or equitably allow Nevada's claim under act of June 27, 1882 .....	14
Want of jurisdiction to allow interest under act of June 27, 1882 .....	14
Want of jurisdiction to allow extra pay under act of June 27, 1882 .....	14
Majority report .....	14, 89
Minority report .....	14, 90
Minority views reviewed .....	15, 16
Want of equitable jurisdiction under act of June 27, 1882 .....	20

Exhibit No. 1	Page
2	23
3	24
4	24
5	29
6	31
7	34
8	37
9	64
10	65
11	65
12	66
13	67
14	67
15	83
16	89
17	90
18	92
19	96
20	98
21	109
	112

## F.

Fair Senator, of Nevada. Resolution introduced by .....	11, 67
---	--------

## H.

Hallock, State controller of Nevada, official report of claim .....	67
Halleck, General, U. S. Army, authority of, to raise troops .....	4

## I.

Indians, hostile, on overland mail and emigrant routes .....	
Interest:	
By Nevada, paid on war loans .....	17
Memorial of Nevada to be re-imbursed .....	8
Argument to pay, submitted to the Secretary of War .....	83
Re-imbursements of, to Nevada, disallowed .....	83
On war claims, precedents to pay .....	11, 18, 19
With principal constitutes a complete indemnity .....	17
Principles upon which payment rests .....	18
Allowed on State war claims previously allowed without interest .....	96
Allowed to foreign Governments .....	120
Allowed to Indian tribes .....	120
Interest allowed on war claims:	
To States .....	109
To counties .....	109
To corporations .....	109
To individuals .....	109, 133, 134
Interest, Senate report in favor of—	
By Senator Hoar .....	85
By Senator Dolph .....	96
By Senator Spooner .....	98
By Senator Jackson .....	120
By Senator Hampton .....	135
By Senator Cameron .....	138
Interest, House reports in favor of—	
Judiciary Committee .....	112
Claims Committee .....	119, 120, 145
War Claims Committee .....	86, 137, 144

## J.

Jones, Senator, of Nevada. Bill introduced by .....	13
---	----

## K.

Kansas, war claims of, presented, allowed, and paid .....	13
Kinhead, Governor, of Nevada, official report of claim .....	67

## M.

Mormons, loyalty to United States suspected or doubted..... 2

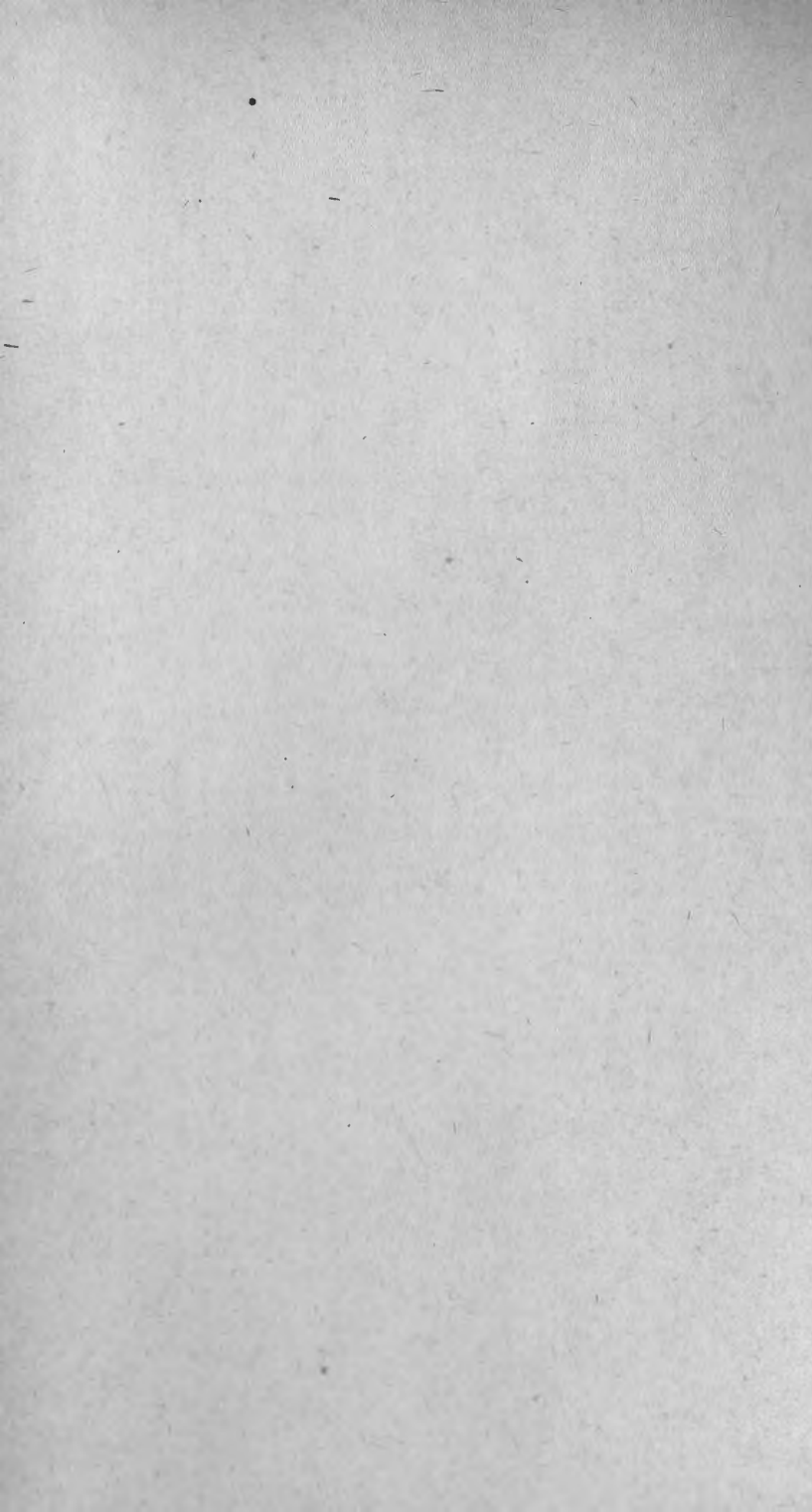
## N.

## Nevada:

Organized as a Territory .....	2
First legislative session in 1861 .....	1
Adjutant-general of, appointed .....	2
Adjutant-general, office of, abolished .....	16
Response of, to Secretary Seward' sletter .....	2
First call upon, by United States, for troops .....	3
First proclamation for troops by governor of .....	5
Response to first call for troops .....	5
Second call upon, by United States, for troops .....	5
Second proclamation for troops by governor of .....	5
Response to second call for troops .....	5
Third call upon, by United States, for troops .....	5
Third proclamation for troops by governor of .....	7
Response to third call for troops .....	7
Resolutions of legislature, 1861 .....	1, 23
Militia laws of, 1861 .....	1, 24
Act of legislature, 1864 .....	31
Act of legislature, 1865 .....	34
Act of legislature, 1867 .....	64
Act of legislature, 1869 .....	65
Memorial of legislature of, 1885 .....	65
Memorial of legislature of, 1887 .....	66
Memorial of State officers of .....	29
Legislative action of, to pay cost for enrollment of troops for United States service .....	31
Legislative assumption by, of Territorial indebtedness for cost of troops for United States service .....	34
Nevada volunteers:	
Kind and numbers enrolled for United States service .....	4, 5
Character of services performed by .....	6
Method of enrollment of .....	8
Cost for enrollment of .....	8
Authority of legislature to pay .....	8
Method of payment of .....	8
Amount of payment to .....	9
Nevada, claim of:	
Basis of, and authority by Congress to pay .....	10
Principal, precedents by Congress to pay .....	11
Senate report on, in 1882 .....	12
Presented by State officers .....	12
Delay by United States in examination of .....	12
Nevada: Act June 27, 1882, passed by Congress .....	12
Nevada: Act of June 27, 1882, for benefit of braves inoperative as a "relief measure," for Nevada .....	16
Nevada, claim, amount of:	
Presented .....	\$349, 697. 49 14
Allowed .....	8, 559. 61 14
Disallowed .....	341, 137. 88 14
Nevada, governor of, protests against allowance as made .....	96
New York City, re-imbusement of war claims to .....	43

## P.

Pay of Nevada volunteers, disallowed .....	83
Precedents:	
Authorizing payment of State war claims, Indian and war of 1812 etc. .....	37
Authorizing payment of State war claims, revolutionary and Mexican, etc. ....	42
Authorizing payment of State war claims, rebellion, etc. ....	43
Authorizing payment of State war claims after having been disallowed by Treasury Department .....	96
Authorizing payment of interest on State war claims, which claims had been allowed at prior dates without interest .....	96, 110





# LETTER

FROM

# THE SECRETARY OF WAR,

TRANSMITTING,

*In response to Senate resolution of June 11, 1888, report relative to the raising volunteer troops to guard overland and other mails from 1861 to 1866.*

DECEMBER 19, 1888.—Laid on the table.

DECEMBER 21, 1888.—Referred to the Committee on Printing.

JANUARY 16, 1889.—Ordered to be printed.

WAR DEPARTMENT,  
*Washington City, December 18, 1888.*

The Secretary of War has the honor to transmit to the United States Senate, in response to its resolution of June 11, 1888, copies of such correspondence as has been found of record, from April 15, 1861, to August 20, 1866, of the War Department with the Division Commander of the Pacific, and the Department Commanders of the Columbia and California, in relation to the subject of raising and organizing volunteer troops for the purpose of guarding the overland and inland mail and emigrant routes.

This correspondence is compiled in six parts, by years, viz, 1861, 1862, 1863, 1864, 1865, and 1866.

WILLIAM C. ENDICOTT,  
*Secretary of War.*

The PRESIDENT PRO TEMPORE OF THE UNITED STATES SENATE.

1861.

MARCH 22, 1861.

Brig. Gen. E. V. SUMNER:

DEAR GENERAL: Prepare to sail from New York the first of the next month to relieve Bvt. Brig. Gen. [A. S.] Johnston, in the command of the Pacific Department, say for a tour of some years.

The order to sail, etc., will reach you by the next mail, but remain unpublished till you are on the Pacific Ocean, for confidential reasons.

In haste, yours, truly,

WINFIELD SCOTT.

ORDERS, }  
No. 5. }

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 25, 1861.*

In compliance with Special Orders, No. 86, dated War Department, Adjutant-General's Office, Washington, March 23, 1861, I hereby assume command of this department.

All concerned will govern themselves accordingly.

E. V. SUMNER,  
*Brigadier-General, U. S. Army.*

NEW YORK CITY, April 27, 1861.

Hon. E. D. BAKER, *New York*:

SIR: A meeting of citizens of California and others, former residents of that State was held in this city on the 21st instant. There were present between two hundred and three hundred persons, who comprised a large majority of those Californians now in New York and those who have lately been at Washington. The object of the meeting was to give expression to the feeling of confidence in our administration, which animates us equally with our brothers in the Atlantic States, and to devise a method in which we can most effectually strengthen the hands of Government and aid in crushing out the rebellion in our midst. We desired to also claim for California her proper share of the duty as well as honor of upholding and preserving the American flag and the integrity of the Union of the States.

It was there resolved to raise and offer to the Government a California regiment, to be composed, as far as possible, of persons at some time residents of California. It was also unanimously resolved that you be requested to accept the colonelcy of the regiment. Up to this time the organization has been vigorously pushed, and about 600 men have been enrolled, and are now under drill by competent instructors, and we hope within the next forty-eight hours to be able to apprise you that the full complement of men is enrolled and ready to be mustered into service. As the chairman of our meeting, and instructed to acquaint you with their wishes, in their name I beg you to accept the position named, and add your name and weight of character to our offering.

I have the honor to subscribe myself, your most obedient servant,

J. C. BIRDSEYE.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 28, 1861.*

Lieut. Col. E. D. TOWNSEND,

*Assistant Adjutant-General, Headquarters Army:*

COLONEL: I have the honor to report that I arrived here on the 24th instant, and on the 25th relieved General [A. S.] Johnston in the command of this department. My departure from New York was not known here till the night before my arrival. It gives me pleasure to state that the command was turned over to me in good order.

General Johnston had forwarded his resignation before I arrived, but he continued to hold the command, and was carrying out the orders of the Government.

I have determined to re-enforce immediately and strongly the forts in this harbor, and have ordered down three companies of artillery (including the battery) from Fort Vancouver.

I have also taken the liberty to detain the detachment of 29 sappers and miners. I trust the General-in-Chief will not disapprove of this. My intention is to put 400 men on Alcatraz Island, 150 at Fort Point, and place the battery at the depot at Benicia, in addition to the two infantry companies now there.

These troops will all be supplied with six months' provision, and additional arrangements will be made for water where it is necessary, so that they will be independent and secure for six months, and will hold the entire control of the entrance to the harbor. I think this disposition of the troops will not only secure the Government property, but will have the effect to foreclose at once all hopes on the part of the disaffected of their ever being able to precipitate matters here by seizing forts and arsenals.

There is a strong Union feeling with the majority of the people of this State, but the secessionists are much the most active and zealous party, which gives them more influence than they ought to have from their numbers.

I have no doubt but there is some deep scheming to draw California into the secession movement; in the first place as the "Republic of the Pacific," expecting afterwards to induce her to join the Southern Confederacy.

The troops now here will hold their positions and all the Government property, but if there should be a general uprising of the people, they could not, of course, put it down.

I think the course of events at the East will control events here. So long as the General Government is sustained and holds the capital the secessionists can not carry this State out of the Union.

I would respectfully say to the General-in-Chief that after my arrangements are completed—and they will be in two weeks—if he should think proper to authorize me to place Colonel Wright here in command of the department everything will be secure; and if my services should be wanted elsewhere, I could be withdrawn from this department without detriment to the public service.

Very respectfully, your obedient servant,

E. V. SUMNER,  
*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., April 30, 1861.*

Lieut. Col. E. D. TOWNSEND,  
*Assistant Adjutant-General, Headquarters Army:*

SIR: I have the honor to report that I have found it necessary to withdraw the troops from Fort Mojave and place them at Los Angeles. There is more danger of disaffection at this place than any other in the State. There are a number of influential men there who are decided secessionists, and if we should have any difficulty it will commence there. Fort Mojave is represented as an entirely useless post. There are no hostile Indians near it, and there is no traveling whatever on the road it was intended to protect.

Very respectfully, your obedient servant,

E. V. SUMNER,  
*Brigadier-General, U. S. Army, Commanding.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., May 10, 1861.*

Lieut. Col. E. D. TOWNSEND,  
*A. A. G., U. S. A., Headquarters Army, Washington, D. C.:*

SIR: I have the honor to report that I have found it necessary to withdraw Brevet Major Carleton's company of dragoons from Fort Tejon and to place it at Los Angeles. This will give a command at the latter place of one company of horse and two of infantry. The detachment will be commanded by Major Carleton.

I have also to report the arrival of three companies of artillery from Oregon. The battery will take post at the depot at Benicia, and the two foot companies at Fort Alcatraz.

I have informed Captain McDougal, the commander of the navy-yard, that, if he does not feel perfectly secure and wishes any further protection, I will place a company of artillery there.

^ Captain Burton has been assigned to the command at Fort Alcatraz.

Very respectfully, your obedient servant,

E. V. SUMNER,  
*Brigadier-General, U. S. Army, Commanding.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., May 20, 1861.*

Lieut. Col. E. D. TOWNSEND,  
*A. A. G., U. S. Army, Headquarters of the Army, Washington, D. C.:*

SIR: I have the honor to report that I have found it necessary to withdraw the greater part of the garrison from Fort Umpqua and one company of infantry from Fort Crook for the purpose of re-enforcing the commands at Benicia and the Presidio.

I am, sir, very respectfully, your obedient servant,

E. V. SUMNER,  
*Brigadier-General, U. S. Army, Commanding.*

---

GENERAL ORDERS, }  
No. 11. }

HEADQUARTERS DEPARTMENT OF THE PACIFIC;  
*San Francisco, May 31, 1861.*

Any vessel sailing under the secession flag, so called, which shall enter or attempt to enter any of the waters of the United States on this coast, will immediately be captured by the troops stationed there. Any such vessel which shall fail to come to or surrender on being duly warned, or which shall attempt to escape, will be fired into and sunk, if necessary.

By order of Brigadier-General Sumner:

D. C. BUELL,  
*Assistant Adjutant-General.*

DEPARTMENT OF STATE,  
Washington, June 4, 1861.

HON. SIMON CAMERON, *Secretary of War:*

SIR: I have the honor to communicate a copy of a letter of the 3d instant addressed to this Department by Mr. Thomas Sprague, late commercial agent of the United States, of La Paz, Lower California, relative to the supposed designs of the insurgents in this country to seize upon that province. It is suggested that orders be given to the commander of the military forces of the United States on the Pacific with a view to prevent the execution of any such designs.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

SANTA BARBARA, CAL., May 3, 1861.

HON. WILLIAM H. SEWARD, *Secretary of State:*

SIR: I have within a few days received information that I know to be entirely reliable, that it is the intention of the secessionists to take possession of the Peninsula of Lower California, Mexico, as one of the preparatory steps to the acquiring of a portion or the whole of Mexico.

Having possession of the Peninsula of Lower California, their intention is to cut off our commerce with Mexico, seize the Panama steamers, and with the aid of the treasure so acquired to be able to extend their conquest to Sonora and Chihuahua at least. The possession of the Peninsula of Lower California is absolutely and indispensably necessary to the proper advancement and protection of the Pacific interest of the United States. The native-born population of this State, without one solitary exception, will join the secessionists. The most of the Mexicans and French will do the same.

Rather than the filibustering secessionists should get possession of the Peninsula of Lower California I think our Government quite warranted (in case no arrangement can be made with the Mexican Government for its purchase) in taking possession of it for our own protection; at least to hold it as against the designs of the secessionists.

For information in relation to the Peninsula of Lower California, I refer you to my last report to Secretary Cass.

With high respect, I remain, your obedient servant,

THOMAS SPRAGUE,  
*Late U. S. Commercial Agent at La Paz, Lower California, Mexico.*

WAR DEPARTMENT,  
Washington, June 8, 1861.

HON. WILLIAM H. SEWARD, *Secretary of State:*

SIR: In accordance with your suggestion of the 4th instant, the commander of the forces on the Pacific coast will be instructed to take measures to prevent the execution of any design that may be entertained by the insurgents of seizing Lower California.

Very respectfully, your obedient servant,

SIMON CAMERON,  
*Secretary of War.*

HEADQUARTERS OF THE ARMY,  
Washington, June 5, 1861.

Brigadier-General SUMNER, U. S. Army;

*Commander of the Department of the Pacific, San Francisco, Cal.:*

SIR: The general-in-chief directs that you act in concert with the naval commander on the Pacific station in preventing, so far as your means will permit, any plans the secessionists may attempt to execute for subjecting, or annexing, Lower California to the so-called Southern Confederacy.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,  
*Assistant Adjutant-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., July 10, 1861.

Lieut. Col. E. D. TOWNSEND,  
Asst. Adjt. Gen., Hdqrs. of the Army, Washington, D. C.:

SIR: I have the honor to acknowledge the receipt of your communication of June 5, and herewith inclose a copy of my letter to the senior naval officer at Panama on the subject embraced therein.

Very respectfully, your obedient servant,

E. V. SUMNER,  
Brigadier-General, U. S. Army, Commanding.

[Inclosure.]

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., July 10, 1861.

Commodore J. B. MONTGOMERY, OF  
SENIOR NAVAL OFFICER, U. S. Navy, Panama:

COMMODORE: I inclose a copy of a letter I have recently received, and I take an early opportunity to say to you that I shall be prepared at all times to act with you in preventing the secessionists from getting a foot-hold on this coast. I have heard a report that Colonel Van Dorn, of the Southern Army, was seen at the head of 1,300 men on the road between San Antonio and El Paso. I can not say whether this report is reliable or not. I would respectfully suggest whether it would not be well to have one or two small steamers cruising on the coast between this and Acapulco, for the protection of the liners.

Very respectfully, your obedient servant,

E. V. SUMNER,  
Brigadier-General, U. S. Army, Commanding.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., June 10, 1861.

Lieut. Col. E. D. TOWNSEND,  
Asst. Adjt. Gen., Hdqrs. of the Army, Washington, D. C.:

SIR: I have the honor to report that I have found it necessary to withdraw from Oregon a considerable part of the force stationed there to re-enforce the troops stationed in California and Nevada Territory. The troops withdrawn are three companies of artillery and will be nine of infantry.

There is no secession element in Oregon, and nothing to apprehend there but the possibility of some Indian disturbances, which seem to me of little consequence, in comparison to preserving the integrity of the Union.

As I reported on April 25, I believe there is a large majority of Union men in the State, but they are supine from confidence, while there is an active and zealous party of secessionists, who will make all the mischief they can. I have checked them in the southern part of the State by placing a strong command at Los Angeles, and they are now trying to organize in Nevada Territory, but I am moving re-enforcements rapidly to Fort Churchill, which will put down this movement. The leaders of this party claim to be acting by authority from the Montgomery Government, which gives them some weight in the country. In concentrating troops to meet these emergencies I have been obliged to break up the posts of Ter-Waw and Tejon, but they had ceased to be of any importance as military posts.

I would respectfully and earnestly represent the great importance of organizing the civil government in Nevada Territory immediately. I believe if the governor and other officials had been there this difficulty would not have arisen. There is no law or government there at all, and the Territory is a place of refuge for disorganizers and other unruly spirits. I would respectfully remind the General-in-Chief that if he needs my services at the East I can make such arrangements that everything will be secure here. I would not say this unless I knew I could do it.

I am, sir, very respectfully, your obedient servant,

E. V. SUMNER,  
Brigadier-General, U. S. Army, Commanding.



HEADQUARTERS, FORT CHURCHILL, NEV.,

June 11, 1861.

Maj. D. C. BUELL,

*Asst. Adjt. Gen., Hdqrs. Dep't Pacific, San Francisco, Cal.:*

MAJOR: I would respectfully report that in carrying out your instructions by telegram of June 6, 1861, Captain Moore, assistant quartermaster, was directed to proceed to Carson City, accompanied by 20 dragoons, under the command of Lieutenant Baker, and take possession of all such public arms as might be held by citizens of that place or vicinity. Inclosed you will find the report of his action and the success with which he carried out his instructions from these headquarters.

Captain Moore reports that the rumor that the secession organization in Virginia City did intend to surprise this post and secure the arms here had a foundation in fact, and that the secession flag raised there on the 5th was undoubtedly to ascertain the strength of the secession feeling in the Territory.

From all that can be learned I think that the force now en route for this post will be sufficient to preserve the Federal authority intact. I would, however, recommend that the arms called for in my letter of the 6th of June be forwarded, as the Union feeling is strong in and about Virginia City, but unfortunately the law-abiding citizens are without arms and ammunition. I received, June 4, a letter from Mr. Buckley, superintendent of the Overland Mail Company. He reports the Indians as quiet, and as evincing a disposition to remain so. They are very poor, having but little food, and are really in a most destitute condition. Up to the present time everything remains quiet in Virginia.

I am, sir, with great respect, your most obedient servant,

GEO. A. H. BLAKE,

*Major, First Dragoons, Commanding Post.*

[Inclosure.]

FORT CHURCHILL, NEV., June 10, 1861.

Maj. GEORGE A. H. BLAKE, *First Dragoons, Commanding:*

MAJOR: I have the honor to report that, in accordance with your instructions of June 7, 1861, I proceeded to Carson, with the detachment of twenty dragoons under the command of Lieutenant Baker. On my arrival at that place I called upon Mr. John Blackburn to turn over to me the public arms in his possession. Those he had in Carson were at once transferred to me, he at the same time giving an order on Captain Curtis and Mr. Shiririch, of Silver City, for twenty-one stand left in their charge for safe-keeping.

While in Silver City I heard of a number of muskets supposed to be in the hands of different individuals. On examining the houses of these persons none were to be found, and they all stated that the arms had been turned over to Benjamin F. Lippincott, who was the quartermaster of the command under Colonel Hays, and who had authority to receipt for the arms of the command. At Silver City I learned that the secession flag was to be raised at 10 o'clock that day in Virginia City. Although my orders did not contemplate any resistance on the part of the people or that a demonstration adverse to the Federal authority would be made, I believed that the putting down of any movement of that nature would meet with your approbation.

On my arrival at Virginia City everything was comparatively quiet, although there was considerable excitement among the advocates of the Southern rebellion. Immediate examination of all buildings suspected of containing arms was made. The building on which the rebel flag was hoisted a few days since was found to contain no arms, and the proprietor assured me that the flag was hoisted more for a joke than with the intention of causing any excitement. His statement, I believe, was intended for a blind, as I was subsequently informed from the most reliable residents of the place that there was, beyond a doubt, an organization to subvert the authority of the Federal Government in this Territory and declare in favor of the Confederate States. That there are arms in or near Virginia City there can be no doubt, but the organization has been so close in its operations that the responsibility can be placed on no one individual, nor can the Union men trace them to the haunts where they are probably secreted.

Information against Captain Caperton of a nature sufficiently strong was presented as to warrant his apprehension. I was obliged to release him, as he brought witnesses to swear that the arms belonged to Captain Stover and the ones referred to had been turned in to the quartermaster of the command, Benjamin F. Lippincott. The arms secured by me were, by the direction of General Sumner, commanding department, turned over to a company enrolled in Virginia City on the night of the 9th for the especial protection of the interests of the Union. Two companies were formed, of fifty men each, who, in addition to the oath of the club, were sworn to faithful

obedience to the President and the laws of the Federal Government, to suppress rebellion, and to be ready at any moment to yield obedience to the President or other loyal authority under him for the preservation of the Union.

Four hundred men are already enrolled. Of these one hundred are armed; the remainder, from the want of arms, are unable to place themselves in a state of such efficiency as they desire, but hope the general commanding will soon furnish the requisite arms and ammunition to enable them to carry out the object of their organization. After having taken such precautionary measures for the conservation of peace as I thought best, I returned to this post.

In conclusion, I would call your attention to the faithful and efficient manner in which Lieutnant Baker and the men of his command carried out the orders given them under circumstances peculiarly embarrassing to an officer of the Army.

I am, sir, very respectfully, your obedient servant,

T. MOORE,

*Captain and Assistant Quartermaster.*

[Indorsement.]

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 19, 1861.*

The seizure of the arms as herein reported had the effect to check at once the action of the secessionists in Nevada Territory.

Respectfully forwarded to Army Headquarters.

E. V. SUMNER,

*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS OF THE ARMY,  
*Washington, July 23, 1861.*

Brig. Gen. E. V. SUMNER, U. S. Army,  
*Commanding Department of Pacific, San Francisco, Cal.:*

SIR: The Colonel of Ordnance has ordered 30,000 stand of arms, now in store on the Pacific, to be shipped to New York, as they are very much needed here. The general-in-chief directs that you give every facility for executing this order as soon as practicable.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,

*Assistant Adjutant-General.*

WAR DEPARTMENT,  
*Washington, July 24, 1861.*

To the GOVERNOR OF CALIFORNIA:

The War Department accepts for three years one regiment of infantry and five companies of cavalry, to guard the overland mail route from Carson Valley to Salt Lake and Fort Laramie. Colonel Waite will be put in command of department at Salt Lake City. General Sumner will detail mustering officer to muster in the men.

SIMON CAMERON,  
*Secretary of War.*

[Telegraph and pony express.]

ADJUTANT-GENERAL'S OFFICE,  
*Washington, July 24, 1861.*

Brigadier-General SUMNER,  
*Commanding Department Pacific:*

One regiment of infantry and five companies of cavalry have been accepted from California to aid in protecting overland mail route via Salt Lake. Please detail officers to muster these troops into service. Blanks will be sent by steamer.

By order:

GEORGE D. RUGGLES,  
*Assistant Adjutant-General.*

ADJUTANT-GENERAL'S OFFICE,  
Washington, July 26, 1861.

Brig. Gen. E. V. SUMNER,  
*Commanding Department of the Pacific:*

Direct your quartermaster and commissary to prepare in advance the stores necessary for the regiment of infantry and five companies of cavalry accepted from California. Suggest to the governor of California the propriety of making Major Carleton the colonel of the infantry regiment. Colonel Waite is prevented by ill health from accepting the command. It is desired that Major Carleton be placed in command. If any one else is made colonel of the infantry regiment, he will be deprived of the command.

L. THOMAS,  
*Adjutant-General.*

WAR DEPARTMENT,  
Washington, August 14, 1861.

His Excellency JOHN G. DOWNEY,  
*Governor of the State of California, Sacramento City:*

SIR: I have this day addressed you a dispatch requesting you to organize, equip, and have mustered into service, at the earliest date possible, four regiments of infantry and one regiment of cavalry, to be placed at the disposal of General Sumner.

I have the honor to be, very respectfully, your obedient servant,  
SIMON CAMERON,  
*Secretary of War.*

WAR DEPARTMENT,  
Washington, August 14, 1861.

Hon. JOHN G. DOWNEY,  
*Governor of California, Sacramento City, Cal.:*

Please organize, equip, and have mustered into service, at the earliest date possible, four regiments of infantry and one regiment of cavalry, to be placed at the disposal of General Sumner.

SIMON CAMERON,  
*Secretary of War.*

[By telegraph to Fort Kearney, and thence by pony express and telegraph.]

WAR DEPARTMENT,  
August 15, 1861.

Hon. JOHN G. DOWNEY,  
*Governor of California, Sacramento City, Cal.:*

In filling the requisition given you August 14th for five regiments, please make General J. H. Carleton, of San Francisco, colonel of a cavalry regiment, and give him proper authority to organize as promptly as possible.

SIMON CAMERON,  
*Secretary of War.*

[Telegraph and pony express and telegraph.]

HEADQUARTERS OF THE ARMY,  
Washington, August 16, 1861.

Brig. Gen. E. V. SUMNER, U. S. ARMY,  
*San Francisco, Cal.:*

You are to command an expedition into Texas, via Mazatlan, to be composed of two batteries and ten foot companies of regulars, one regiment of volunteer cavalry, and four regiments volunteer infantry. Brig. Gen. J. W. Denver will be associated with you, and take with you Capt. R. L. Ogden, assistant quartermaster. A requisition has been made on the governor for the volunteers. Communicate with him. Particulars by mail.

WINFIELD SCOTT.

[Telegram.]

HEADQUARTERS OF THE ARMY,  
Washington, August 16, 1861.Brig. Gen. E. V. SUMNER,  
U. S. Army, San Francisco, Cal.:

(Telegraph to outer station, thence by pony express and telegraph.) You are to command an expedition into Texas, via Mazatlan, to be composed of two batteries and ten foot companies of regulars, one regiment of volunteer cavalry, and four regiments volunteer infantry. Brig. Gen. J. W. Denver will be associated with you, and take with you Capt. R. L. Ogden, assistant quartermaster. A requisition has been made on the governor for the volunteers. Communicate with him. Particulars by mail.

WINFIELD SCOTT.

HEADQUARTERS OF THE ARMY,  
Washington, August 16, 1861.Brig. Gen. E. V. SUMNER, U. S. Army,  
Commanding, etc., San Francisco, Cal.:

SIR: A telegram was sent you this day in relation to an expedition to Texas, and the General-in-Chief directs me to write you more fully in regard to it, as follows:

You are to fit out an expedition in San Francisco, preparing for embarkation thence the necessary supplies and land transportation, to land at Mazatlan and march thence to western Texas and regain the public property in that State and draw off insurgent troops from Arkansas, Missouri, etc. J. W. Denver, esq., of California, has been appointed brigadier-general, United States volunteer service, and will be under your command. Capt. R. L. Ogden, appointed assistant quartermaster, and now in San Francisco, will also be subject to your orders. A requisition has been made on the governor of California for one regiment volunteer cavalry and four regiments volunteer infantry, and he has been requested to report them to you when ready. You will please confer with him in relation to them. You will add to this force two batteries of regular artillery and ten companies regular foot, to be collected from such points as may be most advisable. Orders will no doubt go to you from the War Department concerning the contract to be made with the steamship company. The General will only say on this subject that it will be advisable to make provision as early as possible for having coal for the transports placed in depot at Mazatlan. On leaving the Department of the Pacific, turn over the command to Colonel [George] Wright, Ninth Infantry.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,  
Assistant Adjutant-General.HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., August 30, 1861.

Lieut. Col. E. D. TOWNSEND, Assistant Adjutant-General:

COLONEL: I have received the General-in-Chief's dispatch, informing me that I am to command an expedition to Texas. While I feel flattered by this selection, and willing to undertake it, especially on account of the almost insuperable difficulties that will attend it, I feel it to be a duty to the General to let him know precisely the state of things on this coast. Up to the time of the reverse in Virginia everything was perfectly safe here. There has always been a strong secession party in this State, but it was overawed and kept quiet. Since that news was received these people have been getting much bolder, and I have found it necessary to take strong measures to repress any attempt on their part to thwart the Government. I think I can do it; but if they should succeed in electing their candidate for governor, of which they are very confident, I shall not be able to do it without the most stringent measures. The Union party here is divided, and neither portion of it will sacrifice their trifling local interests for the public good; and as the disunionists are very active and zealous I am by no means certain that they will not carry the election. Their numbers are variously estimated from 25,000 to 45,000 voters.

I shall get the force authorized to be raised here into my hands as soon as possible; but it will take some time to do this: It is a very different thing to raise volunteers in a State where there is a strong party opposed to the Government from what it is where all are loyal. I shall lose no time in organizing this force and getting it ready for any emergency.

In marching to Texas I would respectfully represent that Guaymas will be a much better point of departure than Mazatlan. The roads and country from the former are much better than from the latter, and the distance is but little more. I suppose, however, that the route must depend upon the one taken by the secessionists, if they should move in this direction.

If they should make no movement hitherward, and the object of my expedition should be to recover and hold Texas, I would respectfully suggest whether it would not be a more feasible plan to take my command by sea to some point in Texas, there to meet such an additional force from the North as the commanding general might think necessary. This plan would give me the necessary munitions, which it would be impossible for me to carry across the continent; besides this, a march at the usual rate across those deserts would inevitably unfit volunteers for some time for efficient service in the field.

Very respectfully, your obedient servant,

E. V. SUMNER,  
*Brigadier-General, U. S. Army, Commanding.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, August 23, 1861.*

Lieut. Col. E. D. TOWNSEND,

*Assistant Adjutant-General, Headquarters of the Army, Washington:*

SIR: I have the honor to inform the General-in-Chief that, in consequence of threatened disturbances among several Indian tribes in the district of Oregon, I have directed Colonel Wright, the commander thereof, whenever in his opinion it is necessary, to muster into service a sufficient volunteer force for the suppression of any outbreak. This force I have directed shall be placed under the command of an officer of the regular Army, to be selected by Colonel Wright. It would be hazardous at this time to reduce the regular force in this State, and I am therefore compelled to rely upon State troops to give the necessary protection to our frontier settlements.

Very respectfully, your obedient servant,

E. V. SUMNER,  
*Brigadier-General, U. S. Army, Commanding.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, August 27, 1861.*

GOVERNOR: I regret very much that you do not find it convenient to come to this city. From the orders that I have received no time can be lost in raising the 5,000 volunteers required from this State.

I wish much to confer with you about this matter. I deem it very important that officers of the Army should be selected to command the regiments; the other field officers can be selected from civil life, and no man, officer or soldier, will be mustered into service about whose loyalty to the national Government there is the slightest doubt.

I am, governor, very respectfully, your obedient servant,

E. V. SUMNER,  
*Brigadier-General, U. S. Army.*

His Excellency J. G. DOWNEY,  
*Governor of California, Sacramento.*

Copy for the information of the War Department respectfully furnished.  
By order:

RICH'D C. DRUM,  
*Assistant Adjutant-General.*



SAN FRANCISCO, CAL., August 28, 1861.

HON. SIMON CAMERON, *Secretary of War*:

DEAR SIR: Since the arrival of the Pony Express, with Washington dates of August 16, a rumor has been in circulation that an enlistment of 5,000 additional men from this State has been ordered for service in Texas, to which State they were to proceed with all convenient dispatch, under command of General Sumner. This report has caused the most lively apprehensions of danger in our midst, and so deeply are we impressed that your Department is not sensible of the true condition of affairs upon this coast, that we most respectfully ask the rescinding of so much of the order as calls for the withdrawal of the troops to be raised, and that transfers General Sumner to another field of duty, and thereto we present the following reasons:

A majority of our present State officers are undisguised and avowed secessionists, and the balance, being bitterly hostile to the administration, are advocates of a peace policy at any sacrifice, upon terms that would not be rejected even by South Carolina. Every appointment made by our governor within the past three months unmistakably indicates his entire sympathy and co-operation with those plotting to sever California from her allegiance to the Union, and that, too, at the hazard of civil war.

About three-eighths of our citizens are natives of slaveholding States, and almost a unit in this crisis. The hatred and bitterness towards the Union and Union men, manifested so pointedly in the South and so strongly evinced on the field of battle, is no more intense there than here. These men are never without arms, have wholly laid aside their business, and are devoting their time to plotting, scheming, and organizing. Our advices, obtained with great prudence and care, show us that there are upwards of 16,000 "Knights of the Golden Circle" in this State, and that they are still organizing even in our most loyal districts.

The fruits of so much devotion to the cause of secession and intriguing for its promotion are manifested in the securing of certain timid and ease-loving classes, hailing from free States, styling themselves Union men, but opposed to the war. Thus is secession consummated. Another class, by no means small, powerful through its wealth, has affiliated with the disunionists to avoid and oppose paying a pittance towards maintaining the integrity of the Government in its hour of trial. The native Spanish race have been persuaded that all real-estate complications will meet with prompt adjustment at the hands of another organization, and the unwarranted doubts, difficulties, and delays that have characterized the action of the administrative branch of the Government in the final adjustment of titles under Mexican grants furnish an argument to ignorant men that human ingenuity can not answer.

The squatter and lawless trespasser, having litigated with the landed proprietor for years in his own name and that of his Government, is made to believe that no change can result to his disadvantage; that principles established by the Federal courts will be overturned, and Mexican grants only known in history.

Upon these several subjects, which comprise the prominent points of our present position, electioneering pamphlets, resolutions, platforms, speeches, and circulars are distributed with an unflagging industry, and are placed in the hands of every voter in the State.

The special object of this extraordinary effort is to carry the State election, which takes place one week from to-day, September the 4th. In this campaign the Union voters are unfortunately divided, and the best-devised plans have failed to unite them. The secessionists, the Douglas party, and the Republicans have each a full ticket in the field, and we are overwhelmed with apprehensions lest the enemies of the country may triumph. Should such be the case, civil strife would be forced upon our loyal population, and the most prosperous State in the Union would be desolated and destroyed. The frightful scenes now transpiring in Missouri would be rivaled by the atrocities enacted upon the Pacific coast. Loyalty and patriotism embrace within their firm grasp the body of the wealth and intelligence of California, and an attempt at a severance will be contested with inflexible determination.

We need not remind you of the vast importance of preserving California to the Union. Its great geographical extent, its mineral and agricultural wealth, the fact that it is our chief seat of empire upon the Pacific, and that its political action will exercise a powerful, if not controlling, influence upon its neighbors at the north, imperatively demand that no precaution should be neglected to insure its fidelity.

We need only appeal to the examples furnished by Missouri and even Virginia to show that the efforts of a comparatively small number of audacious and unscrupulous men are sufficient to precipitate an unwilling population into disunion, or at least to inaugurate civil war.

If, unfortunately, from the causes we have mentioned, the secession minority in this State should obtain control, you will at once perceive with what power for mischief it would be armed, and how imminent is our danger. To retain a State in its allegiance is a thousand-fold more easy than to overcome disloyalty affecting to act under State authority.

Nothing will more certainly check treasonable attempts than a conviction of their hopelessness. To deprive us of the military support of the Government at this time is to hold out a direct encouragement to traitors. We beg most earnestly to remind you that in our case an "ounce of preventive is worth a pound of cure."

Very respectfully, yours,

Robt. C. Rogers.	Moses Ellis & Co.	Dodge & Shaw.
Macondray & Co.	R. D. W. Davis & Co.	Tubbs & Co.
Jno. Sime & Co.	L. B. Benchley & Co.	J. Whitney, jr.
J. B. Thomas.	Wm. A. Dana.	C. Adolphe Low & Co.
W. W. Stow.	Jones, Dixon & Co.	Haynes & Lawton.
Horace P. James.	J. Y. Halleck & Co.	J. D. Farrell.
Geo. F. Bragg & Co.	Forbes & Babcock,	C. E. Hitchcock.
Flint, Peabody & Co.	A. T. Lawton.	Geo. Howes & Co.
Wm. B. Johnston.	Geo. J. Brooks & Co.	Sam. Merritt.
D. O. Mills.	Jno. B. Newton & Co.	Jacob Underhill & Co.
H. M. Newhall & Co.	Chas. W. Brooks & Co.	Morgan, Stone & Co.
Henry Schmildell.	James Patrick & Co.	T. W. Brittan.
Murphy, Grant & Co.	Locke & Montague.	J. H. & J. S. Bacon.
Wm. T. Coleman & Co.	Janson, Bond & Co.	R. B. Swain & Co.
De Witt Kittle & Co.	Jemmings & Brewster.	Fargo & Co.
Richard M. Jessup.	Treadwell & Co.	Nathaniel Page.
Graves Williams & Buckley.	William Alvord & Co.	Stevens, Baker & Co.
Donohoe, Ralston & Co.	Shattuck & Héndley.	R. E. Brewster & Co.
H. M. Nuzlee.	Randell & Jones.	Tay, Brooks & Backus.
Geo. C. Shreve & Co.	J. B. Weir & Co.	Wm. Norris.
Peter Danahue.	B. C. Hand & Co.	E. H. Parker.
Kellogg, Hewston & Co.	O. H. Giffin & Bro.	

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, August 28, 1861.

Brig. Gen. E. V. SUMNER, *U. S. Army:*

GENERAL: Your letter of yesterday is received. I regret exceedingly that I have been unable to visit San Francisco during the last week, as I have been most anxious to confer with you in regard to the recent requisition. You will see that I have lost no time in making the call. I am satisfied from the assurances received from the most populous counties of the State that in two weeks we will have the requisite number of men to fill the requisition.

Enlisting is going on rapidly, and the fife and drum are heard in every village.

I have repeatedly assured you that none other than those loyal to the General Government would be offered bearing "commissions" of the State. And surely none entertaining disloyal sentiments to the Federal Government would desire to place themselves in a position at once false and dishonorable. As I have repeatedly assured you, there will be no clashing of sentiment on this head.

The volunteer soldiery of this State desire to be commanded by their own distinguished citizens, as far as possible; and I assure you with all candor that if it were differently understood we would find it exceedingly difficult, if not impossible, to fill the demand of the President.

Notwithstanding the pressure of business now pouring in upon me, I will on tomorrow visit San Francisco for the purpose of having a free and frank interview with you on this subject.

I am, general, very respectfully, your obedient servant,

JOHN G. DOWNEY,  
Governor.

PLEASANT HILL, OREGON, September 1, 1862.

Col. G. WRIGHT, *Vancouver, Wash.:*

SIR: From reports from persons residing east of the Cascade Mountains it would seem there are fears of a general outbreak of the Indians inhabiting that section of country. A combination of these Indians for the purpose of a war upon the whites would at this time be very disastrous to both Oregon and Washington Territory. I, of course, feel much solicitude in this matter, and have proposed to visit The Dalles at an early day and obtain such information touching the hostile sentiments of the Indians as may be elicited at that place. I have, however, thought it proper to address you this note and respectfully inquire whether the forces under your command are sufficient to force these Indians to keep the peace, and if the country may rely upon your action for protection.

Very respectfully, yours, etc.,

JOHN WHITEAKER.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, September 2, 1861.

His Excellency JOHN G. DOWNEY,  
Governor State of California, Sacramento City, Cal.:

GOVERNOR: I would respectfully and earnestly request that you will push forward as rapidly as possible the raising of the five regiments called for by the Government.

Very respectfully, your obedient servant,

E. V. SUMNER,  
Brigadier-General, U. S. Army, Commanding.

EXECUTIVE DEPARTMENT,  
Sacramento, Cal., September 2, 1861.

His Excellency ABRAHAM LINCOLN,  
President of the United States;

SIR: This first requisition made upon this State for 1,500 volunteers has been filled and the command given to Colonel Carleton. It having been intimated by the War Department that it was your desire that this officer should have the command, I cheerfully complied, as I had every confidence in his experience, patriotism, and gallantry. I would now represent to your excellency that the command of this expedition to Utah is a most important one, and will embrace a jurisdiction of some 1,500 miles. As colonel, he will have command of the First California Infantry and the First California Cavalry, being more than a colonel's command and less than that of a brigadier. I would respectfully ask, on behalf of the State, that this be created a separate department, and that Colonel Carleton be appointed brigadier-general of this brigade. I trust you will at once see the benefits that will result from this course. As it is remote from headquarters on the Pacific, and being subject to have all communications cut off for four months in the year by snows, the officer in command of this department should be invested with ample power to act as circumstances might require. Besides, California has not yet been honored with a military appointment of this rank, and should your excellency deem it advisable to accede to this request, I know of no man more deserving than Colonel Carleton, nor one who would reflect more credit upon the State, or give more satisfaction to the General Government.

I am, sir, very respectfully, your obedient servant.

JOHN G. DOWNEY.

EXECUTIVE DEPARTMENT,  
Sacramento, Cal., September 3, 1861.

Hon. SIMON CAMERON, Secretary of War, Washington, D. C.:

SIR: I have the honor to acknowledge your telegraph dispatches of August 14 and 15, the former being a requisition for four regiments of infantry and one regiment of cavalry, and the latter recommending General D. D. Colton as colonel of cavalry.

I received the above dispatches on August 23, and on the 24th issued my proclamation, as you will see above [following].

The first requisition for one regiment of infantry and five companies of cavalry is now complete, and I have no doubt that after the election (September 4) the last requisition will also be filled.

I have tendered the colonelcy of the second regiment of cavalry to General D. D. Colton, as you desired, and he has accepted the same and will soon be on active duty.

I have also the honor to acknowledge the receipt this day of your letter by Pony Express, being a duplicate of the requisition sent by telegraph.

I have the honor to be, very respectfully, your obedient servant,

JOHN G. DOWNEY,  
Governor.

[Inclosure.]

PROCLAMATION.

STATE OF CALIFORNIA, Executive Department:

Whereas by an additional communication from the Secretary of War, bearing date August 14, A. D. 1861, to the executive of this State directed, the President of the United States has called for four regiments of infantry and one regiment of cavalry, to be placed at the disposal of Brig. Gen. E. V. Sumner, U. S. Army, "organized, equipped, and mustered into service by the State of California, such call being made in pursuance of the act of Congress passed July 19, 1861, entitled 'An act to author-

ize the employment of volunteers to aid in enforcing the laws and protecting public property;”

Now, therefore, I, John G. Downey, governor of the State of California, and commander-in-chief of the militia, etc., of the same, do hereby authorize and call upon the citizens, as many as shall be necessary to fill up the preceding requisition, to immediately form and organize themselves into “volunteer companies,” in accordance with the directions and requirements stated in sections 17, 18, and 19 of the statutes of this State, entitled “An act in relation to the militia of the State,” approved May 9, 1861. Said companies will be accepted and mustered into service according to the priority of the receipt by the adjutant-general of the State of the certificate of organization mentioned in section 18 of said act and reported by that officer to the commander-in-chief; the infantry companies to consist of any number between 88 and 101, and the cavalry companies of any number between 79 and 95, officers inclusive; the commissioned officers of each company to consist of one captain, one first lieutenant, and one second lieutenant. The commander-in-chief will proceed forthwith to organize the regiments aforesaid out of said companies according to their priority and in conformity to law.

While the act of Congress aforesaid requires “the governors of States furnishing volunteers to commission the field, staff, and company officers requisite,” the commander-in-chief will in all cases give preference to the officers elected by the respective companies, provided that they are competent and pass examination before the military board already appointed by the United States officer commanding Pacific Division, San Francisco.

Volunteer companies already organized and commissioned are expected to report forthwith to the adjutant-general, tendering their services to meet the requirements of this proclamation.

Companies tendering their services will expressly state whether they are infantry or cavalry.

In witness whereof I have set my hand and caused the great seal of State to be affixed. Done at Sacramento, Cal., this 23d day of August, in the year of our Lord one thousand eight hundred and sixty-one.

[SEAL.]

JOHN G. DOWNEY,  
Governor.

Attest:

JOHNSON PRICE,  
Secretary of State.

[Telegraphed.]

SAN FRANCISCO, CAL., September 4, 1861.

Governor JOHN G. DOWNEY,  
Sacramento City:

Cavalry company organized and reported at Yreka September 4. Signed Charles McDermit. This company had better be ordered to report to Colonel Colton, in this city, immediately.

E. V. SUMNER,  
Brigadier-General, U. S. Army, Commanding.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., September 6, 1861.

Governor J. G. DOWNEY,  
Sacramento City, Cal.:

The appointment of Maj. A. J. Smith, of the First Dragoons, as colonel of cavalry would be much the best one for the service.

Lieutenant Kellogg is not a cavalry officer; he would make an excellent lieutenant-colonel of infantry.

The other two appointments I should be well satisfied with.

E. V. SUMNER,  
Brigadier-General, U. S. Army, Commanding.

Non-official.]

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, September 6, 1861.

GENERAL: Your letter of yesterday is received. I should have immediately acceded to your request in regard to Maj. S. I. Smith, but on the receipt of General Carleton's telegram I wrote Lieut. John Kellogg, inasmuch as he had been favorably mentioned by yourself and Colonel Carleton.

From the moment you informed me that you were going to take command in person of this expedition I have been animated but with one desire, and that to give you officers of your own choice. If I have varied at all from this, it was for the purpose of facilitating the prompt raising of the men and to prevent any dissatisfaction on the part of the militia officers who were anxious to enter upon active service. Your suggestions in regard to fixing the different rendezvous is excellent, and will be carried out. I am preparing an order to that effect, and only await your determination in regard to the cavalry regiment.

You can rest assured I will render you every aid in my power to make the California troops creditable to the State and pleasing to the general commanding.

Very truly, yours,

JOHN G. DOWNEY.

Brig. Gen. E. V. SUMNER, *U. S. Army.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, September 7, 1861.*

Col. E. D. TOWNSEND,  
*Asst. Adj. Gen., Hdqrs. of the Army, Washington, D. C.:*

COLONEL: Since my letter to you of the 30th ultimo the Union party has triumphed in the election, which makes things much safer here. There are about 20,000 secession voters in this State, and the dissolute and loose portion of this party are congregating in some force in the southern counties, in the hope of receiving support from Texas. I am re-enforcing the regular troops in that quarter as speedily as possible, in order to check this movement. The great and unaccountable success in Arizona and New Mexico will no doubt embolden them, and it is by no means certain that they will not make some attempt in this direction, and if they should ever get an organized force into this State, as a rallying point for all the secession element, it would inevitably inaugurate a civil war here immediately.

I stated to you that I thought Guaymas would be a better point of departure from this coast than Mazatlan. This was on the supposition that I was to enter Texas on the northwestern border. I find on further inquiry that this route would be next to impracticable with a large force for the want of water, grass, etc. I fitted out General Kearny's command of 100 men on the Rio Grande in the fall of 1846. I gave him the best of everything in the regiment, and yet when he arrived on this coast this small force was completely broken down and unable to contend successfully with the Californians who attacked him. If the object of the march is to move through Mexico and reach Texas low down on the Rio Grande, the best point of departure would be San Blas.

I inclose a letter from Mr. Beale, the surveyor-general of this State. His knowledge of Mexico is founded on his having actually traveled over it, and he is a sensible and reliable man.

From Guadalaxara I could make my way north, but it would be a very long and severe march, and with all the care I could take I could not feel sure of having an army of volunteers in fighting order when I reached Texas. I am, however, prepared to undertake it, and if it is not impossible the object of the expedition will be attained. I took the liberty in my last letter of suggesting whether it would not be better to take my command by sea to some point in Texas, there to be joined by a force from the North with all the necessary munitions, etc. If the main object of the expedition is to recover Texas, I would respectfully ask the general-in-chief to reconsider this matter for a moment. I should feel great confidence in such an expedition, and I believe, with the additional force the general would give me, that I could recover and hold Texas, and thus make an important diversion in favor of the operations on the Mississippi. This plan would also have another great advantage. It would keep the troops here for some time while undergoing the necessary discipline, and still I should reach Texas much sooner than by the overland route. I think the presence of these troops here for a time would put down this restless and unscrupulous secession party, and prevent any attempt from Texas.

Very respectfully, your obedient servant,

E. V. SUMNER,  
*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS OF THE ARMY,  
*Washington, September 9, 1861.*

Brig. Gen. E. V. SUMNER, *U. S. A.,*  
*Commanding Department of the Pacific, San Francisco, Cal.:*

SIR: Lieutenant-General Scott, with the assent of the Secretary of War, directs that you suspend preparations for the expedition against western Texas, via Mazat-



lan. Instructions will be sent you by the next mail for other purposes. Prepare the regular troops, except four companies of artillery, to come by steam to New York. Two regiments of volunteers will replace the regulars.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,  
*Assistant Adjutant-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, September 28, 1861.*

Col. E. D. TOWNSEND,  
*Assistant Adjutant-General, Washington:*

COLONEL: I have just received the commanding general's dispatch, countermanding the expedition to Texas, and I do feel greatly relieved thereat. I was willing to undertake it, but I could not feel sure that I could carry it through, for the difficulties were all but insuperable.

You will have received my letter of the 17th instant, informing the general that I had changed the destination of the troops ordered on the overland route. If I could have anticipated this last order I should not have made this change, for I should have had troops enough without them for the disaffected part of the State. As this change has already been made, and nearly all of Colonel Carleton's command is now in the southern part of the State, I do not think it advisable to bring them back at a heavy expense to send them on the overland route this fall, especially as their presence there is not necessary for the protection of the mail. A company of the First Cavalry has left Fort Churchill to march to Ruby Valley and back. Colonel Carleton's command can move out on the overland road in March next, and thus save an immense expense in forage for this winter. The hay would have cost \$60 a ton and the barley \$9.96 a bushel.

I would respectfully ask the general's sanction for this arrangement.

Very respectfully, your obedient servant,

E. V. SUMNER,  
*Brigadier-General, U. S. Army, Commanding.*

[Indorsement.]—

WAR DEPARTMENT, *October 28, 1861.*

SIMON CAMERON,  
*Secretary of War.*

Approved:

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, September 9, 1861.*

COLONEL: The governor of California has given the following appointments to officers of the Army, and as their services will be of the utmost importance in the volunteers, I would respectfully ask the sanction of the general-in-chief.

CALIFORNIA VOLUNTEERS.

Maj. A. J. Smith, First U. S. Cavalry, to be colonel of the Second Regiment of Cavalry.

Capt. H. M. Judah, Fourth Infantry, to be colonel Second Regiment of Infantry.  
First Lieut. Benjamin F. Davis, First U. S. Cavalry, to be lieutenant-colonel (Battalion) First Regiment Cavalry.

First Lieut. John Kellogg, Third Artillery, to be lieutenant-colonel — Regiment of Infantry.

Second Lieut. E. V. Sumner, jr., First U. S. Cavalry, to be major Second Regiment of Cavalry.

Very respectfully, your obedient servant,

E. V. SUMNER,  
*Brigadier-General, U. S. Army, Commanding.*

Lieut. Col. E. D. TOWNSEND,  
*Assistant Adjutant-General, U. S. Army,  
Headquarters of the Army, Washington, D. C.*

P. S.—Bvt. Maj. J. H. Carleton, First Cavalry, was appointed colonel at the request of the Secretary of War.

HEADQUARTERS ARMY,  
September 28, 1861.

Respectfully forwarded to the Adjutant-General, by direction of the general-in-chief.

E. D. TOWNSEED,  
Assistant Adjutant-General.

Respectfully forwarded to the honorable Secretary of War.

ADJUTANT-GENERAL'S OFFICE,  
September 30, 1861.

---

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, September 10, 1861.

GENERAL: I have organized the regiments as follows in annexed schedule, and fixed their regimental headquarters. I trust it will meet your approval, as I am sure the appointments and localities to which they are assigned will promote the speedy completion of the force called for by the Department.

If the field officers can be authorized to examine the officers of the companies it would greatly facilitate matters, as captains and lieutenants can not well afford to visit San Francisco upon a contingency of their passing the board.

The regiments are now arranged as you desired, with the exception of Lieut. John Kellogg, and I had to make this change in the programme on account of your desiring the appointment of Capt. A. J. Smith to command the Second Cavalry Regiment. It has taken some time to make the selection, but there is nothing lost by it, and I doubt exceedingly if there be in the service of the United States, among the volunteers called into active duty, a better officered expedition.

Very respectfully, your obedient servant,

JOHN G. DOWNEY,

Brig. Gen. E. V. SUMNER, U. S. Army.

---

[Telegraphed.]

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, September 11, 1861.

Governor JOHN G. DOWNEY,  
Sacramento City, Cal.:

Can you accept this company?

E. V. SUMNER,  
Brigadier-General, U. S. Army.

WATSONVILLE, September 10, 1861.

To General E. V. SUMNER:

Can you accept one company cavalry? Have one nearly ready.

ALBERT S. BROWN,  
Santa Cruz.

---

[Telegraphed.]

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, September 11, 1861.

Governor JOHN G. DOWNEY,  
Sacramento City, Cal.:

Charles F. Dodge, of Sonora, offers a cavalry company. Do you wish to accept it?

E. V. SUMNER,  
Brigadier-General, U. S. Army, Commanding.

HEADQUARTERS DISTRICT OF OREGÓN,  
Fort Vancouver, W. T., September 12, 1861.

His Excellency JOHN WHITEAKER,  
Governor of the State of Oregon:

SIR: The threatening attitude of the Indian tribes in the country east of the Cascade Mountains having produced much alarm amongst the settlers, causing many of them to abandon their claims, and the regular force under my command having been reduced during the past year by the withdrawal of fourteen companies for service in California, leaving an inadequate number of troops necessary for the protection of the settlements, I have the honor to request that your excellency will call for one company of volunteer cavalry to be mustered into the service of the United States at Fort Dalles, Oregon, for the period of three years, unless sooner discharged.

The organization of the company will be one captain; one first lieutenant, one second lieutenant, four sergeants, four corporals, two buglers, one farrier and blacksmith, and seventy-four privates.

Every member of the company will be required to furnish his own horse and horse equipments, and will be paid for their use and risk such allowances as are now or may hereafter be established by law.

The Government will furnish arms and subsistence when the organization of the company shall have been completed and the company accepted.

When fully organized, I request that your excellency will direct the captain of the company to report to Captain Joseph H. Whittlesey, of the U. S. Army, at Fort Dalles, who has been instructed to inspect and, if accepted, to administer the oath of allegiance and muster the company into the service of the United States.

With great respect, I have the honor to be, your excellency's most obedient servant.

G. WRIGHT,  
Colonel, Ninth Infantry; Commanding.

---

HEADQUARTERS ARMY, September 16, 1861.

Brig. Gen. E. V. SUMNER, U. S. A.,  
Commanding Department Pacific, San Francisco:

SIR: A dispatch was sent you by the Pony Express the 10th instant and a duplicate the 14th, directing you to suspend the expedition, via Mazatlan, to western Texas, and to prepare to send all the regular troops except four companies of artillery by steamer to New York.

The general-in-chief directs that you accordingly leave one company (Third Artillery) at Fort Vancouver and three companies in the harbor of San Francisco. The remainder of the regulars you will send forward by steamer to New York as fast as they can be collected for embarkation.

The cavalry and artillery horses will be disposed of in such a manner as may be deemed best for the public interest. The arms and equipments of the troops will be brought with them; also, 10,000 of the muskets remaining in store. The field batteries and their equipments will be left behind. You will send orders to Colonel Wright to repair to San Francisco to relieve you in command of the department, and after his arrival will proceed to the Headquarters of the Army and report in person.

Brig. Gen. J. W. Denver, U. S. volunteer service, will be ordered to California to relieve Colonel Wright, who will then proceed to report in person at Army Headquarters.

The following dispatch was sent you this day by Pony Express and also by telegraph:

"Besides the volunteer force called for from California to guard the overland mail-route, the five regiments (one of cavalry and four of infantry) originally ordered will be organized and held ready for service on the Pacific coast and elsewhere, according to future orders to be given.

"I send a copy of this to the governor of California."

I am, sir, etc.,

E. D. TOWNSEND,  
Assistant Adjutant-General.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, September 17, 1861.

Col. E. D. TOWNSEND,  
Asst. Adj. Gen., Hdqrs. of the Army, Washington, D. C.:

COLONEL: I am compelled to assume the high responsibility of changing the destination of the troops ordered to the plains. The disaffection in the southern part of this State is increasing and becoming dangerous, and it is indispensably neces-

sary to throw re-enforcements into that section immediately. The rebels are organizing, collecting supplies, and evidently preparing to receive a force from Texas; and the worst feature of the affair is this: They have managed to seduce the native Californians by telling them that they will be ruined by taxes to maintain the war.

I shall establish a strong camp at Warner's Ranch on the road to Fort Yuma, which will support that post, prevent the gathering of rebels in that vicinity, and be prepared to repel any force advancing through Arizona.

The only available troops I have at this moment are those raised for the overland mail route. These troops are now ready, whereas I could not get any of the last requisition ready before a month. Another consideration is this: The Fourth Infantry, now in the southern part of this State, are the only available regulars for my expedition. I can not withdraw another man from Oregon or from any post in California, and it would be madness to withdraw this regiment from its present duty without replacing it with other troops. No evil will result from this change, as no protection from the Indians is necessary for the mail. Some of the principal agents have said to me that they did not need any protection; nevertheless I have ordered a company of dragoons at Fort Churchill to make a march as far out on the mail route as Ruby Valley, which is beyond all the Indians from whom there is anything to apprehend. I inclose a copy of my instructions for this movement. I shall place Colonel Wright in command of all the troops in the disaffected district till I am ready to leave with the southern expedition.

I would respectfully ask an early reply to my letters of the 30th ultimo and 7th instant, in which I took the liberty of asking the general-in-chief to let me proceed by sea, via the isthmus, to Brazos Santiago.

Very respectfully, your obedient servant,

E. V. SUMNER,  
Brigadier-General, U. S. Army, Commanding.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, September 17, 1861.

JOHN G. DOWNEY,  
Governor State of California, Sacramento City, Cal.:

SIR: I have the honor to acknowledge the receipt of your note of the 16th instant, with inclosures. I concur with you that there is not the slightest necessity for the State making any provision for the transportation of the volunteer companies from their place of enlistment to their rendezvous. When captains have their full complement of men the fact should be reported, when they will receive the necessary directions for their movement. The expense of transportation will be paid by the Quartermaster's Department.

Very respectfully, your obedient servant,

E. V. SUMNER,  
Brigadier-General, U. S. Army, Commanding.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, September 19, 1861.

His Excellency JOHN G. DOWNEY,  
Governor State of California, Sacramento City, Cal.:

GOVERNOR: I agree with you, and have given orders that no cavalry company will be mustered in under the minimum (79).

Very respectfully, your obedient servant,

E. V. SUMNER,  
Brigadier-General, U. S. Army, Commanding.

DEPARTMENT OF STATE,  
Washington, September 20, 1861.

Hon. SIMON CAMERON, Secretary of War:

SIR: I have the honor to inclose an extract from a dispatch of the 28th ultimo, received from Mr. Corwin, relative to an apprehended invasion of Sonora by the insurgents of the United States, and to recommend that the subject be submitted to the General-in-Chief commanding the Armies of the United States for such directions as may be deemed most proper, asking at the same time whether a force of 10,000 men would not be a reasonable one for the service to be performed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

[Indorsement.]

HEADQUARTERS ARMY,  
Washington, October 5, 1861.

The General-in-Chief directs me to say, in reply to the question of the honorable Secretary of State, that he deems the force named by the Secretary a proper one.  
Respectfully submitted.

E. D. TOWNSEND,  
Assistant Adjutant-General.

[Inclosure.]

*Mr. Corwin to Mr. Seward.*U. S. LEGATION,  
México, August 28, 1861.

\* \* \* \* \*

Mr. Pickett, commissioner from what he denominates "The Confederate States," is still here. He and three Southern persons sojourning in this city were engaged last night in rejoicing over the victory at Bull Run and Manassas Gap. The sketch of that battle in the New York Herald of the 23d of July reached here yesterday. The paper came here from Havana by private conveyance. Mr. Pickett has learned that Mexico had granted the United States the privilege of marching troops through Mexican territory to Arizona. He has informed the Government here that this will be considered as offensive to the "Confederate States," as New Mexico has placed herself under the protection of those States. He has said, in private conversation, "If this decree is not annulled, Mexico will lose the State of Tamaulipas in sixty days."

By looking on any map of Mexico it will be seen that Tamaulipas, Neuva Leon, Coahuila, Chihuahua, and Sonora all adjoin Texas or New Mexico. Tamaulipas is easily approached by her port, Tampico, on the Mexican Gulf, and also by land from Texas. All the others of these States can be reached by land from Texas or New Mexico. Guaymas is the great port on the Gulf of California, from and to which shipments are made for the States of Sonora and Chihuahua, and also to our Territory of New Mexico, including Arizona. It is, therefore, reasonable enough to conclude that the United States troops from California could be landed at Guaymas in seven days by steamer, and with a safe passage through Sonora could confront any rebel force operating in Arizona or New Mexico proper, and also be in a position to act against any fillbustering enemy which might attack any of the Mexican States bordering on Texas. It is no doubt the design of the "Southern Confederation," whenever it can, to seize all of these States; indeed, to possess itself of the entire Tierra Caliente of Mexico, that being well adapted to slave labor.

If Mexico should be attacked under pretense that she had justly offended the Confederate States by the grant of passage through Sonora, every obligation of honor would seem to require that our troops should be ready to enforce our laws against fillbustering expeditions from our Territories against the territories of a nation with whom we are at peace. Such troops would at the same time be efficient to restore our lawful dominion in Texas and New Mexico. Upper California, Oregon, and Washington Territory could furnish a respectable force for all these purposes, which could be conveyed by water to Guaymas and from thence by land over good roads to their proper points of operation.

The States bordering on Texas and our New Mexican frontier are very weak in population and wealth, and could be conquered by a comparatively small force. Tamaulipas has only 108,000 of all ages, races, and sexes. The entire population of the five Mexican States above named is stated in the most reliable census to be 628,000 of all ages, sexes, and races, covering an area of 67,563 square miles. I am informed that recent discoveries of mineral wealth in Sonora and Chihuahua have invited large bodies of men from California to those two States. It is suspected that they are of a class easily induced to unite with the Southern rebels in an attack on these and their neighboring Mexican States, as well as to promote Southern pretensions in New Mexico and Texas.

I suggest whether a prudent forecast would not invite our Government to raise in California and Oregon a force which would pass from Guaymas through Sonora to our possessions in New Mexico and Arizona for the purposes suggested above.

WAR DEPARTMENT, September 21, 1861.

Brigadier-General SUMNER,

*Commanding Department of Pacific, San Francisco, Cal.:*

DEAR SIR: Inclosed you will please find a letter from C. E. Bennett, of San Bernardino, Cal., addressed to the Secretary of State, and by him referred to this Depart-



ment, giving information in regard to the movements of secessionists in that section of country.

You will please take such action in the matter as in your judgment may best subserve the public interest.

Very respectfully,

THOMAS A. SCOTT,  
*Assistant Secretary of War.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., October 21, 1861.*

GENERAL: I have the honor to acknowledge the receipt of a communication from the Assistant Secretary of War, dated on the 21st ultimo, inclosing a letter from C. E. Bennett, of San Bernardino, Cal., addressed to the Secretary of State. The measures which were taken by General Sumner to secure the quiet and peace of the district of southern California have thus far produced the most happy results. When I left Los Angeles, on the 15th instant, everything was perfectly quiet, doubtless attributable in a great measure to the presence of our troops at the various points. After the withdrawal of the regulars there will remain in the southern district of this State a regiment of infantry and a battalion of cavalry, fifteen companies in all, the whole commanded by Col. J. H. Carleton, an experienced officer, and well acquainted with that country and the inhabitants. The progress of events in the southern section of the State as well as in the adjoining Territories will be carefully observed, and an additional force promptly advanced if necessary.

Very respectfully, your most obedient servant,

G. WRIGHT,  
*Colonel, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General, U. S. Army, Washington, D. C.*

---

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
*Washington, September 24, 1861.*

Col. THOMAS R. CORNELIUS, Hon. B. F. HARDING, and R. F. MAURY, Esq., of Oregon:

GENTLEMEN: The War Department being convinced of the necessity of raising a body of troops in Oregon to meet all exigencies which may exist there, and with a particular view to the defense of the frontier, I am directed to authorize you to raise for the service of the United States one regiment of mounted troops, to consist of ten companies, with Thomas R. Cornelius as colonel and R. F. Maury as lieutenant-colonel thereof. The two majors will be selected hereafter.

B. F. Harding is appointed quartermaster of the regiment, and will be mustered into the service immediately upon the receipt of this letter by any Army officer in his vicinity. If no officer be near him, Mr. Harding will muster himself into service, taking the oath of allegiance before a civil magistrate. As soon as mustered into service Quartermaster Harding will act as mustering officer for the remainder of the regiment.

The organization of the regiment will be in strict accordance with that prescribed for ten companies of cavalry in General Orders No. 16, of 1861, from this office, a copy of which is herewith inclosed.

The medical officers of the regiment will be one surgeon and one assistant surgeon, to be competent medical men, appointed by the colonel.

The company officers of the regiment will be appointed by you from men deemed competent for the positions. Every man will be required to furnish his own horse and horse equipments, as prescribed in General Orders No. 15, of 1861, from this office, a copy of which is also herewith inclosed.

The colonel will be mustered in upon the receipt of this order, and is authorized to make all necessary requisitions upon any United States quartermaster or commissary for the supply and support of his command.

The quartermaster and mustering officer hereby appointed is also authorized to contract for supplies for the regiment at the lowest market price, and to furnish them upon the requisition of the colonel as fast as the companies are mustered into service, provided the supplies can not be obtained by requisitions upon the United States officers, as hereinbefore specified.

In all accounts for such expenditures or contracts, the fact must be stated that the supplies could not otherwise be procured, and that the price paid was the lowest market price.

The clothing, arms, and equipments, other than horse equipments, for the regiment will be procured by requisition upon the commanding officer of the district of Oregon or the Department of the Pacific.

Owing to the great distance between Washington and Oregon these instructions must necessarily be general, but the Department, acting upon the strong recommendations of the Hon. E. D. Baker, Senator from Oregon, relies confidently upon the prudence, patriotism, and economy with which you will execute this trust.

Unless otherwise ordered you will be governed by any directions sent to you by Col. E. D. Baker, and will under all circumstances report your conduct in the premises to the War Department through the Adjutant-General of the Army.

I am, gentlemen, very respectfully, your obedient servant,

L. THOMAS,  
Adjutant-General.

---

HEADQUARTERS OF THE ARMY,  
Washington, September 30, 1861.

Brig. Gen. GEORGE WRIGHT, U. S. A.,  
Commanding, etc., San Francisco, Cal.:

SIR: The General-in-Chief directs me to say that, according to the importance of the frontiers and the temper of the Indians, you station in Oregon and Washington Territories a portion of the volunteer force called out on the Pacific coast. You can best judge, being on the spot, of the proper disposition to be made of the force.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,  
Assistant Adjutant-General.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, October 28, 1861.

COLONEL: I have the honor to acknowledge the receipt of your communication of the 30th ultimo, also an extract from Special Order No. 160, of the same date, from the headquarters of the Army. On the 17th instant, five companies of the Second Infantry California Volunteers left this place on the steamer for Oregon, for the purpose of relieving the regular troops at the most remote stations in that district. To-morrow five companies of the Fourth Infantry California Volunteers will embark for Oregon, and relieve the troops at Fort Dalles, and the garrisons in the district west of the Cascade Mountains. After the withdrawal of the regular troops from the district of Oregon there will remain, under the present arrangement, ten companies of volunteer infantry and one company of regulars (Third Artillery). The company of the Third Artillery now at Fort Vancouver will occupy San Juan Island, and the volunteer infantry will occupy all the posts in the district now garrisoned by the regulars, with the exception of Fort Cassady. No more troops will be sent to Oregon for the present, and I have suspended the enrollment of the volunteer company of cavalry at Fort Dalles, as the recent call made by the War Department for a regiment of cavalry to be raised in Oregon will, it is presumed, be ample for any emergencies likely to arise in that country. The district of southern California is under the command of Colonel Carleton. He has ten companies of infantry and five of cavalry, and, should it be necessary, an additional force can be thrown into that country with promptness. On the steamer which will leave here on the 1st proximo there will embark at San Pedro the headquarters staff, band, and six companies of the Fourth Infantry, one company of the Ninth Infantry, and two companies of the First Cavalry, the whole under command of Bvt. Lt. Col. R. C. Buchanan, Fourth Infantry. The regular troops from Fort Yuma will reach San Diego in season to embark on the steamer leaving here on the 21st of November. I shall send forward the regular troops to New York with the utmost dispatch, as fast as they reach the coast, without regard to regiments.

Very respectfully, your obedient servant,

G. WRIGHT,  
Colonel, U. S. Army, Commanding.

Col. E. D. TOWNSEND,  
Assistant Adjutant-General, Headquarters of the Army,  
Washington, D. C.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, September 27, 1861.

GOVERNOR: I have received yours of the 25th. It is impossible to receive any more companies into the Second Cavalry. I have now twelve companies, after consolidating the two smallest. The law authorizes this number, but I would have preferred having but ten.

I think with you that the Los Angeles company should be mustered into Carleton's Regiment of Infantry, and I have given the order.

Very respectfully, your obedient servant,

E. V. SUMNER,  
Brigadier-General, U. S. Army, Commanding.

His excellency JOHN G. DOWNEY,  
Governor State of California, Sacramento, Cal.

[Telegraphed.]

SAN FRANCISCO, October 21, 1861.

His Excellency JOHN G. DOWNEY,  
Governor State of California, Sacramento, Cal.:

There is no authority to receive volunteers for the artillery.

E. V. SUMNER,  
Brigadier-General, U. S. Army, Commanding.

GENERAL ORDERS, }  
No. 23. }

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, October 2, 1861.

In compliance with instructions received from the General-in-Chief, the following movements of regular troops in this department are ordered, preparatory to their sailing for New York:

1. The garrison of each of the several posts in the District of Oregon will, upon being relieved by volunteer troops, proceed to Fort Vancouver, from whence they will be sent to this city. The horses and horse equipments belonging to the company of cavalry at The Dalles will be turned over to the company of Oregon volunteers; the horses and equipments pertaining to other companies of cavalry in the district will be brought to this city.

2. The troops serving in the District of Southern California will, with the exception of those stationed at Fort Yuma and New San Diego, be in readiness to concentrate at San Pedro. When relieved by volunteers, the companies at Fort Yuma will unite with that at New San Diego.

3. The garrisons at Forts Churchill, Humboldt, Bragg, Crook, Gaston, Umpqua, and Ter-Waw will be relieved by volunteer troops. When relieved, the companies of the Sixth Regiment of Infantry at these posts will repair to Benicia Barracks, and those of the Fourth Infantry and First Cavalry to this city. The horses, with their equipments, pertaining to companies of the First Cavalry at Forts Churchill and Crook will be brought to this city.

4. The headquarters, and Companies C, H, I, and L of the Third Regiment of Artillery, will be in readiness to sail at a moment's notice. The horses, harness, etc., pertaining to Company C will be turned over to the quartermaster's department, and the field battery and ordnance stores to the ordnance department.

5. Lieutenant-Colonel Merchant will at once transfer from Companies D, H, I, and L of his regiment a sufficient number of privates to make an aggregate of 90 for each of those companies selected to remain on this coast.

6. Paragraph 1 of Special Orders, No. 165, is revoked. Company L, Third Artillery, will immediately proceed to the Presidio of San Francisco.

7. The troops directed above to repair to this city will, upon their arrival, receive further instructions.

By order of Brigadier-General Sumner:

R. C. DRUM,  
Assistant Adjutant-General.

HEADQUARTERS DISTRICT OF SOUTHERN CALIFORNIA,  
Los Angeles, Cal., October 6, 1891.

Lieut. Col. JOSEPH R. WEST,  
*First Infantry California Vols., en route to Fort Yuma, Cal.:*

COLONEL: You are ordered, with three companies of the First Infantry California Volunteers, to march to Fort Yuma, to relieve the present garrison there. It is important to the interest of the service that you reach there with the least possible delay. Besides, promptness in executing must be the cardinal point in all movements of the First Infantry. You must know that Fort Yuma, in a strategic point of view, is an outpost to all of southern California. It is on the line whence must come the only troops which can possibly menace the State from Texas or Arizona overland. If you use circumspection you can never be surprised there. If you are not surprised, your force properly managed, with the desert as an auxiliary, will never be whipped, to say the least.

You will seize all the ferry-boats, large and small, upon the Colorado River. All the crossing of the river must be done at one point, under the guns of the fort.

All persons passing into Sonora or Arizona from California must take the oath of allegiance before they pass. So must all coming into California by the route overland via Yuma. Do not hesitate to hold in confinement any person or persons in that vicinity, or who may attempt to pass to or from California, who are avowed enemies of the Government, or who will not subscribe to the oath of allegiance. Keep an exact record of the name, place of residence, age, occupation, and whence he came, and whither he is to go, of each person passing the river to or from California.

You will assume control of the steamers on the river, if in your judgment such control is vital to your safety or to the interest of your Government. You will promptly report to the officer in command near Warner's Ranch and to myself should you be menaced by an enemy in force. You will make any and, if necessary, every sacrifice to destroy that enemy before he reaches this edge of the desert, calling on all the troops at Camp Wright to assist you by a timely advance should it be necessary to this end.

Keep your command well supplied, in a high state of discipline and drill, and I have no fears but that the country will have good reports of your conduct.

I am, your friend and well-wisher,

JAMES H. CARLETON,  
*Colonel First California Volunteers, Commanding.*

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, October 9, 1861.

Brig. Gen. E. V. SUMNER, U. S. Army,  
*San Francisco:*

SIR: I inclose herewith copies of a representation and affidavit of citizens of the counties of Napa and Mendocino relating to the depredations of hostile Indians upon the persons and property of the citizens of Long Valley, to which I beg leave to call your attention, and to ask that you will, if within your power, render the required aid. Before acceding to the demands of these citizens for State aid, I feel it incumbent upon me to take all necessary steps towards procuring from the representatives of the Federal Government such relief as it may be in their power to afford, as the care and management of Indians is exclusively the province of the Federal Government. A company of cavalry stationed in Long Valley would give ample protection to the citizens of this section, and at the same time afford protection to the United States mail service, which seems now to be seriously menaced in this region. An early reply is respectfully solicited.

I have the honor to be, very respectfully, your obedient servant,  
JOHN G. DOWNEY.

[First inclosure.]

NAPA CITY, October 6, 1861.

To his excellency JOHN G. DOWNEY,  
*Governor of California:*

The undersigned, citizens of Mendocino and Napa, respectfully represent to your excellency that in Long Valley, in said county of Mendocino, tribes of wild and hostile Indians are now, and for a long time past have been, committing depredations of the most wanton and atrocious character upon the white people settled in said valley; that they have stolen and run off stock, consisting of hogs, horses, and cattle; that several citizens residing in said valley have become utterly impoverished in consequence of the stealing and killing of their stock by said Indians.

And, further, the undersigned represent that said Indians have within the last twelve months killed and murdered several of the settlers in said valley and several persons passing through that section of country. That these outrages have been en-

tirely unprovoked by any hostile or offensive conduct on the part of the whites, and from no other motives than those of willful rapine, pillage, and plunder, a rancorous hatred of the white settlers, and a determination to exterminate or drive them from the settlements they have made in and about said section of country. We further represent to your excellency that Mr. George W. Woodman, the bearer of this memorial, is a resident of said Long Valley; and that he, together with the rest of his neighbors, has been a severe sufferer in consequence of numerous thefts of his stock committed by said Indians. Further, that we have for a long time known Mr. Woodman as a man of upright character, reliable and humane.

In view of the premises, we respectfully petition your excellency to take such steps for suppressing the evils herein complained of as may be in your power.

HENRY EDGERTON.

G. W. TOWLE, *District Attorney, Napa County.*

PULASKA JACKS, *County Judge, Napa County.*

JAS. H. GOODMAN & Co.

EDWARD MCGARRY.

JOHN B. SCOTT.

G. H. CORNWELL.

J. BUTTERFIELD.

ROBERT CROUCH, *County Clerk, Napa County.*

[Second inclosure.]

STATE OF CALIFORNIA,  
*County of Napa:*

John Wooden, a resident of Napa County, and Anderson Farley, of the same place, being duly sworn, depose and say: That they were in Long Valley, Mendocino County, during the four days succeeding the 21st day of September, A. D., 1861. That they were informed by the settlers in Long Valley and it was generally reported, and by them verily believed, that near said valley one man was attacked by a band of Indians and shot, receiving three wounds from them. That another man was shot at and the ball passed through his hat while on his head.

That the same band of Indians, in number from thirty to forty, took the horses belonging to the men who were shot, and killing three of them, drove off the rest, in all eleven head. We were also informed that a band of Indians, supposed to be the same above mentioned, had taken the mail station at Pine or Spruce Grove, situated about 40 miles from said valley, burning the building and hay and driving off all the stock belonging to the mail company at that place. That they (the said Indians) threaten to kill and drive out all the white settlers residing in that region of country, and boldly make these threats to the whites. That they are well armed with rifles and revolvers and well understand the use of said weapons.

his  
ANDERSON x FARLEY.  
mark.

his  
JOHN x WOODEN.  
mark.

Attest:

G. W. TOWLE.

Subscribed and sworn to before me this 5th day of October, A. D. 1861.

[SEAL.]

G. W. TOWLE,  
*Notary Public.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, October 11, 1861.*

His Excellency JOHN G. DOWNEY,  
*Governor State of California, Sacramento, Cal.:*

GOVERNOR: I have received your letter of the 9th instant.

If I can ever get the volunteers I will send enough of them into the Indian country to preserve order. I shall be obliged to send companies or volunteers to Oregon of not more than sixty strong.

Is there any way in which the raising of these troops can be hastened?

Very respectfully, your obedient servant,

E. V. SUMNER,  
*Brigadier-General, U. S. Army, Commanding.*



GENERAL ORDERS, }  
No. 28. }

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, October 20, 1861.*

Brig. Gen. E. V. Sumner, having been recalled for duty in the East, the command of this department, in obedience to the instructions of the general-in-chief, devolves on Col. George Wright, of the Ninth Regiment of Infantry.

By order of Colonel Wright:

R. C. DRUM,  
*Assistant Adjutant-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., October 21, 1861.*

GENERAL: I have the honor to acknowledge the receipt of a copy of your communication dated on the 24th ultimo, and addressed to Col. Thomas Cornelius, Hon. B. F. Harding, and R. F. Maury, esq.

The District of Oregon, and indeed the whole Department of the Pacific, have been stripped of all the clothing we had to supply the volunteers now in service, and there are no arms suitable for cavalry service remaining in store.

We are now making clothing of all kinds by contract in this city; it will be of an excellent quality, and cost but little more than the clothing received from the East.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Colonel Ninth Infantry, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General, U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, October 23, 1861.*

His Excellency — WHITEAKER,  
*Governor State of Oregon, Salem, Oregon:*

SIR: The War Department having authorized Colonel Cornelius, of Oregon, to raise a regiment of cavalry for service in that district, I have the honor to request that your excellency will suspend the enrollment of the cavalry company at Fort Dalles, as requested in my communication to your excellency in the early part of last month, when I was in command of the District of Oregon.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Colonel, U. S. Army, Commanding Department.*

SPECIAL ORDERS, }  
No. 47. }

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., October 28, 1861.*

Pursuant to instructions from the headquarters of the Department of the Pacific of October 23, 1861, the enrollment of the company of volunteer cavalry at The Dalles is suspended.

By order of Lieut. Col. Cady.

A. C. WILDRICK,  
*First Lieutenant, Third Artillery, Acting Assistant Adjutant-General.*

[Referred to in L. R. 5 T., 1861.]

EXECUTIVE OFFICE,  
*Salem, Oregon, October 30, 1861.*

A. C. WILDRICK,  
*First Lieutenant, Third Artillery, Acting Assistant Adjutant-General:*

SIR: Your communication of the 28th instant, containing Special Orders No. 47, has this day been received, and the order will be promptly attended to.

Yours, with respect,

CHESTER N. TERRY,  
*Private Secretary.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., October 31, 1861.

Col. E. D. TOWNSEND,  
A. A. G., Headquarters of the Army, Washington, D. C.:

COLONEL: I deem it my duty to submit to the General-in-Chief the condition of affairs in the southern district of California and the prudential measures which I consider of vital importance in suppressing any attempts of the rebel forces to gain a foothold on the Pacific coast. The United States troops in this department can repel any direct invasion of the State by the rebels, but the adjoining State of Sonora, with a feeble government and sparse population, presents inducements of the strongest kind for the rebels to march a force into that country and obtain possession of the fine port of Guaymas. This once accomplished, it destroys our commerce in the Gulf of California and interrupts the natural transit in and out of Arizona. The fondly cherished hopes and aim of the rebels are to obtain a port on the Pacific. Timely interference on our part will frustrate their designs. To protect Arizona and re-establish the authority of the United States Government in that country the occupation of Sonora is a military necessity. The amicable relations existing between our Government and that of Mexico would not necessarily be interrupted by our temporary occupation of Sonora; the design and object would be apparent.

At all events, Sonora is *de facto* independent of the central government, and has been so for four years; and I am assured by persons whose responsible positions and reputation guaranty their assertion that the introduction of a force of United States troops would be hailed with joy, and meet with the moral and physical support of the entire population. We would not enter the country as conquerors, but as friends, to unite with the Government and people in driving back the Southern rebels, who are now threatening their country with ruin and devastation.

I am informed by gentlemen of high standing that the introduction of United States troops into Sonora would be agreeable to the present governor—Pesqueira. Under all the circumstances, to protect ourselves, I consider it imperative that we should take the initiative in this matter. Sonora is weak and unable to resist a rebel force, and if our aid is withheld she will inevitably be overrun—virtually conquered—and the rebels obtain possession of the port of Guaymas.

Let two regiments, one of cavalry and one of infantry, with a light artillery battery, be promptly thrown into Guaymas, and all will be well. A discreet and prudent commander would conciliate the government and the people of Sonora, and co-operating harmoniously together, no rebel forces could enter the State. Peace and prosperity would reign within its borders. Once occupy Sonora, and the re-establishment of our authority in Arizona would be a work of easy accomplishment.

The force necessary for the expedition is now on this coast, and could be transported to Guaymas by steamers in a week's time.

I have the honor to be, very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., November 1, 1861.

His Excellency JOHN WHITEAKER,  
Governor of Oregon, Salem, Oregon:

SIR: I have the honor to notify your excellency that by instructions this day received from the headquarters of the Department of the Pacific the raising of the company of volunteer cavalry heretofore called for has been suspended, and the men, if any, already enrolled are to be disbanded, the regiment to be organized under Colonel Cornelius being considered amply sufficient for the whole country.

I have the honor to be, with much respect, your obedient servant,

A. CADY,  
Lieutenant-Colonel Seventh Infantry, Commanding District.

EXECUTIVE OFFICE,  
Salem, Oregon November 6, 1861.

Lieut. Col. A. CADY,  
Commanding District of Oregon, Fort Vancouver, Wash.:

SIR: Your communication of the 1st instant, relative to disbanding the men in volunteer cavalry, has this day been received and will be attended to.

Yours, with respect,

CHESTER N. TERRY,  
Private Secretary.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, November 5, 1861.*

GENERAL: I have this moment received Major-General McClellan's dispatch of the 2d instant, calling for a report of the condition of my troops. I have replied briefly by telegraph as follows: "Troops in good condition. Cavalry regiments full. Infantry regiments filling up. Fifteen companies sent north." The organization of the volunteer force called for from this State by the War Department will be completed at an early date. The cavalry service is the favorite arm in this country, and both regiments, the first of five and the second of twelve companies, are full. It is confidently expected that the five infantry regiments will be nearly filled by the 1st of December. The First Infantry is fully organized and is in the southern district of the State. Five companies of the Second and five of the Fourth Infantry have already been sent to Oregon to relieve the regular troops in that State and the Territory of Washington. Four companies of the Third Infantry and one of the Second Cavalry have been sent to relieve the garrisons of Forts Bragg, Seward, Gaston, and Teraw; one company of the Second Cavalry to Fort Crook; two companies of same regiment to Fort Churchill, and one to Benecia Barracks. In the southern district of California Colonel Carleton is in command. He has his own regiment, First California Volunteer Infantry, and the First Cavalry, a battalion of five companies. Commands have already been sent to relieve the regular troops at Fort Yuma and at San Diego. Colonel Carleton's intimate knowledge of the southern section of this State makes it of the highest importance that he should remain there in command.

As the War Department specially designated Colonel Carleton to command the First Infantry, California Volunteers, originally designed for protection to the overland mail service, I have taken it for granted that it was not intended to withdraw him from the volunteer service, under the instructions from Adjutant-General's Office of the 3d of October, 1861. Lieut. Col. Cady, of the Seventh Infantry, regular Army, is now in command of the District of Oregon, having been sent there by General Sumner to relieve Colonel Brott, of the First Cavalry. The regular troops I shall send East as fast as they reach the coast. Most of them will have sailed by the 1st of December; those from Colville and Walla Walla will not get off quite so soon. Should it be the wish of the Department to send volunteers from this country to the East, I doubt not that the regiments would be filled very promptly. The personnel is not surpassed by any troops we have; all that is required is instruction and discipline.

Very respectfully, your most obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brigadier-General SETH WILLIAMS,  
*Adjutant-General at Headquarters of the Army, Washington, D. C.*

-[Indorsement.]

Inform General W. that Colonel Carleton and Colonel Cady will be retained in his department; that his arrangements are approved. Recommend to the Secretary that six picked squadrons of Californians be formed for service with the Army of the Potomac and four for service in Texas; that two regiments of California and Oregon Infantry be raised for service here and two for western Texas.

GEORGE B. MCCLELLAN.

WAR DEPARTMENT,  
*Washington, November 8, 1861.*

*To his excellency the Governor of California :*

I have the honor to request that you will forward on the 10th, 20th, and last day of each month to the Adjutant-General of the Army, for the information of this Department, a full report of the condition of the volunteer recruiting service in your State, setting forth the number of complete regiments for duty, the number nearly completed, and the number in process of organization. The names of the commanders and the arm of the service will be specified for each regiment.

You are further desired to comply with any request from the Adjutant-General of the Army regarding the movement of troops from your State to any army in the field, and to regard the same as coming directly from the Secretary of War.

SIMON CAMERON,  
*Secretary of War.*

WAR DEPARTMENT, November 8, 1861.

Lieut. Col. R. E. DERUSSY, *Corps of Engineers,*  
Or the SENIOR OFFICER OF ENGINEERS at San Francisco, Cal.:

You are hereby appointed the authorized agent of the United States to purchase or acquire "Lime Point," at the entrance to San Francisco Bay, California, for the erection of fortifications and other military purposes.

You are authorized to offer \$30,000 for the land, and if refused you will commence proceedings under the law for condemnation.

THOMAS A. SCOTT,  
*Acting Secretary of War.*

---

[Telegram.]

ADJUTANT-GENERAL'S OFFICE,  
*Washington, November 13, 1861.*

Brig. Gen. GEORGE WRIGHT,  
*Commanding Department of the Pacific:*

Will you please order the necessary force (probably one or two regiments), if possible, under Colonel Carleton to protect the overland mail route. The number of troops to be employed is left to your discretion.

Please confer with Lewis McLain about the location of the troops.

G. B. McCLELLAN,  
*Major-General, Commanding U. S. Army.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., November 22, 1861.*

To his excellency J. W. NYE,  
*Governor of Nevada Territory, Carson City:*

SIR: I have received instructions from the headquarters of the Army to send a regiment of troops or more if I deem it necessary, to protect the overland mail route. The command will be under Colonel Carleton, and will move as soon as the necessary arrangements can be made. I am informed that it is next to an impossibility for troops with their supplies to cross the mountains at this time, and my object in addressing your excellency is to obtain reliable data as to the practicability of the route, and particularly as to the condition of the Indians and the probability of their committing depredations on the stock of the mail company. As soon as practicable I design to establish troops at Simpson's Park, Ruby Valley, and Camp Floyd, and in the meantime, is it within your power to issue such provisions to the starving Indians along the route as may be necessary for their existence? I have an extra supply of provisions at Fort Churchill, and although I am not authorized to issue to Indians, except in small quantities, yet I should not hesitate to sell it to the Indian Department, under existing circumstances, even if the Department should not be in funds, not doubting that such a course would be approved. I shall esteem it a favor to receive your views on the subject, with any suggestions you may deem pertinent.

I have been assigned to the command of the department and remain on this coast. A service of more than nine years on the Pacific has familiarized me with the whole country, and also with the character and temper of the inhabitants. The Union loving people of this coast are vastly in the ascendant, their fiat has gone forth, and no secession doctrine can flourish here. Nevertheless it behooves us to be watchful at all times. I shall not assume a threatening attitude, for the purpose of warning our enemies to refrain from unlawful acts, but pursuing the even tenor of my way, ever observant of impending events, and ready at all times to enforce a due respect and observance of the Constitution and laws of our country; and if it becomes my duty to act, I shall do so fearlessly and without regard to personal consequences, feeling assured that I shall receive the cordial support of every true and loyal citizen on the Pacific coast.

With great respect, I have the honor to be your excellency's obedient servant,  
G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding Department.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., November 15, 1861.*

GENERAL: At 11 o'clock this morning I received your telegraphic dispatch of the 13th instant. On the 17th instant I shall forward the return called for, as complete as circumstances will admit of. In the meantime, in order to keep the Department fully informed of the progress we are making in organizing the volunteers in this State, I will give you a synopsis of the different regiments. The First Cavalry, a battalion of five companies, has been filled and is posted in the southern district of the State. The Second Cavalry, consisting of twelve companies, has been filled. Two of the companies are at Fort Churchill, one at Fort Cook, one at Fort Seward, one at Benicia, and the remaining seven are in camp 4 miles from this city. Both of the cavalry regiments have their horses, but thus far they have only been drilled on foot. They are undergoing a thorough course of discipline and instruction. The First Infantry has been organized and is nearly full. The regiment is stationed at Fort Yuma and other points in the southern district. The Second Infantry has its headquarters at the Presidio, near this city. Five companies of the regiment have been organized and sent under a field officer to Oregon, to relieve some of the regular troops in that district. The remaining five companies will, I think, be filled in the course of a month. The Third Infantry has its headquarters near Stockton, in this State. Four companies have been detached to relieve the regulars at Forts Terwan, Gaston, Bragg, and Seward. The remaining six companies will soon be filled. The Fourth Infantry has its headquarters near Auburn, in this State. Five companies of this regiment, under the lieutenant-colonel, have already been sent to the district of Oregon, and the remaining five will soon be filled. The Fifth Infantry is near the city of Sacramento. No detachments have been made from this regiment.

The recruiting is progressing favorably. I think we can rely upon it that all the regiments will be filled by the close of the year. A rigid course of discipline and instruction has been instituted in all the regiments; the officers are generally enthusiastic and zealous in the discharge of their duties, and are to be commended for their assiduity in acquiring a knowledge of their duties. On the steamer which left here on the 11th I sent no troops East; they could not reach here in season. On the steamer leaving on the 21st I shall embark three companies of the Sixth Infantry, now at Benicia, and three of the Sixth and two of the Fourth Infantry, at San Diego, the whole commanded by Colonel Seawell, Sixth Infantry. I expect to send the last of the regular troops in the department to New York on the steamer of the 11th proximo. I have nothing special to report. Everything is quiet to all appearance, but we must not relax in our vigilance nor be lured into a false security.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding Department.*

Brig. Gen. L. THOMAS,  
*Adjutant-General, U. S. Army, Washington, D. C.*

[Indorsement.]

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, November 16, 1861.*

The within communication, addressed to Brigadier-General Thomas, after receiving his telegraphic dispatch of the 13th instant, is respectfully submitted to Major-General McClellan.

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

ASSISTANT ADJUTANT-GENERAL,  
*Headquarters of the Army, Washington, D. C.*

[Telegram.]

HEADQUARTERS OF THE ARMY,  
 ADJUTANT-GENERAL'S OFFICE,  
*Washington, November 19, 1861.*

Brig. Gen. GEORGE WRIGHT, U. S. Volunteers,  
*San Francisco, Cal.:*

You are assigned to the command of the Department of the Pacific, and will retain the Ninth Regiment of Infantry in your command.

By command of Major-General McClellan.

LORENZO THOMAS,  
*Adjutant-General.*



HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, November 22, 1861.

ASSISTANT ADJUTANT-GENERAL,  
Headquarters of the Army, Washington:

Dispatch received from headquarters of Maj. Gen. McClellan, dated 19 November.

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

Copy to go by steamer.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, November 20, 1861.

ASSISTANT ADJUTANT-GENERAL,  
Headquarters of the Army, Washington, D. C.:

SIR: On the 16th instant I had the honor to acknowledge (by telegraph) the receipt of Major-General McClellan's dispatch of the 13th. I have recalled Colonel Carleton from his command in the southern district; and as soon as he arrives I shall organize his command of at least one regiment, for the protection of the overland mail route. I have conferred with Mr. Louis McLane, the agent, as to the most suitable point to locate the troops, in order to afford the required protection. He suggests Simpson's Park, Ruby Valley, and Camp Floyd, as the best positions to occupy. The first is 326 miles from Sacramento, Ruby Valley 98 miles from Simpson's, and Camp Floyd is 217 miles in advance of Ruby Valley. The weather for many days past has been tempestuous in the extreme, and the snow on the mountains is reported as very deep, and it may be next to an impossibility for the troops to cross over with their necessary supplies. Were it not for the starving condition of the Indians, no fears need be entertained of their committing any depredations. Twenty thousand dollars' worth of provisions, annually distributed to the friendly tribes along this section of the route, would save the Government vast sums of money. The contract made last summer for the transportation of our supplies from this place to Ruby Valley were at the rate of about \$400 per ton; and at this season it will cost much more.

Everything is quiet on this coast; nothing of importance has transpired since my communication to the Adjutant-General of the Army, dated on the 18th instant, a copy of which was forwarded to the Headquarters of the Army. I have removed the Third Infantry California Volunteers from Stockton to Benicia Barracks. Four companies of this regiment are already at their stations, the remaining six have been organized, and are progressing favorably in recruiting. Clothing for all the troops in the department is being made here. Very soon the supply will be ample and of a superior quality, at a reasonable rate. On the 9th I inspected the troops at Fort Point, one company Third Artillery, commanded by Brevet Major Austin, and on the 13th I inspected the troops at Alcatraz Island, two companies Third Artillery, commanded by Major Burton. It affords me pleasure to report that I found the troops in high order. The armament of the fort, although incomplete, was found in handsome condition, and ready for any emergency.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., November 21, 1861.

GENERAL: I have this day forwarded to you by steamer a return of troops of this department. It is made up of the latest reports we have received. My troops are occupying a vast extent of country, extending from Yuma in the south to Colville in the north, a distance of about 2,000 miles, over the route usually marched. The severe snow storm in the mountains has completely blocked up the mail route east; and it will probably be several days before they can resume their regular trips. In the meantime I shall avail myself of the telegraph and the tri-monthly steamers to communicate with headquarters. Colonel Seawell sailed on the steamer to-day with three companies Sixth Infantry. At San Diego he will receive five additional companies. Major Lovell, Tenth Infantry, Major Flint, Sixteenth Infantry, and Brevet Major Andrews, Third Artillery, I have placed on duty with Colonel Seawell's command. The last steamer from Oregon brought down two companies of the Ninth Infantry, and on the steamer now due I expect five more companies of the same regiment. They will go east on the steamer of the 1st December. The companies from Forts

Dalles, Walla Walla, and Colville may be looked for by the 10th of December. Lieutenant Mullan has one hundred good men of the Ninth Infantry as escort to the Walla Walla and Fort Berton wagon road expedition. An order was sent early in October for those men to join their companies, since which we have heard nothing from them. The last general order I have received from your office was No. 89, of 11th October, a single copy only. I have not yet received the revised Army Regulations. I would suggest that in sending out books and large packages, the ocean route be used. Quiet pervades the Pacific slope.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General, U. S. Army, Washington, D. C.*

Special return of the Department of the Pacific, commanded by Brig. Gen. George Wright, for part of the month of November, 1861.

S. Ex. 2—28

Post.	Commanding officer.	Garrison.	Number of companies.	Present.							Absent.					
				Commissioned officers.				Enlisted men.			Within the department.		Without the department.			
				For duty.	On extra or daily duty.	Sick.	Total.	For duty.	On extra or daily duty.	Sick.	In arrest or confinement.	Total.	Commissioned officers.	Enlisted men.	Commissioned officers.	Enlisted men.
Southern California.....	Colonel Carleton.....	First California Infantry and First Cavalry.	11	31	.....	31	785	21	68	51	925	6	17	.....	.....	
Camp Alert.....	Col. C. Sims.....	Second Cavalry Volunteers.....	12	39	.....	39	912	76	65	5	1,058	1	8	.....	.....	
Presidio, San Francisco.....	Col. F. J. Lippitt.....	Second Infantry Volunteers.....	10	16	.....	16	557	.....	.....	.....	557	1	17	.....	.....	
Stockton, Cal.....	Col. P. F. Connor.....	Third Infantry Volunteers.....	10	25	.....	25	643	.....	.....	.....	643	.....	.....	.....	.....	
Auburn, Cal.....	Col. Finis Foreman.....	Fourth Infantry Volunteers.....	9	25	2	27	611	3	31	2	647	.....	4	.....	.....	
Sacramento, Cal.....	Col. G. W. Bowie.....	Fifth Infantry Volunteers.....	9	23	.....	23	639	.....	.....	.....	639	.....	.....	.....	.....	
Alcatraz Island.....	Maj. H. S. Burton.....	Third Artillery.....	2	2	.....	2	83	41	14	1	139	1	32	3	.....	
Fort at Fort Point.....	Bvt. Maj. W. Austin.....	Company B, Third Artillery.....	1	2	.....	2	56	15	8	6	85	1	2	1	.....	
District of Oregon.....	Lieutenant-Colonel Cady, Seventh Infantry.	Company D, Third Artillery.....	1	2	.....	2	37	7	6	3	53	.....	.....	3	1	
Benicia Arsenal.....	Capt. J. McAllister.....	Ordnance.....	1	2	.....	2	32	.....	1	1	34	.....	4	.....	.....	
Vanconver Depot.....	First Lieut. A. C. Wildrick.....	do.....	(*)	1	.....	1	16	.....	.....	.....	16	.....	.....	.....	.....	
Department staff.....	.....	.....	.....	14	.....	14	1	.....	.....	.....	1	.....	.....	.....	.....	
Attached.....	.....	.....	.....	1	.....	1	1	2	.....	.....	3	.....	.....	.....	.....	
Total.....	.....	.....	66	161	.....	2	183	4,372	163	193	69	4,797	10	84	7	1

\*Detached.

OVERLAND AND INLAND MAIL AND EMIGRANT ROUTES.

Special return of the Department of the Pacific, commanded by Brig. Gen. George Wright, for part of the month of November, 1861—Continued.

Post.	Commanding officer.	Garrison.	Present and absent.																						
			Commissioned officers.										Enlisted men.												
			General officers.	Aids-de-camp.	Adjutant-general's department.	Quartermaster's department.	Medical department.	Pay department.	Ordnance department.	Military store-keepers.	Regimental field officers.	Regimental staff officers.	Captains.	Subalterns.	Total commissioned.	Noncommissioned staff of regiments.	Orderly sergeants.	Hospital stewards.	Sergeants.	Corporals.	Musicians.	Artificers, farriers, and blacksmiths.	Privates.	Total enlisted.	Aggregate.
Southern California..	Colonel Carleton .....	First California Infantry and First Cavalry.																							
Camp Alert.....	Col. C. Sims.....	Second Cavalry Volunteers																							
Presidio, San Francisco.	Col. F. J. Lippitt.....	Second Infantry Volunteers																							
Stockton, Cal.....	Col. P. E. Connor.....	Third Infantry Volunteers																							
Anburn, Cal.....	Col. Fins Foreman.....	Fourth Infantry Volunteers.																							
Sacramento, Cal.....	Col. G. W. Bowie.....	Fifth Infantry Volunteers.																							
Alcatraz Island.....	Maj. H. S. Burton.....	Third Artillery.....																							
Fort at Fort Point.....	Bvt. Maj. W. Austin.....	Company B, Third Artillery.																							
District of Oregon.....	Lieutenant-Colonel Cad y Seventh Infantry.	Company D, Third Artillery.																							
Benecia Arsenal.....	Capt. J. McAllister.....	Ordnance.....																							
Vancouver Depot.....	First Lieut. A. C. Wildrick	do.....																							
Department staff.....																									
Attached.....																									
Total.....			1	1	1	4	9	6	1	1	20	10	57	89	200	22	3	9	263	323	98	72	4,092	4,882	5,082

HEADQUARTERS OF THE DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., November 20, 1861.

RICHARD C. DEUM,  
Assistant Adjutant-General.

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding the Department.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, November 26, 1861.

ASSISTANT ADJUTANT-GENERAL,  
*Headquarters of the Army, Washington, D. C.:*

SIR: On the 22d instant I had the honor to acknowledge the receipt of the dispatch of the 19th, from the headquarters of the Army, assigning me to the command of this department, and further instructing me to retain the Ninth Infantry under my command.

Two companies Ninth Infantry (G and K), with the non-commissioned staff and band, arrived here on the 14th, and five more companies of the same regiment reached here on the 22d. This command I have concentrated at the Presidio, San Francisco, to undergo a thorough course of instruction. The remaining two companies of the Ninth Infantry are en route from Fort Colville, and I have ordered them to halt at Fort Vancouver. I propose to send one of those companies to "Camp Pickett," on the island of San Juan, and let the other remain at Fort Vancouver, the headquarters of the district of Oregon and the principal depot for that command.

Company E, Ninth Infantry, left this coast on the steamer of the 1st instant for New York, with the command under Brevet Lieutenant-Colonel Buchanan, Fourth Infantry. The company was without any officer present belonging to it. The captain, Wood, is on recruiting service East.

Nothing was said in the telegraphic dispatch about retaining any additional medical officers, but I have assumed that I should anticipate the wishes of the General-in-Chief by keeping three assistant surgeons, Hager, Craig, and Taylor. Their services are necessary in consequence of the retention of the Ninth Infantry. They were selected after consultation with the medical director.

After the company of the Ninth Infantry reaches San Juan Island the company of the Third Artillery now there will be brought to this place and posted in one of the fortifications in the harbor.

I have ordered the horses and horse equipments of the four companies of the First Cavalry, now in Oregon, to be concentrated at Fort Vancouver. They have about 200 horses, but a majority of them are old and unfit for hard service. I would recommend that they be turned over to the volunteer cavalry being raised in Oregon, should the Department design furnishing those troops with horses and equipments.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

ADJUTANT-GENERAL'S OFFICE,  
January 3, 1862.

Respectfully referred for perusal, and remark invited, to the Quartermaster-General, Commissary-General, Surgeon-General.

By order:

E. D. TOWNSEND,  
*Assistant Adjutant-General.*

Please return.

Respectfully returned to the Adjutant-General, U. S. Army,  
By order:

E. J. SIBLEY,  
*Lieutenant-Colonel, U. S. Army, Deputy Quartermaster-General.*

QUARTERMASTER-GENERAL'S OFFICE, August 30, 1862.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, November 29, 1861.

To the ASSISTANT ADJUTANT-GENERAL,  
*Headquarters of the Army, Washington, D. C.:*

SIR: Since my communication of the 26th instant, nothing of interest has transpired within this department. At this moment (1 p. m.) it is not probable that the steamer which leaves here tomorrow morning will take more than the headquarters and two companies of the First Cavalry. It is possible, however, that the two companies of the Fourth and one of the Sixth Infantry may reach here in time.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*



GENERAL HEADQUARTERS, STATE OF CALIFORNIA,  
ADJUTANT-GENERAL'S OFFICE,  
Sacramento, December 1, 1861.

To his excellency ABRAHAM LINCOLN,  
*President of the United States:*

SIR: Pursuant to the requirements of the act of Congress of March 2, 1803, which requires the adjutant-general of the militia of each State to make the return of the militia of each State to which he belongs, with the arms, accouterments, and ammunition, to the President of the United States annually, on or before the first Monday in January of each year, I have the honor to transmit herewith an abstract of the annual return of the militia of the State of California for the year 1861. I have the honor to be,

Very respectfully, your obedient servant,

WM. C. KIBBE,  
*Adjutant-General State of California.*

*Abstract of the annual return of the militia of the State of California for the year 1861.*

	General staff.	Cavalry.	Artillery.	Infantry.	Riflemen.	Enrolled militia.	Aggregate.
Major-generals .....	6						6
Brigadier-generals .....	12						12
Adjutant-general .....	1						1
Inspector-general .....	1						1
Quartermaster-general .....	1						1
Aids-de camp .....	37						37
Brigade majors .....	108						108
Brigade quartermasters .....	12						12
Colonels .....	1	12		1			14
Lieutenant-colonels .....	56			2			58
Majors .....	15			3			18
Adjutants .....	21			3			24
Quartermasters .....	21			3			24
Paymasters .....	18						18
Surgeons .....	18			3			21
Surgeons' mates .....	18			3			21
Captains .....	13	4	1	70			88
Lieutenants .....		12	3	210			225
Sergeant-majors .....	51		1				52
Quartermaster-sergeants .....	3	4					7
Sergeants .....		20	5	280			305
Corporals .....		16	4	280			300
Artificers .....			3				3
Privates .....		320	85	4,900			5,305
Total commissioned .....							689
Aggregate .....					6,661	146,000	152,661
Number of divisions .....	6						6
Number of brigades .....	12						12
Number of regiments .....	1						1
Number of battalions .....	2						2
Number of companies .....		4	1	70			75

*Arms, accouterments, and ammunition.*

Ordnance and ordnance stores:

Brass—	
6-pounders .....	4
12-pounder howitzers .....	3
Iron, 6-pounders .....	2
Sponges and rammers .....	15
Bricoles and drag ropes .....	6
Trail handspikes .....	6
Ammunition boxes .....	6
Tumbrils or powder-carts .....	6
Sets of harness .....	24
Muskets .....	1,830
Cartridge boxes and belts .....	2,662
Bayonet scabbards and belts .....	1,695

Rifles.....	1,137
Horseman's pistols.....	50
Swords.....	182
Sword scabbards and belts.....	182
Haversacks.....	12

WM. C. KIBBE,

*Adjutant-General of the Militia of the State of California.*

ADJUTANT-GENERAL'S OFFICE, December 1, 1861.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., December 9, 1861.*Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C. :*

GENERAL: I beg leave to submit to the consideration of the General-in-Chief the proposition to recapture the forts in Arizona and New Mexico by a command to move from the southern district of this State, with the exception of a battery of light artillery, which I am now organizing. All the troops required for the expedition are in the southern district. I have ordered a company of the Ninth Infantry, regulars, to relieve the company of the Third Artillery at San Juan Island; the latter to come to the harbor of San Francisco. A company of the Third Artillery will be designated for the battery. We have the guns, horses, and equipments all ready, being those left here by Company C, Third Artillery (late Ord's battery). I have now in southern California the First California Volunteer Infantry, Colonel Carleton; the First California Volunteer Cavalry, a battalion of five companies under Colonel Ihrie. I estimate that this force, with the battery which I propose to send, will amount to about 1,500 men. They are fine troops and well officered, and under the command of Colonel Carleton, an officer of great experience, indefatigable and active, the expedition must be successful. I have never seen a finer body of volunteer troops than those raised in this State. They are anxious for active service, and, feeling as we all do that we are able to retake all the forts this side of the Rio Grande, I may be pardoned for urging the movement. The difficulties and delays experienced on the present route of the overland mail show us the absolute necessity for opening the southern route; and why should we continue to act on the defensive, with Fort Yuma as our advanced post, when we have the power and will to drive every rebel beyond the Rio Grande.

In my communication of October 31, I submitted to the General-in-Chief the propriety of our occupying Guaymas, the chief sea-port of Sonora, and I still think it of great importance that we should do so, to prevent its falling into the hands of the rebels. At that time I was inclined to make Guaymas my base of operations; now I think Yuma a better point from which to move. In anticipation of a favorable reply to the propositions I have made, I shall go on making arrangements to move promptly when authorized to do so.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

[Indorsement.]

ADJUTANT-GENERAL'S OFFICE,  
*December 18, 1861.*

If the movement in progress has not already been authorized, please do so at once.

GEO. B. MCCLELLAN,  
*Major-General.*HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, December 9, 1861.*

GENERAL: Inclosed herewith is a copy of a dispatch which was sent to the headquarters of the Army by telegraph on the 7th instant.

I also transmit a copy of a communication this day received from his excellency J. W. Nye, governor of the Territory of Nevada.

The difficulties we should experience in attempting to march troops with their supplies across the mountains at this time are fully set forth in the governor's letter, and the obstructions have been increased by a severe storm during the last three days. After the receipt of Major-General McClellan's dispatch, desiring me to send troops to protect the overland mail route, I had several interviews with Mr. Louis McLane, the agent in this city, and I was fully satisfied that by distributing a mod-

erate allowance of provisions to the Indians, who are in a starving condition along the route, the mail would not be interrupted. I had a large surplus of provisions at Fort Churchill, and under the circumstances of the case I have ordered that the flour and meat which can be spared, retaining sufficient to last the command until the 1st of August, be placed at the disposal of Governor Nye, *ex officio* superintendent of Indian affairs. Anxious as I was to carry out the instructions of the General-in-Chief by sending the troops, I have not acted in this matter without due consideration, and after consultation and approval of Governor Nye and the agent of the line, and I trust that my course will be approved.

On the 6th instant, I inspected the arsenal at Benicia and also the troops at the barracks. Capt. McAllister has a company of ordnance men at the arsenal. I found it in high order. The store-houses, magazines, shops, quarters, etc., were all critically inspected and everything found in superior order.

I next inspected the quartermaster's department, under the supervision of Capt. T. Moore, and found his books, papers, store-houses, and supplies all in good order.

At Benicia Barracks I reviewed and inspected six companies of the Third Infantry, California Volunteers, with one company of the Second Volunteer Cavalry, the whole commanded by Colonel Connor. The troops were in high order, well clothed, and presented a handsome appearance. They are progressing rapidly in discipline and instruction.

I also inspected at the same place a squadron of the First Cavalry (regulars) commanded by Captain Whittlesey. This squadron has just arrived from Oregon, and will embark on the steamer of the 11th with two companies of the Fourth and one of the Sixth Infantry (regulars) for New York. I then shall have remaining in this department but two companies to go east, the squadron of First Cavalry now en route from Walla Walla.

Recruiting is progressing favorably, and by the end of this month the regiments will be full.

All is quiet within this department.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General, U. S. Army, Washington, D. C.*

---

[Telegraph message.]

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., December 7, 1861.*

*Adjutant-General, Headquarters of the Army, Washington :*

SIR: I have made satisfactory arrangements for protection of overland mail route without sending troops over a route now impracticable—full particulars by mail.

I propose to send Colonel Carleton with his own regiment and the First Battalion of Cavalry with a battery of artillery to re-open the southern mail route—recapture Forts Buchanan, Thorn, Fillmore, and Bliss. The expedition to move as soon as practicable via Yuma. The troops are ready and anxious. Guaymas should be occupied. Army and Navy co-operating. I have the force to hold the whole country this side of the Rio Grande. Please answer by telegraph.

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

---

EXECUTIVE DEPARTMENT,  
*Carson City, December 4, 1861.*

Brig. Gen. WRIGHT, U. S. Army,  
*Commanding San Francisco :*

SIR: I have the honor to acknowledge the receipt of your communication of the 22d ultimo.

If you will give me an order, or rather cause the commandant at Fort Churchill to deliver to me, as Indian superintendent, such supplies as may be necessary to meet the immediate necessities of the Indians, I will take charge of their direction in such manner as to be entirely satisfactory, and undertake to insure peace with all the tribes in this territory. All they require is the occasional distribution throughout the winter of such provisions as you have at the fort.

I entertain no doubt whatever of the propriety and necessity of this move, and just as little that both the Department of War and of Indian Affairs will be satisfied with the efforts made to insure peace and happiness among the Indians.

If you desire me to do so I will willingly share the responsibility with you, and in my letters to my department will fully explain and set forth that there was no other course to pursue.

To march troops over the mountains, and easterly at this season of the year, and especially to transport supplies, would be the next thing to impossible. With the arrangements you are undoubtedly prepared to make, I will guaranty protection to both the telegraph and overland mail lines until spring, when both troops and transportation can find an easy passage over the snows of the Sierras.

My Indian agent is now out among the Pah-Utes, and reports all quiet, but a great necessity existing for food. Such directions as you may think proper to give shall be faithfully carried out. I am grateful that you are keeping a good lookout for the secession element. It requires it. I am trying to do so here, and have thus far succeeded in keeping it under subjection.

I have at the present time twenty soldiers from the fort guarding the jail in this place to prevent the rescue of a most desperate and bloody villain; a leader of that tribe, and one who wakes up all their energies to extricate. Doubtless Capt. Rowe, who promptly responded to my call, has reported to you the facts, and I hope he will be sustained in his efforts to second me in sustaining the laws and putting down this secession propensity for butchering every one who dares to be a Union man.

I should have replied to yours earlier, but have been afflicted with rheumatism to that extent that I could not write. I shall at all times be happy to aid you in any way in endeavoring to hold the great Western slope true to the old Constitution and Union, and aid her along the pathway of her destiny. I am keeping one of the Indian agents who belongs at the Humboldt until I hear from you.

With kindest regards and best wishes for your success,

I remain, truly yours,

JAMES W. NYE.

While writing I am interrupted by the arrival of the agent from the Shoshones' country, who reports all quiet there.

J. W. NYE.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, December 10, 1861.

Official:

RICHARD C. DRUM,  
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, December 10, 1861.

GENERAL: The troops in this department are distributed over such a wide extent of country, and the communication with some of the remote stations being very uncertain as to time, we have found it impossible to prepare the tri-monthly reports required at your office with promptness. Under these embarrassments, I avail myself of every opportunity to keep you well informed by letter of the position and condition, as well as the proximate strength of the troops on this coast.

In Oregon district I have two companies Ninth Infantry, one company Third Artillery, and ten companies of volunteer infantry.

In the central district, embracing San Francisco and the northern portion of California, I have three companies Third Artillery, one ordnance company, seven companies Ninth Infantry, one regiment of volunteer cavalry, and thirty companies of volunteer infantry.

In the district of southern California I have five companies of volunteer cavalry and a regiment of volunteer infantry.

The strength of the four companies Third Artillery is about.....	350
The strength of the seven companies Ninth Infantry is about.....	550
The ordnance company at Benicia is about.....	50
The First Cavalry (five companies) Volunteers is about .....	450
The Second Cavalry (twelve companies) Volunteers is about .....	1,000
The five regiments infantry volunteers is about .....	3,500
Total .....	5,900

The condition of the troops is good; they are all under a rigid course of discipline and instruction.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

Brig. Gen. L. THOMAS,  
Adjutant-General U. S. Army, Washington, D. C.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., December 10, 1861.

Brig. Gen. L. THOMAS,  
Adjutant-General U. S. Army, Washington, D. C.:

GENERAL: For several weeks past small parties have been organizing in the southern district of this State, with the avowed purpose of proceeding to Texas to aid the rebels. To enable me to frustrate their designs I have seized all the boats and ferries on the Colorado River, and have them strongly guarded. I have re-enforced Fort Yuma with two more companies, one of infantry and one of cavalry; also with two 12-pounder brass cannon.

Major Rigg, First California Volunteer Infantry, commanding United States troops near Warner's Ranch, on the border of the desert between that place and Fort Yuma, has arrested a man by the name of Showalter, a notorious secessionist, and his party of 17 men. I have ordered the whole party to be taken to Fort Yuma and held securely guarded until further orders.

I have given positive orders that no person shall be permitted to pass beyond Yuma or cross the Colorado River without my special permit; also that all persons approaching the frontier of the State shall be arrested and held in confinement, unless satisfactory evidence is produced of their fidelity to the Union. The time has arrived when individual rights must give way, and I shall not hesitate to adopt the most stringent measures to crush any attempt at rebellion within this department. I will not permit our Government and institutions to be assailed by word or deed without promptly suppressing it by the strong arm of power, feeling assured that I shall be sustained by my Government and receive the cordial support of every patriotic citizen on this coast.

Hoping that what I have done or propose to do may be approved by the General-in-Chief and Secretary of War, I have the honor to be, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

[Indorsement.]

Please inform General Wright that his course is fully approved.

GEO. B. McCLELLAN,  
Major-General.

ADJUTANT-GENERAL.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, December 16, 1861.

GENERAL: As the forts at Fort Point and on Alcatraz Island are now occupied by troops, I respectfully request that they may be named by the Department.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

Brig. Gen. L. THOMAS,  
Adjutant-General U. S. Army, Washington, D. C.

[Indorsement.]

ADJUTANT-GENERAL'S OFFICE.  
February —, 1862.

Respectfully submitted to the Secretary of War, with the request that he will designate names for the two permanent fortifications at Fort Point and Alcatraz Island, harbor of San Francisco.

L. THOMAS,  
Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, December 20, 1861—2 p. m.

GENERAL: My reports and returns already made, and which you will receive with this, will inform you of the strength of my command. The troops are in good condition, and improving in discipline and instruction. The country is generally quiet. In the southwestern portion of the State the sympathizers with rebellion are numerous, and small parties are constantly organized with a view to pass the frontier; but thus far we have defeated their attempts. The most stringent measures have been adopted and enforced to prevent the rebels from receiving any assistance from this country.



I am now actively engaged in preparing the means of transportation and all the supplies necessary for the expedition which I am authorized to make, under Colonel Carleton.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., December 22, 1861.*

To his excellency J. W. NYE,  
*Governor of Nevada Territory, Carson City:*

SIR: I have received instructions from the headquarters of the Army to send a regiment of troops, or more, if I deem it necessary, to protect the overland mail route. The command will be under Colonel Carleton, and will move as soon as the necessary arrangements can be made.

I am informed that it is next to an impossibility for troops with their supplies to cross the mountains at this time, and my object in addressing your excellency is to obtain reliable data as to the practicability of the route, and particularly as to the condition of the Indians, and the probability of their committing depredations on the stock of the mail company. As soon as practicable I design to establish troops at Simpson's Park, Ruby Valley, and Camp Floyd, and in the meantime, is it within your power to issue such provisions to the starving Indians along the route as may be necessary for their existence?

I have an extra supply of provisions at Fort Churchill, and although I am not authorized to issue to Indians, except in small quantities, yet I should not hesitate to sell it to the Indian Department, under existing circumstances, even if the Department should not be in funds, not doubting that such a course would be approved. I shall esteem it a favor to receive your views on the subject, with any suggestions you may deem pertinent.

I have been assigned to the command of the department, and remain on this coast a service of more than nine years on the Pacific has familiarized me with the whole country, and also with the character and temper of the inhabitants. The Union-loving people of this coast are vastly in the ascendant, their fiat has gone forth, and no secession doctrine can flourish here; nevertheless, it behooves us to be watchful at all times.

I shall not assume a threatening attitude for the purpose of warning our enemies to refrain from unlawful acts, but pursuing the even tenor of my way, ever observant of impending events and ready at all times to enforce a due respect and observance of the Constitution and laws of our country; and if it becomes my duty to act I shall do so fearlessly, and without regard to personal consequences, feeling assured that I shall receive the cordial support of every true and loyal citizen of the Pacific coast.

With great respect, I have the honor to be your excellency's obedient servant,

G. WRIGHT,

*Brigadier-General U. S. Army, Commanding Department.*

HEADQUARTERS FIRST CALIFORNIA VOLUNTEER INFANTRY,  
*Camp Latham, near Los Angeles, Cal., December 23, 1861.*

All persons who have been arrested or who may be arrested in this State as secessionists or traitors to the country will be kept in confinement at Fort Yuma until final action is had on each case. The garrison of that fort will be at once increased to nine companies—one of artillery, six of infantry, and two of cavalry. Its defenses will be strengthened and some heavy guns mounted, and it will be well supplied with ammunition, provisions, and forage. It is reported that the Navajo Indians obstruct the route from Albuquerque to Los Angeles, now important as the only one on which the daily mail from the States can be carried, that of the north being blocked up with snow; that of the south being in possession of the rebels at its eastern end and on the Rio Grande. These Indians are therefore to be brought to terms.

An expedition, consisting of seven companies, will move up the Colorado on Colonel Hoffman's trail. Three of these companies (infantry) will re-occupy Fort Navajo and re-establish the ferry. This force, as heretofore, will draw its supplies from Los

Angeles. The other four—three of cavalry and one of infantry—will proceed on to Las Vegas, near the Potosi mines, on the Salt Lake road, and establish a post at the old Mormon fort. This is preliminary to the movement, already ordered, of troops next summer to Fort Crittenden, near Salt Lake. The new post at Las Vegas will be known as Fort Baker.

JAMES H. CARLETON,  
*Colonel First California Volunteers, Commanding.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., December 31, 1861.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.:*

GENERAL: Since my communications of the 19th and 20th instants nothing of importance has occurred in the department. I am throwing forward supplies to Fort Yuma as rapidly as possible. To-morrow a steamer will leave here for the mouth of the Colorado River laden with subsistence and other stores required for the movement of Colonel Carleton's expedition. It is 2,000 miles to the mouth of the Colorado, at which point the stores must be reshipped on small river steamers for Fort Yuma. I have also embarked on the steamer a guard of one company of the Fifth California Volunteer Infantry, 88 strong, commanded by a reliable officer, who has received special instructions. Additional supplies and means of transportation are also being forwarded to San Pedro, the port of Los Angeles, southern California, 450 miles from this place, from thence to be sent by land to Fort Yuma, 300 miles. I am gradually moving a portion of the Second Cavalry and the whole of the Fifth California Volunteer Infantry to southern California, to replace the troops designated for Carlton's expedition. The latter will not advance to Fort Yuma until advices are received of the arrival at that place of the stores shipped by sea. The expedition of Colonel Carlton is one of considerable magnitude, and operating on a long line remote from its source of supplies, can not with propriety advance from Yuma until fully prepared for the campaign. Fort Yuma is being fortified and will be securely held by a strong reserve. Under the command of Colonel Carleton, an officer of skill, experience, and sound judgment, we have the strongest assurance that the expedition will be successful.

The weather for many days past has been tempestuous in the extreme. The floods east and north of this city have destroyed a vast amount of property and almost entirely suspended our mail communications. The telegraph has not been in operation for several days.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

1862.

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
Washington, January 3, 1862.

*His excellency the Governor of Oregon, Salem, Oregon:*

GOVERNOR: The Secretary of War requests that you will forward to this office, at your earliest convenience, a return of the two and three years' regiments and independent companies of volunteers furnished, up to this date, under the authority of your State, setting forth the strength of each regiment or independent company, and the respective arms to which they belonged when transferred to the General Government.

He further desires that you will forward a similar return (or as complete a one as may be in your power to render) of all two and three years' volunteer troops raised within the limits of your State upon what has been termed "independent acceptances."

He also requests that you will report the number of regiments or independent companies now organizing in your State, the present strength thereof, and the time at which they will probably be completed and ready to take the field.

I am, governor, very respectfully, your obedient servant,

L. THOMAS,  
Adjutant-General.

SALEM, OREGON, March 10, 1862.

SIR: Your communication of January 4, 1862, in which you request me to forward to your office a "return of the two and three years' regiments and independent companies of volunteers furnished, up to this date, under the authority of" the State of Oregon, setting forth their strength and the arm of the service to which they belonged when transferred to the General Government, and in which you also desire "a similar return of all two or three years' volunteer troops raised within this State upon what has been called 'independent acceptances,'" and in which you further request a report of the number of regiments or independent companies now organizing in this State, their present strength, and the time at which they will probably be completed and ready to take the field, is received, and without delay I make the following reply:

The authorities of this State have never been called upon for any troops by the President. In September last Colonel Wright made a requisition upon the governor of this State for one company of mounted volunteers for the Indian service on the frontiers of this State, but before the company was mustered into the service of the United States the order was countermanded and the company disbanded.

There has been no two or three years' volunteers either by regiments or independent companies furnished the General Government by the authorities of this State. Nor has this State furnished any volunteers upon what you call "independent acceptances" unless it is meant by this to cover those cases where officers for the command of a regiment have been appointed directly from your office, and authorized to raise such troops within a State without calling upon the local authorities for them. As you must be aware, there is one such case in this State, but as to its present strength I am entirely uninformed.

I am not aware there are any independent companies now forming in this State.

I am, general, with great respect, your obedient servant,

JOHN WHITTAKER.

L. THOMAS,

Adjutant-General, U. S. Army, Washington City, D. C.

[Telegram.]

SAN FRANCISCO, January 7, 1862.

To Adjutant-General:

The governor declines to make appointments for the new regiments of infantry and seven companies of cavalry until notified by War Department.

Please telegraph the governor.

G. WRIGHT,  
Brigadier-General.

[Telegram.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
January 9, 1862.

*His excellency the Governor of California, San Francisco:*

General Wright was authorized by the Secretary of War, December 2, subject to your approval, to raise a regiment of infantry and seven companies of cavalry.

THOMAS M. VINCENT,  
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, January 9, 1862.

GENERAL: Nothing of importance has transpired within the department since my communication addressed to you on the 31st ultimo. The Fifth Infantry California Volunteers, Colonel Bowie, is now moving to southern California. Three companies of the Second Cavalry California Volunteers, under the lieutenant-colonel of that regiment, have already been sent to the same point. This force will remain in the southern district of the State after the advance of Colonel Carleton. Colonel Lippitt, Second Infantry California Volunteers, has moved with his headquarters to Fort Humboldt, and assumed command of that district. Colonel Lippitt has six companies of infantry and one of cavalry, a force deemed ample to quell any Indian disturbances in that quarter. Some weeks since serious apprehensions were entertained of Indian outbreaks along the overland mail route, but thus far quiet has been maintained; the judicious distribution of provisions, to meet the immediate wants of those Indians has had a good effect. I have sent two companies of the Second Infantry California Volunteers to Santa Barbara, about 400 miles down the coast; the battalion is commanded by Lieutenant-Colonel Olney, of the Second Regiment, and is posted at Santa Barbara to protect the loyal inhabitants of that district and enforce the laws of the United States. My latest advices from the district of Oregon contains no information of importance. The Indians are quiet. This is the most severe winter experienced on this coast for several years past. The incessant heavy rains, together with the melting of snow on the mountains, has swollen the rivers and streams, overflowed a vast extent of country, and destroyed an immense amount of property, and so obstructed our land mail-routes, that we are forced to resort almost entirely to the express companies. My troops are mostly in tents, or temporary huts; and although frequently very uncomfortable, have really suffered but very little. The men are well clothed, well fed, and but few on the sick report.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

Brig. Gen. L. THOMAS,  
Adjutant-General, U. S. Army, Washington, D. C.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., January 11, 1862.

His excellency LELAND STANFORD,  
Governor State of California, Sacramento City, Cal.:

SIR: In view of the possibility of our becoming engaged in a war with a foreign nation, I have called on Colonel De Russy, the chief engineer of the U. S. Army, on this coast, to prepare and submit to these headquarters a plan for defensive field works, to guard the approaches by land to this city. As soon as Colonel De Russy completes his reconnaissance and fixes upon the points for the erection of the works, I shall take great pleasure in submitting the whole subject to the consideration of your excellency.

In case of a war with a maritime nation, the immediate attention of the enemy would most certainly be directed to this city, the great entrepôt of our possessions on the Pacific coast. To prevent the ingress of ships of war, we have the forts at Fort Point and on Alcatraz Island with 140 heavy guns now in position at commanding points. Batteries can readily be thrown up, and with such naval force as could be concentrated in the harbor, it is believed that this city would be safe.

The General Government has but a small amount of funds at present available for defensive works on this coast, but I apprehend no embarrassment on this account, not for a moment doubting that the loyal and Union loving people of California will most cheerfully respond to any call which may be made on them, whether for men or money to defend their State from foes without or traitors within.

With great respect, I have the honor to be, your excellency's most obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, January 15, 1862.

GENERAL: I am gratified to acknowledge receipt of yours of the 11th instant, and desire to assure you that I fully appreciate the importance of a more perfect system of defense for the city and bay of San Francisco. To this end I shall cheerfully lend my aid and shall be glad to receive, at as early a day as possible, such communications as you may deem advisable to place before me in reference to the matter, that I may lay the subject before the legislature in time for their early action.

Most respectfully, your obedient servant,

LELAND STANFORD,  
Governor of California.

Brig. Gen. GEORGE WRIGHT,  
Commanding Department of the Pacific, U. S. Army, San Francisco.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
Washington, January 18, 1862.

Brig. Gen. G. WRIGHT,  
San Francisco, Cal.:

GENERAL: In answer to your communication of December 10, I am directed to authorize you to modify the acceptance given Colonel Cornelius to include only four companies, should you deem the best interests of the service so require it. The Quartermaster-General, under present instructions, can not purchase any more horses, but those left by the First Cavalry can be used for this regiment should you see fit so to direct.

I am, general, very respectfully, your obedient servant,

GEO. D. RUGGLES,  
Assistant Adjutant-General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA,  
ADJUTANT-GENERAL'S OFFICE,  
Sacramento, January 23, 1862.

GENERAL: The following communication has this day been handed me by his excellency the governor, for reply, viz:

"OFFICE OF CHIEF OF CAVALRY, U. S. ARMY,  
Washington, D. C., November 27, 1861.

"To his excellency the governor of California:

"SIR: Brigadier-General Stoneman, chief of cavalry, directs me to request you to furnish to this office a report of all the cavalry forces raised and organized in your State, containing the names of the field and staff officers of regiments, the number of rank and file, whether mounted, how armed and equipped and accoutered, where stationed, by what authority they were raised, what arrangements, if any, have been made for putting them in winter quarters, and any other information regarding them you may think of advantage. Below I hand you a list of organizations authorized by the War Department.

"I have the honor to be, very respectfully, your obedient servant,

"A. J. ALEXANDER,  
"Acting Assistant Adjutant-General."

One regiment and five companies cavalry authority given to Col. E. D. Baker.

You will please furnish me with the data required by the following interrogatories, viz: Whether mounted, how armed and equipped and accoutered, where stationed, their condition as regards drill and discipline, what arrangements, if any, have been made for putting them in winter quarters, and any other information regarding them you may think of advantage.

And greatly oblige, your obedient servant,

General GEORGE WRIGHT,  
Commanding Pacific Department, U. S. Army, San Francisco.

WILLIAM C. KIBBE,  
Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, January 28, 1862.

Brig. Gen. L. THOMAS,  
Adjutant-General U. S. Army, Washington, D. C.:

From the latest and most reliable information, I am more strongly than ever impressed with the importance of an early and prompt occupation of Guaymas.

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.



HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, January 29, 1862.*

GENERAL: Inclosed herewith is a copy of a telegraphic dispatch which I had the honor to transmit to you yesterday. Also, copy of extract from a letter from Mr. Thomas Robinson, a resident of Guaymas, Sonora. This extract was presented to me by Mr. Flint, of this city, a gentleman of standing and reliability, connected with the steamship line between this place and Guaymas. From the best information in my possession at this moment, I am disposed to believe that the views taken by Mr. Robinson as to the intended movements of the rebel forces are in the main correct. The large force I am assembling in the southern portion of this State, preparatory to an advance from Fort Yuma, will doubtless cause the rebel leaders to deflect from their line of operations, and, if possible, gain the port of Guaymas. To frustrate all such attempts, I deem it of the first importance that a strong force should be thrown into that city, aided by the presence of a few ships of war. I propose to open a correspondence with the governor of Sonora on this subject, and I am assured by the best authority that our temporary occupation of Guaymas, or any portion of the State, to protect it from the inroads of the rebels, would be cheerfully acquiesced in by the authorities and people of that country. The storm has somewhat abated for a few days past. To-day it is raining again, and the roads are not in a condition to advance my expeditionary forces to Fort Yuma. However, it is only a question of time; we will be successful. I have no special news from the district of Oregon; all was quiet in that quarter when last heard from. The winter has been unusually severe, and the navigation of the Columbia River entirely obstructed by ice. The legislature of California is now in session in this city, compelled to abandon Sacramento temporarily.

Very respectfully, your most obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

*Copy of letter from Thomas Robinson, esq.*

\* \* \* \* \*

Immediately on the receipt of this please call upon General Wright and state to him, in my name, that by express received by me to-day from Arizona and from most reliable sources, I have the following statement: "The Southern troops under Colonel Baylor, military governor, are expected at Tucson within ten days, numbering 900 men. It is said they will immediately make a strong and continued campaign on the Apaches; reports say (which I fear is very probable) they march into Sonora; in the meanwhile their headquarters will be at Calabagos, on the line. Agents to purchase flour, corn, etc., are actually in the Territory, under escort; contracts for hay have already been given out. Brigadier-General Sibley, C. S. A., with 3,000 men, takes command in Arizona and New Mexico, and will immediately attack the United States forces in New Mexico. The Southern soldiers are full of fight; only the other day 100 crossed the Iornada del Muerto. drove in the pickets of the United States forces, and made 40 prisoners." These same reports were afloat here three days since when I arrived and to-day they are confirmed. There is no doubt in my mind as to the desires and intentions of these Southern forces. What the devil do they care for Arizona, without one hundred souls in it and nothing worth having there. They wish to march into Sonora, as is intimated from many sources, and take quiet possession, for we are not at present in condition to resist, having just passed through a very sore trial, although with success. If they once get possession of this State and its posts, the North may just as well give up the complete line through from Gulf of Mexico to Gulf of California, and it will require a supreme effort then to evict them. This is no newspaper talk, but something certain, and the only way to avoid a most serious and difficult position is for the United States Government to send without a moment's delay the necessary forces to act.

Let me request of you to urge upon General Wright the necessity of this step. Let one thousand men, properly equipped, be sent immediately to Guaymas, officered by gentlemen of prudence and judgment, and I will see that they get through immediately to Arizona. The Government and people will be too happy to see such a friend coming to their rescue. If necessary, let the general telegraph to Washington for the necessary powers. But he must act promptly, and I will guaranty his full success. And by adopting these measures he will have acquired a victory which will be more than galling to the South.

I will take the contract for transporting troops and equipments to Arizona and furnishing everything necessary. You are aware the Congress of Mexico have given a cordial permit for transit of troops through Sonora; and our State will be pleased

to forward the views of the United States Government or its representatives. You can assure General Wright that all my influence and that of my friends will be used in favor of his forces. \* \* \*

Yours, sincerely,

THOMAS ROBINSON.

HEADQUARTERS, DEPARTMENT OF THE PACIFIC,  
San Francisco, February 8, 1862,

GENERAL: I have the honor to inclose herewith a copy of a communication from Col. Justus Steinberger, dated on the 6th instant, and the reply which I directed to be made on the 7th.

The instructions from the War Department to Colonel Steinberger, dated on the 18th of October, 1861, authorized the colonel to raise and organize a regiment of infantry in the Territory of Washington and the country adjacent thereto. Colonel Steinberger's communication will inform you of the embarrassments he has met with in raising men in Washington Territory and in the State of Oregon. I can not anticipate much success in raising foot troops for service in that country. The newly discovered gold mines naturally draw off a large portion of the able-bodied men, and when it is considered that a regiment of cavalry is now being raised in Oregon, it can not be expected that a regiment of infantry for home service can be raised from a sparse population.

The colonel is very sanguine that he can raise a few companies in this city, and I have decided to establish him temporarily here for that purpose. My action in this matter is respectfully submitted to the consideration of the General-in-Chief.

Colonel Cornelius, under instructions from your office, dated on 24th of September, 1861, was authorized to raise a regiment of mounted troops in Oregon. I have a communication from the colonel, dated on the 8th of January, ultimo, in which he asks for clothing, arms, etc., for six companies, immediately, and says further that he shall require supplies for four more companies in course of the next two months.

I beg leave to ask your attention to the latter portion of the instructions to Colonel Cornelius. Thus far I have given no orders or instructions to the colonel, as he was directed to report and receive instructions direct from Washington. Now, as the regiment will soon be ready for field service, it is highly important that it should be under the direct command of the department commander.

All of which is respectfully submitted.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

SAN FRANCISCO, CAL., January 6, 1862.

SIR: Since my last written communication, dated Port Townsend, January 1, I have the honor to report that upon a full and careful canvass of Washington Territory west of the Cascade Mountains, with a view to the raising and organizing the First Regiment of Washington Territory Volunteer Infantry, I gave authority for the enrollment of three companies within the Territory. From circumstances mentioned in my former reports as presenting obstacles to recruiting in that district of country, I am convinced that during the following four months to fill these companies will exhaust the extreme capacity of the entire Territory.

The peculiar severity of this winter season has rendered it impossible to visit other portions of the district of Oregon. Its necessity is obviated, too, by my very free conference at Olympia with members of the Territorial legislature, who were well informed upon the condition of all parts of the country, as well as information that I have received from intelligent sources in the State of Oregon.

I believe that the only proper and practicable measures that can be taken for the present in the district of Oregon towards recruiting for my regiment are in progress there, and I am impressed with the propriety of at once commencing the organization of companies in this city and State.

Since my arrival here on the 28th ultimo I am assured of the favorable prospect of procuring four companies in this city, with the reasonable expectation of at least two more from the interior of the State. I have already selected some company officers and given authority to recruit for my regiment in this city, and in view of the practical commencement of its organization I have the honor respectfully to prefer to the commanding general the request that for the personal superintendence of this organization I may be permitted temporarily to make my headquarters in this city instead of Fort Vancouver, to which latter place I am now under orders for department headquarters, that as an essential and positive requirement for the performance of the duties incident to the raising of recruits, and the speedy and successful organ-

ization of my regiment, authority may be given me to have at once mustered into service my lieutenant-colonel and major.

I have made these appointments of my field officers by virtue of the authority given me by the honorable Secretary of War, heretofore submitted, and while I deem their presence and assistance at regimental headquarters not only of much value, but of imperative necessity in the commencement of the organization, I am convinced that to have them placed on duty, with the full credit of their official position, is in strict consonance with the intent of the authorization for this regiment.

I have also respectfully to submit for the consideration of the commanding general, that the establishment of a depot for recruits for my regiment, convenient to the city, will serve a valuable purpose, giving much assistance to separate officers recruiting, and security to the enrollment and mustering of men.

Very respectfully, your obedient servant,

JUSTUS STEINBERGER,  
Colonel, U. S. Volunteers.

Maj. R. C. DRUM;  
Assistant Adjutant-General, U. S. Army,  
Headquarters Department Pacific, San Francisco, Cal.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., February 7, 1862.

SIR: Your letter of the 6th instant with reference to the organization of the First Regiment of Washington Territory Volunteers, having been submitted to the general commanding the department, I am directed to say, in reply, that, should you deem it necessary for the speedy organization of your regiment, you will muster in such officers of the field and staff of the regiment as is essential for this purpose. One of the field officers must be posted at Fort Vancouver, to superintend the enrollment of such companies as may be raised in the district of Oregon.

As the companies reach the requisite number the first lieutenant thereof can be mustered in, and the men, with this officer, will be sent to Alcatraz Island, which will be the depot for the companies raised in this State.

The general directs that the headquarters of your regiment shall be temporarily established in this city.

Very respectfully, your obedient servant,

RICHARD C. DRUM,  
Assistant Adjutant-General.

Col. J. STEINBERGER,  
First Regiment Washington Territory Volunteers, San Francisco, Cal.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
Washington, May 2, 1862.

Brig. Gen. G. WRIGHT,  
Department of the Pacific, San Francisco, Cal.:

GENERAL: In reply to your letter of February 8, with inclosures, I am directed to approve your action in regard to Col. J. Steinberger, First Regiment Washington Territory Volunteers, taken for the organization of that regiment.

I am, general, very respectfully, your obedient servant,

GEO. D. RUGGLES,  
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, February 10, 1862.

GENERAL: For a few days past the weather has moderated, and we have a fair prospect of being able to move over the roads in the interior by the end of the month. By the steamer from San Pedro, which arrived here yesterday, I have advices from colonel; he is making every preparation to advance to Fort Yuma as soon as the roads are passable. This week I send down the Light Battery, Company A, Third Artillery, and one company of the Fifth Infantry. I shall then have but two more companies, and the headquarters of the Fifth Infantry California Volunteers, to send to the southern district. It is reported that a force of eight hundred men (rebels) are at, or in the vicinity of Tucson; such a force could not for a moment arrest the advance of Carleton. The Columbia River being closed by ice, I have no very late intelligence from the district of Oregon; when I last heard from that quarter everything was quiet.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

Brig. Gen. L. THOMAS,  
Adjutant-General U. S. Army, Washington, D. C.

HEADQUARTERS FIRST REGIMENT CAVALRY, OREGON VOLUNTEERS,  
Portland, Oregon, February 20, 1862.

To the Adjutant-General U. S. Army, Washington, D. C.:

SIR: In reporting to you the progress of raising a regiment of volunteer cavalry in this State, it is due to myself to state the reason which has prevented my reporting sooner, and which also prevents at this time the forwarding of the official returns of the regiment, and that is high water and the continued severity of the winter, which has prevented communication with the different parts of the State for the past two months. By the 1st of next month I hope to be able to forward all rolls, reports, etc., of companies organized.

By arrangement of parties commissioned to raise the regiment, Lieutenant-Colonel Maury, in the southern portion of the State, has raised two full companies, which are now in camp near Jacksonville. He is confident of raising two more companies by the 1st of May. B. F. Harding, mustering officer, in charge of the central part of the State, has raised one full company, which is now at Salem, Oregon. Mr. Harding, as elsewhere advised, has been obliged to resign his position in the regiment. In charge of the northern part of the State, I have organized three companies, one at The Dalles, of forty men, which, for the want of funds and the difficulty of procuring supplies for them as recruits, I ordered to be mustered in with a first lieutenant in command, and ordered him to report to the commanding officer at Fort Dalles, where his company is performing garrison duty and is supplied at the post. I pursued the same course with the company recruited at this place, who reported at Fort Vancouver.

The other company is stationed at Camp Barlow, near Oregon City. These companies are recruiting steadily, and will doubtless be full by the 1st of May, by which time I think the regiment will consist of eight full companies. Major Drew is now at San Francisco with requisitions upon the commander of the Department of the Pacific for clothing, arms, and garrison equipage for the regiment, also for funds for the recruiting service, the want of which has retarded enlistments. In absence of further orders from the War Department, I shall, as soon as the weather will permit, establish a camp in the central portion of the State, where I shall assemble all companies, except those raised in southern Oregon, which will remain under Lieutenant-Colonel Maury, at Camp Baker, near Jacksonville. The object will be for drill and instruction, and the difficulty of obtaining forage will render it necessary for the animals to be where they can graze.

The quartermaster of the regiment has this day forwarded estimates for funds, which I trust will be forwarded immediately.

The great losses which the citizens of this State have suffered from the floods and severe winter, renders those who are willing unable to furnish supplies without the certainty of prompt payment.

The mines north and east of this place are bringing a large immigration from California, providing a ready market for more than the country now affords, which will render it extremely necessary that he should be provided with funds to contract for supplies at fair rates.

I remain yours, very respectfully,

T. R. CORNELIUS,  
Colonel First Regiment Cavalry, Oregon Volunteers.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, February, 25, 1862.

GENERAL: Under the authority conferred on me in the communication from your office, dated on the 18th of January, ultimo, I have modified the instructions given to Colonel Cornelius to raise a regiment of mounted troops for service in Oregon so as to include only six companies. The best interests of the service do not require more than six companies of cavalry in the district of Oregon, having already twelve companies of infantry there, besides a regiment organized under Colonel Steinberger.

I inclose herewith a copy of my instructions to Colonel Cornelius. In the absence of any special orders from your office, I have deemed proper to assume direct control over Colonel Cornelius and his troops, and attend to the organization, as well as supplying his companies with the necessary clothing, arms, etc., to prepare them for service on the frontier early in the spring.

With great respect, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

Brig. Gen. L. THOMAS,  
Adjutant-General, U. S. Army, Washington, D. C.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, February 24, 1862.*

COLONEL: I have received authority from the War Department, dated 18th ultimo, to modify the instructions given to you on the 24th of September last, so as to include only four companies, should I deem the best interests of the service to require it.

Under the authority thus conferred on me, you will please to perfect the organization of six companies of your regiment, according to the plan indicated. The remaining four companies will not be organized until further orders.

The music for your regiment will be confined to two buglers for each company. The organization of bands for volunteer regiments is suspended for the present.

I have given orders for the manufacture of clothing for your regiment, which, with the necessary camp and garrison equipage, will be forwarded as soon as practicable.

Please forward immediately to department headquarters a complete return of your regiment, embracing the names of all officers, whether appointed by the War Department or yourself, and hereafter furnish a similar return on the 10th and 20th and last days of each month.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Col. THOMAS CORNELIUS,  
*First Regiment Cavalry.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 1, 1862.*

GENERAL: When the order was received by Brigadier-General Sumner to send all the regular troops in the department East, excepting four companies of artillery, instructions were immediately sent for the escort of one hundred men of the Ninth Infantry with Lieut. John Mullen, on the Fort Benton and Walla Walla wagon road, to be withdrawn and join their companies. The order reached Lieutenant Mullen in the Bitter Root Valley, but too late for the detachment to cross the mountains; the order is still in force, and the escort will be withdrawn as soon as the road over the mountains is passable. The Ninth Infantry now requires some 300 recruits, and although active measures are being taken to enlist men, yet we have thus far progressed but slowly, the volunteer service having absorbed the large mass of men disposed to join the Army for service on this coast. Under these circumstances it is submitted to the consideration of the General-in-Chief whether it would not be advisable to suspend the operations on the wagon road until a more favorable opportunity. The great excitement through this entire country caused by the discovery of gold mines in the north has drawn off a large number of men who might otherwise join the Army. However, should any real danger threaten this coast, whether from enemies without or traitors within, a large force of men, loyal and true to their country's flag, would be found ready to rush to arms.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 6, 1862.*

GENERAL: Inclosed herewith is a copy of a communication addressed to these headquarters by Col. J. Steinberger, First Infantry, Washington Territory Volunteers.

Colonel Steinberger is indefatigable in his exertions to fill his regiment; his success here has been very fair; he has now upwards of 100 good men under instruction at Alcatraz Island. His officers have been selected with great care and judgment.

Since Colonel Steinberger's communication of the 1st instant, he has been informed by Lieutenant-Colonel Tilton that his health will not permit him to accept the position offered him.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General, U. S. Army, Washington, D. C.*



HEADQUARTERS FIRST WASHINGTON TERRITORY INFANTRY,  
*San Francisco, Cal., March 1, 1862.*

SIR: I have the honor to report that in accordance with directions of the commanding general, under date of 8th of February, the headquarters of my regiment were established in this city, and on that day company officers were selected for four companies, and authority given to recruit in this city. Since that time I have authorized a detachment of 40 men to be recruited, also have by an applicant for a first lieutenantcy, and have given authority for one company to be raised in the counties of Alameda, Santa Clara, and Santa Cruz, in this State.

From the companies authorized to be raised, one on Puget Sound, Washington Territory, by R. V. Peabody, and two east of the Cascade Mountains, by I. W. Cornnady and F. Moore, I have received no intelligence since my last communication with your headquarters.

The depot for recruits directed by the commanding general at Fort Alcatraz has been established, and subordinate to the commanding officer at that post is in charge of First Lieut. W. F. Mason, mustered into service with the first detachment of 40 men.

Accompanying is transmitted monthly return of officers and men already received and mustered into service.

As permitted by the general commanding, Maj. C. H. Rumril has been mustered into service, and is now on duty at these headquarters.

Lieut. Col. James Tilton, appointed since my last communication, I have requested to repair to this city to be mustered into service and assist in the organization of the regiment.

The regimental staff officers have not yet been appointed, although I am in treaty with applicants for all the positions.

Their services are much needed, even now, in the commencement of the formation of the regiment, and the appointments are only deferred to insure the acquirement of proper persons for these important places.

The plan adopted for the organization of the companies authorized in this State is to receive the recruits as they are presented by the different captains, have them examined by the medical officer, mustered into service, and at once sent to the depot. They are there formed into skeleton companies, each set of company officers credited with their own men enlisted, and awaiting the completion of company organization.

It is an express stipulation in all the authorizations given in this State that the minimum standard of 80 men be reached by the 1st day of April next.

The men of company organization not completed by that time become forfeited to the Government, and may be assigned as the interests of the regiment demand.

Application is made by numerous persons in different parts of the State for authority to raise men for this regiment, and unless the next mail steamer from the north brings intelligence that would show prospects of procuring men in the district of Oregon beyond the requirements of the three companies now forming there, it is my intention to provide here for the remaining two and a half companies.

I am, sir, very respectfully, your obedient servant,

JUSTUS STEINBERGER,  
*Colonel, Commanding.*

Maj. R. C. DRUM,  
*Assistant Adjutant-General, U. S. Army,  
Headquarters Department of Pacific, San Francisco, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 10, 1862.*

GENERAL: Since my communication forwarded to you by the last steamer, March 1, nothing special has transpired on this coast. The Union feeling is greatly in the ascendant; nevertheless, there is a strong disloyal element in this country, which will be dealt with in a summary manner should any acts be committed demanding the interposition of the strong arm of the Government. My troops in the southern district, under Colonel Carleton, are in a position to advance, but at this moment the roads are not in a condition to pass loaded wagons. I expect that by the 1st of April we shall be able to make a forward movement. Confidential agents have returned from Arizona, and I am fully satisfied that the rebel force reported as in the neighborhood of Tucson has been greatly exaggerated. My information from New Mexico is meager. The strength of Sibley's force of rebels on the Rio Grande, as rumored forth in the papers, I regard as fabulous; with Canby in his front and Carleton on his flank I can not doubt the result. The health of my troops is good, and although their instruction has been somewhat retarded by the unprecedented severity of the winter, yet they have been steadily improving in a knowledge of their duties. From the dis-

tricts of Oregon and Humboldt I have nothing special to report. The large number of persons going to the Nez Percé and Salmon River mines will make it necessary to send a command through that country to preserve peace and good order between the Indians and our people. Colonel Lippett, Second Infantry, California Volunteers, commanding the district of Humboldt will, as soon as the waters subside and the trails become passable, make expeditions throughout his district for the purpose of gathering up those Indians and placing them on the reservations. We are still excessively embarrassed for the want of funds; our credit is well-nigh exhausted, not that any doubt exists as to the ability of the Government to meet all demands, but our large creditors are absolutely in want of money to enable them to go on furnishing the supplies which we must have. I have had a conference with the governor of this State and the military committee of the legislature now in session on the subject of coast defenses, and a bill has already been introduced making an appropriation for temporary fortifications for the protection of this city.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

Brig. Gen. L. THOMAS,  
Adjutant-General U. S. Army, Washington, D. C.

---

[Telegram.]

ADJUTANT-GENERAL'S OFFICE,  
March 21, 1862.

Brig. Gen. GEORGE WRIGHT, U. S. Volunteers,  
Commanding Department of the Pacific, San Francisco, Cal.:

The Secretary of War directs you to make the necessary preparations and disposition of your troops to protect emigrants and the overland-mail route from Indian hostilities and depredations. Report what you can do. Can Colonel Carleton have the immediate direction?

L. THOMAS,  
Adjutant-General.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, March 27, 1862.

GENERAL: Inclosed herewith is a copy of a telegraphic dispatch which I had the honor to transmit to you yesterday in reply to yours of the 21st instant. The propriety of my making arrangements for the protection of the emigrants as they approach my department had already received my careful consideration. The organization of the six companies of Oregon cavalry, under the command of Colonel Cornelius, it is expected will be completed early in April. Two of these companies have been raised in the northern section of that State and four in the southern. The latter I have directed the colonel to order north as soon as the roads are passable, and then to prepare his whole command to march to Fort Walla Walla. The presence of troops in the mining districts of the Nez Percé and Salmon River countries will be absolutely necessary to preserve peace between our people and the Indians. The extravagant reports of the richness of those mines has created the wildest enthusiasm, and already a large number of men have gone from here to the Columbia River to be in readiness to move to the mines as soon as the route is practicable. As the emigrants approach this department it is certain that a large portion of them will be attracted to the mines in Oregon and Territory of Washington, and I propose, as the summer advances, to throw forward to the vicinity of Fort Hall, or further, if necessary, a squadron or two of cavalry to afford them protection through the Snake River country. I have conferred with Mr. Crawford, the gentleman appointed to conduct the overland emigration. He is well acquainted with the route, and fully understands the arrangements to be made for his safe passage through the Indian country. The protection of the overland-mail route will be provided for at the earliest moment practicable. At this moment neither troops or supplies can cross the mountains without subjecting the Government to an enormous expense, which I do not deem it proper to incur unless an emergency should arise making it necessary. I have conferred with Mr. Louis McLane on this subject, and copy of a note he addressed me yesterday, and herewith inclosed, will show you that no immediate danger is apprehended. The instructions of the Secretary of War will be carried out as soon as practicable.

I believe that ample protection can be given to the overland mail as far east as Salt Lake, by the force I have reported as available at once for that purpose, viz, five companies of cavalry and six of infantry; should it, however, be found insufficient, it can be increased. In the present aspect of our foreign relations, prudential considerations require that a strong force should be kept at or near this city. I have now three companies of artillery and one of the Ninth Infantry in the two permanent forts. I have seven companies of the Ninth Infantry at the Presidio, but they are very much reduced, one of them having just returned from the East with only its non-commissioned officers, and 100 of our best men being on the escort of Lieutenant Mullan's wagon-road expedition. The three companies of cavalry near this city and the six companies of the Third Infantry, California Volunteers now at Benicia Barracks I design for the overland-mail protection. I have the headquarters and five companies of the Fourth Infantry, California Volunteers encamped at Sacramento. I shall soon move them down to Benicia or in the neighborhood of this city, according to circumstances. In the southern district Colonel Carleton is advancing on Fort Yuma with his own regiment, First Infantry and First Cavalry (five companies), and the Light Battery Company A, Third Artillery. The roads are still in a bad condition, and loaded wagons cannot move. I have also now in the southern district the Fifth Infantry, California Volunteers, Colonel Bowie, and four companies of the Second Cavalry. Colonel Bowie will be left in command of that district after the advance of Carleton.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

WELLS, FARGO & COMPANY, EXPRESS AND EXCHANGE COMPANY,  
*San Francisco, March 26, 1862.*

DEAR SIR: Your note of this a. m. at hand. I have no advices indicating the necessity of the immediate movement of troops onto the overland route. In the present condition of the roads you would find great difficulty in moving troops over the sierras, and an impossibility to haul wagons. The Overland Company expect that troops will be permanently stationed on the mail route for the protection of mails and treasure, especially the latter. I can not leave my office to-day, but will call on you to-morrow a. m.

Respectfully, yours,

LOUIS McLANE.

General WRIGHT,

*Commanding Department of the Pacific.*

Official.

RICHARD C. DRUM,  
*Assistant Adjutant-General.*

[Copy of telegraphic dispatch.]

SAN FRANCISCO, CAL., *March 26, 1862.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington City:*

Your dispatch of 21st received. I had previously ordered Colonel Cornelius to prepare his regiment, six companies of Oregon cavalry, to move into the Walla Walla country, and thence to the mining districts; and as the season advances to move toward Fort Hall, to protect the emigrants. I conferred with Mr. Crawford on the subject. I can give protection to the overland-mail route as far as Salt Lake or Fort Bridger. I have two companies of cavalry now at Fort Churchill, and I have three companies of cavalry and six of volunteer infantry available and ready to move as soon as the roads are passable. I have an active and reliable colonel of volunteers, well suited for this service. Colonel Carleton is in southern California, and moving as fast as the miry roads will permit towards Fort Yuma, with his expeditionary forces. He can not be spared from that command.

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 22, 1862.*

GENERAL: Inclosed herewith is a communication which I have received from Col. Thomas R. Cornelius, First Cavalry, Oregon Volunteers. As soon as Colonel Cornelius shall have perfected the organization of the six companies he will be ordered to the eastern frontier of Oregon and Washington to maintain peace between the Indians and a very large number of our own people now there or en route for the gold mines.

Very respectfully, your obedient servant,

G. Wright,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS FIRST REGIMENT CAVALRY, OREGON VOLUNTEERS,  
*Portland, Oregon, March, 16, 1862.*

GENERAL: Yours of the 24th ultimo, notifying me of your authority to modify instructions given to me by the War Department, under date 24th September last, is received, and, as you have ordered, I have directed the organization of the six companies only which you mention. To do so two companies, which are being recruited, will be transferred to others not yet filled. Lieutenant-Colonel Maury has two full companies at Jacksonville and two more in process of organization in that part of the State. I have another full company at Salem. The others are being recruited at Oregon City, The Dalles, and these headquarters. I think a sufficient number of men are recruited to complete the organization of the six companies allowed, and have therefore ordered recruiting to be stopped until complete returns are rendered. As soon as these returns can be obtained I will forward them as you have directed. I hope to be able to do so by the first of next month.

I have the honor to be, general, very respectfully, your obedient servant,

T. R. CORNELIUS,

*Colonel First Regiment Cavalry, Oregon Volunteers.*

EXECUTIVE OFFICE,  
*Salem, Oregon, March 29, 1862.*

Colonel CADY,

*Commanding Fourth Regiment California Volunteers*

*and the United States troops in Oregon and Washington Territory:*

SIR: My attention has of late been repeatedly called to the position of settlers on and near the eastern and northeastern frontiers of this State by representations of their hazardous exposure to Indian depredations, and the danger existing at this time of Indian outbreaks in those localities. Urgent solicitations have been made recently by many intelligent and influential citizens of Oregon and of the United States, particularly since the receipt of intelligence of the murder of a party of white men who had established a mining camp on John Day's River last winter by a party of Indians, that some more efficient measures should be taken for the protection of the persons and property of the white people in such exposed sections of the country. Under these circumstances I have thought proper to communicate with you upon the subject for the purpose of obtaining information of the steps designed to be taken, if any, by the United States military authorities relative to the matter, of ascertaining the numerical strength of any force at your command that might be detailed for such duty, if in your judgment the exigencies of the case required, and also whether the nature of your instructions are such as to permit the sending a body of troops into the Indian country mentioned in the event of your considering it advisable or necessary to do so. An early reply would much oblige,

Your obedient servant,

JOHN WHITEAKER.

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., April 16, 1862.*

His Excellency JOHN WHITEAKER,

*Governor of the State of Oregon:*

SIR: I have the honor to acknowledge the receipt, this day, of your excellency's letter of the 29th ultimo, relative to the necessity of protection against Indian hostilities to the settlers in and near the eastern and northeastern frontier of Oregon, and

inquiring as to the steps designed to be taken by the United States military authorities in reference thereto, etc.

Of the means now under my control, it will not probably be expedient to make any change in their present disposition, but I am happy to be able to inform your excellency that I am advised by the commanding general of the department, under date of 27th ultimo, that the cavalry force under Colonel Cornelius has been ordered by him to be collected "together in the Willamette Valley with a view of moving into the Walla Walla country, and thence to the mining districts, and, as the season advances, to throw forward troops to Fort Hall, to meet the emigrants."

I have recently apprised the commanding general of the proposed settlement by citizens of Oregon in the valley of Powder River, and I can have no doubt that the necessary steps will be taken by him for the protection of that and such other settlements as may be attempted within the frontier limits of Oregon.

It is also within my power to inform your excellency that the military force within this district will, within a few weeks, be increased by the addition of from four to six companies of infantry under the command of Colonel Steinberger.

In the hope that what I have above stated may tend to allay the anxiety expressed,

I have the honor to be your excellency's obedient servant,

A. CADY,

*Lieutenant-Colonel, Seventh Infantry, Commanding District.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 31, 1862.*

GENERAL: As the spring opens we have as usual the annually recurring reports of the difficulties with the Indians in the interior. From Fort Churchill I have just sent a detachment of 50 cavalry south about 100 miles to the town of Aurora and Owens River to protect our people in that quarter, and to see that justice is done to the Indians. About two weeks ago a difficulty occurred between four white men and the same number of Indians; the latter were in the search of some horses which they had lost. The result was that the Indians were all killed. Reports from that country represent that the whites were in the wrong; probably they were, but I can not let the innocent suffer for the guilty. I am compelled to send troops to preserve the peace. The Mono Indians on Owens River have always been considered a very harmless and quiet people, but they are numerous and highly excited at this time, and may possibly give us some trouble. I propose to send a squadron of cavalry from southern California through the Owens River district as soon as the mountains are passable. I have also reports of murders by Indians some 200 miles north of Carson City, Nev., and also east of Fort Dalles in the Snake River countries, but as yet nothing reliable. In the district of Humboldt Colonel Lippett, the commander, is in the field with most of his troops making every effort to collect all the Indians, and placing them on the reservations. Independent of our Indian disturbances the country is quiet.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General, U. S. Army, Washington, D. C.*

---

[Telegram to governors of loyal States.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
*Washington, April 3, 1862.*

*His excellency the Governor of California:*

Volunteer recruiting service will cease from this date.

L. THOMAS,  
*Adjutant-General.*



[Telegrám.]

HEADQUARTERS DEPARTMENT OF PACIFIC,  
*San Francisco, April 7, 1862.*

To Adjutant-General THOMAS:

I have received a copy of your dispatch of 3d instant to governor of California. Is it intended to suspend the organization of the Washington Territory regiment? Colonel Steinberger has now enrolled more than 400 men, and I earnestly recommend that the regiment be completed, as it will be required immediately for service in the Indian country.

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

[Telegram.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
*Washington, April 12, 1862.*

Brigadier-General WRIGHT,  
*San Francisco, Cal.:*

The Secretary of War authorizes the completion of the Washington Territory regiment, Colonel Steinberger.

L. THOMAS,  
*Adjutant-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 5, 1862.*

GENERAL: I have the honor to transmit herewith a report of the 1st instant, from Col. Justus Steinberger, First Infantry, Washington Territory Volunteers. The progress made by Colonel Steinberger in filling his regiment is highly gratifying; he has obtained an excellent class of men, and the zeal, energy, and interest he is manifesting warrant the belief that he will at an early day present to the Government a command that will do good service. Colonel Steinberger will shortly move with four companies to Fort Vancouver, and I shall then place him in command of the district of Oregon. I hope, after the completion of organizations of the infantry regiment of Colonel Steinberger and the cavalry regiment of Colonel Cornelius, that I shall be able to withdraw the battalions of the Second and Fourth Infantry, California Volunteers, which were sent up to that country in an emergency to relieve the regular troops ordered east.

It is of the greatest importance to keep the volunteer regiment embodied, as far as the exigencies of the service will admit, both on the score of economy and discipline.

The health of the troops in the Department is good, and they are well supplied by the different staff departments. Our subsistence, clothing, and medical stores have mostly been procured on this coast, and all of good quality. We have been embarrassed for want of funds, especially in the quartermaster's department; the contractors have suffered pecuniarily, in consequence of their dues from the Government being so long withheld, but I take pleasure in bearing testimony to their patriotism, and the cheerfulness with which they have continued to furnish supplies on credit in this our time of need.

The weather is improving, and the roads in southern California will soon be in good order. Colonel Carleton's troops are moving on Fort Yuma and beyond.

The troops for the protection of the overland-mail route will be advanced as soon as the mountains can be passed.

I have this moment received from the governor of the State a copy of your telegraphic dispatch of the 3d instant, directing that recruiting for volunteers shall cease.

I have no late intelligence from New Mexico; rumor states that Sibley has a force of 3,000 men there, but I doubt not that Canby can hold him in check until Carleton approaches.

The political status of this country is unchanged. Quiet throughout.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS FIRST WASHINGTON TERRITORY INFANTRY,  
*San Francisco, Cal., April 1, 1862.*

SIR: Since my last communication, dated March 1, referring to the progress made in the organization of this regiment, I have the honor to submit the following report:

Accompanying is respectfully transmitted consolidated tri-monthly report of officers and men at Alcatrazes Island, exhibiting the organization of Company A, with eighty-one men and three officers, mustered into service by Capt. W. A. Winder, Third Artillery, U. S. Army.

Of the one hundred and eighty-four recruits unassigned, eighty men with their officers will be mustered into service to-day, and organization of Company B completed.

The remaining one hundred and four, divided into two skeleton companies, are commanded by first lieutenants each, mustered into service in accordance with General Orders, No. 61, Adjutant-General's Office, August 19, 1861.

Of these detachments one lacks twenty-one men of the minimum standard, and I have extended the time to complete the company until the 5th instant. The other lacks thirty-five men, and the time to complete is extended to the 10th instant.

James Tilton, who was advised in my last communication as having been appointed lieutenant-colonel, has declined the appointment on account of ill health, as incapacitating him for the duties of the position. The place has not yet been filled.

Assistant Surgeon Samuel Whittemore, having passed the board for the examination of officers in this regiment, was, on the 10th ultimo, mustered into service, and assigned to duty at these headquarters.

Of the three companies authorized to be formed in Washington Territory and Oregon I have intelligence only from Captain Peabody's, on Puget Sound, and the report exhibits very little progress. The difficulty of communication, with the interior is no doubt the cause of my not having heard from Captains Moore and Cannady, in the Columbia River district.

Since my last report authority has been given to M. K. Shearer to organize a company for this regiment at Placerville, in this State, and to William M. Knox for one in Sacramento and Calaveras counties, the time limited to the 1st May.

I am also about giving authority to organize another company in this city, recruiting to commence when the two remaining companies, now incomplete, on Alcatraz Island, are full. This will make the last of the ten companies to complete the regiment.

Very respectfully, your obedient servant,

JUSTUS STEINBERGER,  
*Colonel First Washington Territory Infantry, Commanding.*

Maj. R. C. DRUM,  
*Assistant Adjutant-General, U. S. Army,  
 Headquarters, Dep't Pacific, San Francisco, Cal.*

GENERAL HEADQUARTERS, STATE OF CALIFORNIA,  
 ADJUTANT-GENERAL'S OFFICE,  
*San Francisco, April 5, 1862.*

GENERAL: The following telegraphic dispatch has this day been received by his excellency, Governor Stanford:

"WASHINGTON, April 3, 1862.

"To Governor of California:

"Volunteer recruiting service will cease from this date.

"L. THOMAS,  
*Adjutant-General."*

Very respectfully, your obedient servant,

"WM. C. KIBBE,  
*Adjutant-General.*

Brig. Gen. GEO. WRIGHT,  
*Commanding Pacific Department, San Francisco.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 10, 1862.*

GENERAL: Since my communication addressed to you on the 5th instant nothing of moment has transpired. The Indian difficulties in the "District of Humboldt" have become so aggravated that I have determined to throw additional troops into

that country and close up that war for the last time. Inclosed herewith is a copy of a letter of instructions I have sent to Colonel Lippitt, Second Infantry California Volunteers, which will advise you of the steps I have taken and propose to take for an effective campaign. From Oregon I have nothing special to report. My previous letters have informed you of the measures to be taken to preserve peace in that district, as well as to afford protection to emigrants when they approach. I have ordered Major Patten, of the Ninth Infantry, now at the Presidio, to proceed to Fort Steilacoom, Wash., and assume command of that post, and also to exercise a general supervision over all the posts on the sound, whether at present occupied by troops or not. Major Drum, my assistant adjutant-general, I have sent to the southern district of California, to inspect the troops of Carleton's command, now at Fort Yuma, or en route. The major will be absent about twenty days. I beg of you to let Major Drum remain on duty in this department. My troops are so dispersed, and occupy such a vast extent of country, that the assistance of an experienced adjutant-general is of the greatest importance to me. Major Drum suits me exactly; he is capable, industrious, energetic, and zealous, an ornament to your department. I have deemed it best to retain the immediate command of my own regiment. The subalterns of the regiment having most of them been so lately appointed, I have not yet made a selection for adjutant. However, I can get along very well with the aid of my sergeant-major. The weather is steadily improving, and the active operations have already commenced. Colonel Connor, Third Infantry California Volunteers, the officer whom I have selected to command all the troops designated for the protection of the overland-mail route, is making his preparations to cross the mountains as soon as the roads are practicable.

Very respectfully, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., April 7, 1862.*

COLONEL: I have sent orders to Lieutenant-Colonel Olney, of your regiment, to break up his camp at Santa Barbara and repair to this place with the two companies under his command. He will reach here about the 14th, and on the first steamer thereafter embark with the companies for your headquarters. The late outrages of the Indians in your district require prompt, decisive action to punish them. Should the force which will be at your disposal still be inadequate to make a clear sweep, I will endeavor to throw a column on the southern boundary of your district, to advance north and cooperate with you. The Indian difficulties in the Humboldt district have been growing worse and worse for years, and I am determined to settle them now for the last time. Every Indian you may capture, and who has been engaged in hostilities present or past, shall be hung on the spot. Spare the women and children. Allow no citizens, unless employed by your order, to accompany the troops in the field. The officers of the medical department serving in your district, although assigned to posts, are nevertheless liable to any service in the field or elsewhere as the exigencies of the service may require. An assistant surgeon in place of Dr. Todd, promoted, will report to you in a few days. I have full faith in your ability, activity, energy, and zeal, and I take great pleasure in confiding to your hands the final settlement of this war.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Col. FRANCIS J. LIPPITT,

*Second Infantry, California Volunteers,*

*Commanding District of Humboldt, Fort Humboldt, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 11, 1862.*

GENERAL: Inclosed herewith is a copy of a communication which I addressed to Colonel Cornelius, First Cavalry, Oregon Volunteers. Disposed as my troops are, over a wide extent of country, it requires the greatest vigilance to prevent waste and extravagance. The commanding and staff officers generally have but little, if any, experience; but they have the Regulations, and I have, in repeated circulars and orders, explained to them very carefully as to the manner of making contracts or

purchases; notwithstanding all this, irregularities will creep in. To watch over the interests of the United States I am now sending experienced officers to inspect every post and camp within the department. In these times, when all the means and money at our disposal are required for the legitimate expenditures of the Government, I am determined that no unfaithful officer or agent shall for a single moment retain his position.

With great respect, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., April 9, 1862.*

COLONEL: Lieut. Col. E. B. Babbitt, deputy quartermaster-general, has submitted to me a communication received by him from Lieut. D. W. Porter, your regimental quartermaster, dated on the 2d instant. I will thank you to refer to that letter and take immediate measures to correct the irregularities referred to. Make requisitions for all the supplies you may need on the chief of staff at these headquarters, and orders will then be given as to the mode of procuring them. It will not be necessary for you to purchase any horses, mules, or wagons, or any means of transportation, as we have sufficient on hand in the district of Oregon for use during the next summer. Do not allow your staff officers, either at your headquarters or with any portion of your regiment, to make any purchases or contracts without previous authority from these headquarters, except for forage and fuel and straw. I find that the acting quartermaster with the battalion at Jacksonville has been building quarters, hiring a clerk, etc., all of which is disapproved, and no such accounts or claims will be paid, and what is the most astonishing is that he has hired men to take charge of company horses. What is a cavalry officer good for if he can not take care of his horse? No money will be furnished to pay any of these amounts above referred to.

Clerks are not allowed for any staff officers in this department without my previous sanction. I hope, colonel, that you will take immediate steps to arrest all these irregularities; if permitted to go on a moment longer it will be injurious to your regiment in the highest degree. I understand that an unusual number of men enrolled in your companies have been discharged at Fort Vancouver, for various causes; too much care can not be bestowed on the examination of men presenting themselves for enlistment. The examining surgeon and recruiting officer should assure themselves that a man is perfectly sound, free from disease, able-bodied, sober, and of good character and habits, before passing him; a neglect of this positive duty subjects those officers not only to a pecuniary loss in refunding to the Government all the expenses of rejected men, but they are also amenable to trial by a general court-martial; all men desirous of joining the Army should, in every case, be entirely stripped of their clothing and critically examined by the surgeon and recruiting officer together at the same time. The man's declaration as to his soundness will not be taken. Bear in mind that your adjutant and regimental quartermaster must be lieutenants in some company of your regiment; you are not allowed extra lieutenants for those positions. As your regiment has been reduced for the present to six companies; no more field officers will be appointed. If, under the authority of the War Department, all the field officers allowed for a regiment have been appointed, you can retain them until orders shall be received from the Secretary of War on the subject; but, in the meantime, should vacancies occur they will not be filled.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Col. THOMAS R. CORNELIUS,

*First Regiment Oregon Cavalry, Portland, Oreg.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 18, 1862.*

GENERAL: After a conference with General Nye, I have ordered a company of the Second Cavalry California Volunteers to cross the mountains, via the overland mail route, to Carson City, and then proceed to the neighborhood of Pyramid Lake for the purpose of maintaining peace between the white people and Indians in that quarter. This company is destined to form a portion of the command for the pro-

tection of the overland route. Some time since a detachment of fifty cavalry was sent from Fort Churchill, south to the "Mono" country; and about the same time Colonel Carleton dispatched a like force from the southern district to the same point.

I have no late intelligence from those commanding; but I have no doubt that the difficulties between the white people and the Indians will be settled. In the district of Humboldt our Indian difficulties have assumed a more serious aspect. Colonel Lippitt, the commander, is active, energetic, and zealous, and with the additional troops I am sending to him I am confident of his ultimate success. The face of the country presents almost insurmountable obstacles to rapid movement; the Indians are very numerous; but nomadic, and prowling about in small bands committing depredations at every exposed point. They will not unite any large numbers for a fight; hence the necessity of dividing and subdividing our commands in order to accomplish anything. Should we succeed in collecting together all or most of those Indians, the question then comes up, what is to be done with them? If we place them on the reservations in that country, we know that they can not be kept there securely; they will run back to their native wilds in spite of guards; the only way to dispose of them that occurs to me now is colonize them on some of the islands near this coast. In the district of Oregon all is quiet:

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General, U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, April 29, 1862.*

GENERAL: The route of the overland mail will not be practicable for wagons before the end of May; in the meantime we are preparing the outfit for the troops designated for that line. The southern expedition under Colonel Carleton has drawn off all our extra means of transportation, and we shall be compelled to purchase wagons, mules, etc., here. The wagons are now being manufactured in this city. We are still embarrassed for want of funds; the credit of the Government, however, is good, but we must necessarily pay more than we should have to do if we had the cash in hand. The mail route at this moment, as far as the limits of this department, can be traveled in perfect safety; had it been otherwise, I would have forced a passage over the mountains and thrown troops on the line at any cost. I presume it is the design of the department to have troops distributed along the line to afford permanent protection for the mails and treasure. With the treasure, of course, the escort would have to be continued all the way, and mounted troops would be required for this service monthly or semi-monthly. The distance from Sacramento to Fort Bridger is about 800 miles, and it will be important to have a careful examination of the whole route made and suitable points selected for posts. Ruby Valley is well spoken of; it is about midway between Fort Churchill and Camp Floyd. On the 15th proximo I shall advance Colonel Conner's command towards the mountains and have it prepared to cross as soon as possible. A year's supply of clothing, subsistence, etc., will be sent over as soon as the roads are in good order.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General, U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, April 30, 1862.*

GENERAL: Colonel Steinberger sailed to-day for Fort Vancouver with the headquarters and four full companies of the First Infantry, Washington Territory Volunteers, leaving in this city his lieutenant-colonel to complete the enrollment of three more companies. The remaining three companies are being raised in the district of Oregon. On arriving at Fort Vancouver Colonel Steinberger, as the senior officer, will assume command of the district of Oregon; and as soon as practicable I have directed that the battalions of five companies each, of the Second and Fourth Infantry, California Volunteers, shall be relieved by the troops of Colonel Steinberger's regiment. The Oregon Cavalry Regiment of six companies will be concentrated at Fort Walla Walla as soon as the route is open for service in the mining districts, and later



in the season to be thrown forward toward Fort Hall to meet the emigrants, as I have previously advised you. On the 26th instant a company of the Second Cavalry, California Volunteers, commanded by Capt. George F. Price, left this city to proceed via Sacramento and Placerville to Carson City, and thence north to the vicinity of Honey and Pyramid Lakes, for the purpose of quelling a difficulty in that quarter between the whites and Indians. This company will afterward join the troops designated for the protection of the overland mail route. Col. Lippitt, commanding the district of Humboldt, is exerting himself to the utmost to maintain peace in that region. I have re-inforced him with the two companies of his regiment lately at Santa Barbara, and two other companies of his regiment now at Fort Vancouver will come down to Fort Humboldt on the return of the steamer now conveying Colonel Steinberger and his troops up the coast. South of Fort Churchill about 200 miles, on the Mono River, there has been a difficulty between our people and the Indians, and I had to send a detachment of cavalry from Fort Churchill and also a detachment from Los Angeles to the same point. I have no official reports as yet from that quarter. I am under the impression, however, that it will be necessary to maintain a small command there during the summer. The excitement about the mines of the north is unabated; vast numbers are rushing to that region; every steamer and sail-vessel is crowded, and it will require great energy and prudence on the part of the commander of our troops to preserve peace in the Nez Percé and Salmon River countries during the summer.

Very respectfully, your obedient servant.

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 30, 1862.*

GENERAL: Major Drum is still absent inspecting the troops at and near Fort Yuma. My latest dates from him are of the 14th instant. It is probable that Colonel Carleton is now at or in advance of Fort Yuma. Colonel Bowie's Fifth Infantry, California Volunteers, is concentrating at Fort Yuma as a reserve. Carleton's movement will sweep the predatory bands of Baylor and Riley out of Arizona and break up their plan of obtaining a foothold in Sonora, and then with the well-appointed force under his command, strengthened, if necessary, by the fine reserve regiment of Bowie, I have no apprehensions as to the result in any conflict with the rebels this side of the Rio Grande.

Outwardly everything is quiet in this country, but I know that there are many men on this coast who are traitors at heart, and who are at this moment writhing under the defeats of the rebels. They are harmless now, however, because so greatly in the minority; but such men require close surveillance.

In the southern portion of this State there are more sympathizers with the rebels than anywhere else, and I have now ordered Colonel Forman, of the Fourth Infantry, California Volunteers, now in camp at Sacramento, to proceed by the next steamer to San Pedro with his headquarters and three companies. The Colonel will take post at Camp Latham, near Los Angeles, where we have already four companies of the Second Cavalry.

It has been my aim not to create any unnecessary alarm in the public mind on this coast, but to watch closely the progress of events and be ever ready to crush any attempt to raise the standard of rebellion on the Pacific.

You will observe by my General Orders No. 17 that I am gradually drawing the cords a little closer around treason.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 7, 1862.*

GENERAL: Since my communication of the 30th ultimo, addressed to you, nothing of special importance has occurred in this department. My latest advices from Fort Yuma are dated on the 21st of April. Colonel Carleton's advance was at the Pimos

villages, and it is presumed that at this moment his entire command is moving into Arizona. I have received no further intelligence in relation to the design of the rebel chief, Sibley, to enter the State of Sonora. It is probable that he has abandoned the project, if, as is currently reported, his army is completely demoralized and on the retreat from New Mexico. However, should the rebel forces enter Sonora, I have ordered Colonel Carleton to pass the frontier at once and pursue them. On the 3d instant I addressed a communication to his excellency Don Ignacio Pesqueira, governor of the State of Sonora, a copy of which is herewith submitted. I also inclose herewith my General Order No. 17 of the 23d ultimo and my proclamation of the 30th. The latter was promulgated with the view of preventing as far as possible the transfer of property by persons in arms against the United States or who are aiding or abetting the rebels. I have not at this moment the power to enforce my decree, but my object was to hold it, *in-terrorem*, until such time as legal proceedings could be had. Quiet prevails throughout the country. Our Indian difficulties have made it necessary to send small commands to different points, but I doubt not we shall speedily restore peace between the white and red man.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS UNITED STATES  
MILITARY DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., May 3, 1862.*

His excellency Sr. Don IGNACIO PESQUIERA,  
*Governor of the State of Sonora:*

SIR: By the last steamer from the Gulf of California, I received a copy of a communication addressed to your excellency, under date of the 16th of December, 1861, by H. H. Sibley, the rebel chief in command of a body of insurgents in New Mexico, and although I did not receive a copy of your excellency's reply, yet I was much gratified by the assurance of my correspondent that your excellency had declined entering into any arrangements proposed by the rebel commander. Considering the friendly relations subsisting between the Government of the United States and that of the Republic of Mexico, as well as between the citizens of the contiguous States of Sonora and California, any other decision than that which your excellency has made would have been deeply regretted. I need not point out to your excellency the utter ruin and devastation which would inevitably befall the beautiful State of Sonora should the rebel force obtain a foothold within its limits, as in that event it would be indispensably necessary that the frontier should be passed by the United States forces, and our enemies pursued, possibly, to the city of Guaymas. I beg your excellency to rest assured that under no circumstances will the Government of the United States permit the rebel horde to take refuge in Sonora. I have an army of ten thousand men ready to pass the frontier and protect your Government and people.

With the greatest respect, I have the honor to be your excellency's most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding Department of the Pacific.*

GENERAL ORDERS, }  
No. 17. }

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., April 23, 1862.*

The General commanding this department having been appealed to by many loyal citizens residing on the Pacific coast for the adoption of more vigorous measures against the treasonable designs of persons who, while claiming and receiving protection for themselves and property, do not blush to denounce the Chief Magistrate and Government of the United States, and do all in their power to raise the standard of rebellion on this coast. It is therefore made the express duty of all officers commanding districts or posts to maintain within their respective jurisdictions a due observance of our National and State laws, and proper respect for the legally constituted authorities. Treason's hideous crest shall not pollute the fair land of California. Military commanders will promptly arrest and hold in custody all persons against whom the charge of aiding and abetting the rebellion can be sustained; and under no circumstances will such persons be released without first subscribing the

oath of allegiance to the United States. All persons seeking to furnish supplies of any kind to the army on this coast must first submit unequivocal evidence of their loyalty to the Government, otherwise their propositions will not be entertained. The following general orders of the War Department are published for general information.

GENERAL ORDERS, } WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
No. 67. } Washington, August 26, 1861.

By the fifty-seventh article of the act of Congress entitled "An act for establishing rules and articles for the government of the armies of the United States," approved April 10, 1806, "holding correspondence with or giving intelligence to the enemy, either directly or indirectly," is made punishable by death, or such other punishment as shall be ordered by the sentence of a court-martial. Public safety requires strict enforcement of this article. It is therefore ordered that all correspondence and communication, verbally or by writing, printing, or telegraphing, respecting operations of the Army or military movements on land or water, or respecting the troops, camps, arsenals, entrenchments, or military affairs, within the several military districts, by which intelligence shall be, directly or indirectly, given to the enemy, without the authority and sanction of the general in command, be and the same are absolutely prohibited, and from and after the date of this order persons violating the same will be proceeded against under the fifty-seventh article of war.

By order,

L. THOMAS,  
*Adjutant-General.*

By order of Brigadier-General Wright.

R. W. KIRKHAM,  
*Captain and Assistant Quartermaster, Acting Assistant Adjutant-General.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 30, 1862.*

Whereas it having come to the knowledge of the undersigned that there are certain persons either holding office under the rebel government or aiding and abetting the enemies of the United States, and that such person or persons are owners of real estate or personal property within the limits of this military department, it is hereby declared that all such estates or property are subject to confiscation for the use and benefit of the United States.

It is further declared that all sales or transfers of real estate or personal property by any person or persons holding office under the rebel government, or who may be aiding and assisting the enemies of the Union, whether made by them personally or by their agents, shall be null and void.

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

---

[Telegram.]

ADJUTANT-GENERAL'S OFFICE, June 19, 1862.

Brig. Gen. GEORGE WRIGHT,  
*United States Volunteers, San Francisco, Cal.:*

No action to be taken in arrests spoken of in your letter of May 7.

L. THOMAS,  
*Adjutant General.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 13, 1862.*

GENERAL: I have just heard from Major Drum. He was at Fort Yuma on the last day of April; had completed his inspection, and would leave the same day on his return to these headquarters. Inspecting the troops near Los Angeles and San Pedro, on his way. Colonel Carleton was at Fort Yuma, pushing his troops forward into Arizona. The major, after inspecting the troops, says, "The troops are all in fine spirits and anxious for the movement eastward," and further, "It has fallen to the lot of few men to take into the field so well instructed a body of volunteer troops as compose Carleton's command." With such men and officers, I look for a speedy re-

establishment of our authority over Arizona and New Mexico. In Arizona, it will be necessary to hold the country under a military governor until such time as the civil authorities can be re-organized. To-day I received a telegraphic dispatch from Governor Nye at Carson City, Nev. The Indian disturbances at Honey Lake and that region of country have been quelled, and everything is quiet. Colonel Steinberger, First Infantry, Washington Territory Volunteers, has reached Fort Vancouver with four full companies of his regiment, and assumed command of the District of Oregon. Colonel Lippitt, Second Infantry, California Volunteers, commanding the District of Humboldt, is at work energetically, bringing those Indians under subjection. The country is a difficult one to operate in, and it will take time to collect all these Indians, and place them on reservations. A large assemblage of Indians at the Owens Lake country, some 300 miles southeast from here, rendered it necessary to send a force of three companies of cavalry from Los Angeles to protect our people and their property and chastise the Indians. The country generally is quiet and prosperous. The sympathizers with the rebels are careful to keep within the pale of the law. The season is more than a month later than usual. The snow on the Sierra Nevada Mountains is very deep, and certainly not before the middle of June will it be possible for Colonel Conner, with his troops and supplies, to cross over towards Salt Lake.

Very respectfully, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 15, 1862.*

GENERAL: I have nothing of importance to report since my letter of the 13th instant. At the earnest request of the superintendent of Indian affairs for Oregon, I have left one company of Oregon cavalry in the Rogue River Valley, near Jacksonville, to afford protection against Indian depredations in that quarter. The remaining three companies, enrolled in southern Oregon, will move as soon as practicable, under command of Lieut. Col. R. F. Maury, Oregon Cavalry, to the valley of the Columbia, where, uniting with the two companies now there, the whole under Colonel Cornelius will move eastward to Fort Walla Walla, with a view to carry out the plan of operations for the summer as already indicated in my communication to you. My latest reports from the remote posts of Colville and Walla Walla, as well as from the mining districts, represent the Indians as peaceable and quiet. At the special request of Mr. Victor Smith, the United States collector at Port Townsend, Wash., I have authorized him to take possession of the buildings at Fort Townsend for a marine hospital, until such time as they may be required for military purposes. I have done this without any special authority from the War Department, assuming that it would be approved, as the garrison buildings will be better taken care of by an officer of the Government, and much expense saved to the Treasury Department, by using them for a marine hospital. The mail leaves here by steamer for New York four times a month and my dispatches will be habitually made up to the steamer day.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

---

PRIVATE RESIDENCE,  
*Cottage Grove, Oregon, May 21, 1862.*

HON. E. M. STANTON,  
*Secretary of War, Washington City, D. C.:*

SIR: Your circular communication of the respective dates of April 11, 1861, and April 28, 1861, are this day received, and the acknowledgment is made by telegraph, via San Francisco.

As your circular of the latest date appears to be a duplicate of the first, an answer to either is deemed to be sufficient.

You desire me to "send to your Department a full and accurate statement of all the troops from this State which are now in the service of the General Government, together with a separate list of all not mustered into the service; and all used as Home Guards."

In reply I have to say that the governor of this State is not officially informed that there are any troops from this State now in the service of the General Government.

In September last, Colonel Wright, then commanding the military in Oregon, made a requisition on the governor of this State for one company of mounted volunteers, intended for the Indian service on the frontiers of this State and Washington Territory.

The requisition was responded to, and the recruitment about completed, when the authorities were informed that the volunteers were not needed, and soon after the governor was ordered by Colonel Wright to disband the men already enrolled, which, however, had been done before the receipt of the order.

During the winter and spring just passed there has been, as I learn through the public prints, a regiment of mounted men raised in this State, but as to their strength I have no official knowledge, they having been recruited and officered by officers appointed by the President; the authorities of this State have never been called upon or consulted with, in the matter of raising troops here or appointing their officers, except in the case of Colonel Wright, above referred to. There is not a figure or the scratch of a pen in the executive office which would enable me to answer your inquiries.

As to Home Guards I am not aware that there are any such as your inquiries are intended to cover now in this State, nor indeed has there ever been.

I am, sir, with great respect, your obedient servant,

JOHN WHITTAKER.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 22, 1862.*

GENERAL: I have just received reports from Colonel Carleton, dated at Fort Yuma, on the 10th instant, and from Lieutenant-Colonel West, First Infantry, California Volunteers, commanding at the "Pimos Villages," as late as the 6th instant. Copies are herewith inclosed for information of the Department. Our Indian difficulties in the district of Humboldt have been admirably managed by Colonel Lippitt, and it is confidently expected that all the Indians will soon be collected together and placed upon their reservations. In the district of Oregon all is quiet. Colonel Conner, with seven companies of his regiment (Third Infantry, California Volunteers), will move on the 26th instant, and encamp beyond Stockton, preparatory to crossing the mountains at the earliest moment practicable, and advance on the overland mail-route; the cavalry force designated for the same service will be thrown forward at an early day. I am happy in being able to assure the Department of the firm and unwavering fidelity to the Union and the Constitution of the people on the Pacific coast although we have in our midst rebels and ardent sympathizers with the rebellion, yet their voices are drowned by the overwhelming majority of patriotic, Union-loving citizens on this far distant shore.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

---

HEADQUARTERS DISTRICT OF SOUTHERN CALIFORNIA,  
*Fort Yuma, Cal., May 10, 1862.*

MAJOR: I inclose herewith certified copies of letters just received from Lieutenant-Colonel West, dated, respectively, May 4, May 5, and May 6, 1862. By these you will see how matters are progressing at the Pimos Villages. In a private letter to myself Colonel West says: "You will recollect your request for 5,000 pounds of Indian presents, which was declined. If it is not too late to get the same goods now as property, they would be of great service. Placed in charge of the depot party here, I believe they would work wonders." If the general will have those goods forwarded even now, they will be a great saving of money in the purchase of grain and flour at the sub-depot for the use of the troops stationed there, for the use of trains coming with supplies, and to be forwarded if necessary. If necessary these goods can be receipted for and expended as money. It is doubtful if any troops are coming from the Rio Grande to make a stand against us in Arizona. I am forwarding supplies as fast as possible to the sub-depot, and when I have got enough in front to justify it, I shall, without delay, make still another stride onward. It is said the rainy season in Arizona commences about the 24th of June. Until then it is impossible to cross a large command, so I hear, from Tucson to the Rio Grande, a distance of 300 miles. It will



not do, for obvious reasons, to arrive on that river by small detachments. The general may rely upon it that all justifiable risks will be taken. I hear that nine Americans have just been murdered at Sally's mine in Arizona. I hope to be clothed with powers to regulate all matters in that Territory. Of course, I shall take upon myself all necessary responsibility to give order and safety of life and property in that chaotic country. I am having the road up the Gila to Fort Breckinridge reconnoitered, and shall soon occupy that post. You may know that before the rebellion Fort Breckinridge was to be a six-company post. It was commenced at a site near the junction of the Araraypa and San Pedro, the best point for a post in Arizona. The adobe walls of many buildings were made, and some were roofed over. These may be in good preservation. I would recommend that this fort, with a change of name, be reoccupied. The grazing in the valley of the San Pedro, the year round, is reported as being very fine. Aside from its being one of the posts on the chain of communication from California to the Rio Grande, it is a fine place for weak and broken down animals to recruit.

I am, major, very respectfully,

JAMES H. CARLETON,

*Colonel First California Volunteers, Commanding.*

Maj. R. C. DRUM,

*Assistant Adjutant-General U. S. Army, San Francisco, Cal.*

---

HEADQUARTERS ADVANCE GUARD CALIFORNIA VOLUNTEERS,  
*Pimos Villages, May 4, 1862.*

LIEUTENANT: I am as yet unable to report upon the supplies for troops available at this post with any degree of confidence. Mr. Ammi White, who was taken prisoner by the rebels, was the only person here conversant with the Indian resources. I have as yet only succeeded in eking out daily a supply of forage for the command. I can neither get any stock of forage in advance, nor have the Indians yet produced their flour in any but trifling quantities. I am, however, trading under every disadvantage. It is difficult to make this people understand the magnitude of our demands, and further, I have nothing but promises to offer them in payment. When the manta arrives I shall then understand whether they hold back their wheat and flour from fear of non-payment, or because they have but limited quantities on hand. The first of the new crop of wheat should begin to come in within a fortnight. Of hay I can get but a mere daily ration. I am negotiating, with what prospect of success it is impossible to tell for a standing field of wheat, with the intention of feeding it and keeping the grain that comes in for future uses.

Very respectfully, your obedient servant,

J. R. WEST,

*Lieutenant-Colonel, First Infantry California Volunteers, Commanding.*

To Lieut. B. C. CUTLER,

*Acting Assistant Adjutant-General, District of Southern California.*

---

HEADQUARTERS ADVANCE GUARD CALIFORNIA VOLUNTEERS,  
*Pimos Villages, May 5, 1862.*

LIEUTENANT: The following scale of prices has been agreed upon with the Indians:

Four quarts flour, weighing  $4\frac{1}{2}$  pounds, for  $\frac{1}{2}$  yard manta.

Seven quarts wheat, weighing 13 pounds, for 1 yard manta.

Four quarts pinole, weighing  $5\frac{1}{2}$  pounds, for 1 yard manta.

Fifty pounds hay or 150 pounds of green fodder for 1 yard manta.

These prices are much for the interest of Government, and it is to be hoped that the facilities for purchasing of the Indians will enlarge. Manta may be called the staple article with them, but such goods as were asked for by the colonel commanding, in his letters of December, 1861, on the Mojave expedition, are indispensably necessary for the practice of an economy of great advantage. The daily consumption of the present command for forage is as follows:

	Yards manta.
280 horses, wheat 12 pounds, 3,360	} 3,945 pounds equals..... 303 $\frac{1}{2}$
65 mules, wheat 9 pounds, 585	
345 animals, hay 14 pounds, 4,830 pounds, equals.....	96 $\frac{1}{2}$
Daily consumption of manta .....	400

Not enough flour to make mention of has yet been brought in, and the pinole is an article of small consumption, unless of necessity. A brief observation of these people and their habits shows me that they are disinclined to sell their produce or any other property unless the article offered in exchange is such as they habitually and at the moment need. I do not believe that they would trade wheat for more manta than they wanted for the moment, and further, that after 20,000 yards of that goods have been distributed among them it would cease to be a ready currency. These opinions may be erroneous; my experience with the people has been of less than a week's duration, and that with only promises to offer in payment. Obligations for near 3,000 yards manta are already outstanding from the quartermaster and commissary departments. Even without any increase of the command, the 10,000 yards daily expected at the post will be exhausted by the 20th instant. If, when the manta arrives, the Indians do not bring in their wheat more freely (the animals only get half rations to-day) I see no recourse but to enter their wheat fields and cut the grain for forage. As yet negotiations for purchasing their standing grain have not been consummated. I enlarge more upon the difficulty of getting supplies here with reference to the part of the expedition that is in my rear than to the command now here. I am anxious to see a supply on hand for an advance, and shall endeavor to accomplish it.

Respectfully, your obedient servant,

J. R. WEST,

*Lieutenant-Colonel, First Infantry California Volunteers, Commanding.*

To BENJ. C. CUTLER,

*First Lieutenant and Acting Assistant Adjutant-General,  
District Southern California.*

---

HEADQUARTERS ADVANCE GUARD CALIFORNIA VOLUNTEERS,  
*Pimos Village, May 6, 1862.*

LIUTENANT: I have the honor to report fair progress in obtaining forage for the animals now here, but as yet no prospect presents itself of my being able to accumulate a surplus for an onward movement, or to meet the wants of any additional number of animals suddenly placed here. Immediate payment in manta may work a change, but until that fact is proved I must continue doubtful about daily supplies even. The crop of mesquit beans will mature in all this month, and some of the wheat; then the problem will be solved of the dependence that can be placed upon supplies here. I state these facts for the information of the colonel commanding, whose plans may hinge upon them somewhat. No flour comes in, and I fear will not as long as we call for their wheat so freely. If, however, we can get enough wheat for forage, the flour can be brought up from Fort Yuma in lieu of it.

Very respectfully, your obedient servant,

J. R. WEST,

*Lieutenant-Colonel, First Infantry California Volunteers, Commanding.*

Lieut. BEN. C. CUTLER,

*Acting Assistant Adjutant-General, District of Southern California.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 30, 1862.*

GENERAL: Since I received instructions from your office to prepare a command for the protection of the overland mail-route, I have received no instructions as to how far east it was intended that I should send my troops. Col. P. L. Conner, Third Infantry California Volunteers, whom I appointed to command all the troops on the mail-route, has advanced with seven companies of his regiment and is now encamped near Stockton. Supplies are being collected and transportation preparing for crossing the Sierra Nevada, as soon as the roads are practicable for wagons, probably about the 20th of June. I have two companies of cavalry at Fort Churchill, and one company temporarily near Pyramid Lake, which, with the the two companies of the same regiment, Second Cavalry California Volunteers, now near this city, will constitute the mounted force I designed for Colonel Conner's command. Three companies of the Third Infantry California Volunteers are now serving in the district of Humboldt. I propose, as soon as their services can be spared, to order them to join Colonel Conner. At present there seems to be no danger apprehended on the mail-route between here and Salt Lake. Unless otherwise instructed, I shall advance Colonel Conner to the neighborhood of Salt Lake, establishing one, possibly two, intermediate stations be

tween Fort Churchill and Utah. Colonel Conner has with him 2 field-pieces and 3 mountain howitzers, with equipments and ammunition.

With great respect, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, June 4, 1862.*

GENERAL: Inclosed herewith is a communication addressed to me by his excellency J. W. Nye, governor of Nevada Territory, under date of May 28, also a copy of my reply to his excellency, dated on the 2d instant, respectfully submitted for information of the War Department.

With great respect, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

EXECUTIVE DEPARTMENT,

*Carson City, Nev., May 28, 1862.*

SIR: On the 12th instant Agent Wasson received a communication from Lieut. H. Noble, commanding detachment at Aurora, under date of the 7th instant, informing him of the condition of Indian affairs in that locality, the purport of which is as follows, to wit: On the 5th instant a white man was shot and severely wounded in two places, by a renegade Indian from California, by the name of "Spanish George." The citizens, attributing the outrage to the Pah-Utes, proceeded to arrest and confine every one of that tribe they could find, and would have hanged them immediately had it not been for the prompt action of Lieutenant Noble, who investigated the matter, and after ascertaining the above facts released the Pah-Utes, thereby securing their friendship and giving them assurance of the disposition of the Government to protect them in their rights.

The citizens of Aurora becoming greatly excited over this affair, and fearing other assaults of a similar nature would be made, it became apparent that something must be done to preserve peace in that section.

I accordingly requested Capt. E. A. Rowe, on the 13th instant, to take charge of Indian affairs in that end of this Territory while his command remained there; circumstances requiring the presence of the attachés of the department in other places, and having unlimited confidence in Captain Rowe's will and ability to manage the business properly, I left him to be governed by the circumstances that might surround him. I am informed by Captain Rowe, in a communication of the 25th instant, that he has just returned to Aurora from an expedition south of that place, and that he has opened a communication with the hostile Indians of Owens River, who expressed a desire to have their existing difficulties with the whites amicably adjusted.

I would, therefore, respectfully suggest the propriety of your giving Captain Rowe discretionary power sufficient to enable him to accomplish this much-desired object.

It is true that the Indian difficulties above alluded to occurred out of my jurisdiction, yet if a force is sent into Owens River Valley and succeed in defeating the Indians there it will have the effect to drive them into this Territory to renew their depredations and involve the Pah-Utes in their difficulties, unless a sufficient force is kept along the line separating the Territory claimed by the Pah-Utes from that claimed by Owens River Indians. This boundary passes along the south side of Adobe Valley. I am informed by Agent Wasson (who has a thorough knowledge of the topography and resources of that section of country) that Adobe Valley possesses peculiar advantages over any other place in that vicinity for the establishment of a post to protect the southern portion of this Territory.

It is on the line between the two tribes and commands the principal passes from Owens River into this Territory. It is supplied with wood, water, and grass. I think there should be at least one company stationed there, or in that vicinity, until the difficulties on Owens River are settled.

I have just returned from Pyramid Lake on a visit to old Wunnamucca and his tribe, to inquire into and settle a difficulty between the Pah-Utes of the Truckee River and those of the Walker River, growing out of the killing of the third chief of

the Pah-Utes, "Wah-Hee," by the Walker River Indians some two or three weeks since. Wah-hee being a brother of old Wunnamucca, the head chief of the Pah-Utes, I had no little trouble in reconciling him. I trust now the matter is permanently settled. I was accompanied on this expedition by Captain Prince and his command. It affords me pleasure to assure you of their uniformly courteous and soldier-like conduct on all occasions while with me, and I am confident he and his entire company will do credit to the service in any emergency.

The Indians in my superintendency were never more peaceable and prosperous than they are at this time, and soliciting your co-operation to preserve this state of affairs, I remain, with great respect, your obedient servant,

JAMES W. NYE,  
Governor, etc.

Brigadier-General WRIGHT,  
Commanding Department Pacific, San Francisco, Cal.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., June 2, 1862.

His Excellency JAMES W. NYE,  
Governor of Nevada Territory, Carson City, Nev.:

SIR: I have the honor to acknowledge the receipt of your excellency's communication of the 28th ultimo. A few days since orders were sent to Captain Rowe to concentrate his whole company and take a position at or in the vicinity of Adobe Valley, in which region of country he will remain for the present.

I am highly gratified to learn from your excellency that the Indians within your superintendency are peaceable and prosperous, and to assure your excellency that I shall always be ready to afford active co-operation to maintain this state of affairs.

With great respect, your excellency's obedient servant,

G. WRIGHT,  
Brigadier-General U. S. Army, Commanding.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, June 5, 1862.

GENERAL: For the information of the War Department, I have the honor to transmit herewith a report received from Col. Francis J. Lippitt, Second Infantry, California Volunteers, commanding the "District of Humboldt."

The activity and zeal exhibited by Colonel Lippitt and the troops under his command is highly commendable, and promises a speedy termination of the Indian disturbances in that quarter.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General U. S. Army, Commanding.

Brig. Gen. L. THOMAS,  
Adjutant-General U. S. Army, Washington, D. C.

---

HEADQUARTERS HUMBOLDT MILITARY DISTRICT,  
Fort Humboldt, May 20, 1862.

Maj. R. C. DRUM,  
Assistant Adjutant-General, Department of the Pacific, U. S. Army:

MAJOR: The following is a summary of operations against the Indians in my district since my last dispatch in April last:

On the 6th of April Captain Ketchum, with a scouting party of Company A, Third Infantry, California Volunteers, found near Yager Creek the rancheria of the Indians that had previously robbed Cooper's mills of 2,500 pounds of flour. The Indians had just fled, leaving some 700 pounds of the flour, together with belting from the mill, mill files, baskets, bullets, lead, shot-pouches, bullet-molds, etc., all of which articles were burnt, there being no means of packing them.

On the 16th of April a detachment of five men of Company E, Second Cavalry, California Volunteers, stationed near Cooper's mill, on Yager Creek, re-enforced by four or five citizens, went in pursuit of a band of some 40 Indians that had robbed the mills of some 3,300 pounds of flour the night before. After a very difficult march to

the northward, of 10 miles, they came upon a rancharia, where they found the flour, which, having no means of packing, they destroyed, together with the lodges and their contents. No Indians were seen, as they had all fled on the approach of the party.

During a scout of Company F, Second Infantry, California Volunteers, commenced April 2 by Lieutenant Flynn, 3 Indians near Trinidad, going towards the mouth of Redwood Creek, where, it was reported, there was a band of some 200 hostile Indians, were captured by him. To prevent their giving the band notice of his approach, after being fully warned of the consequences of their attempting to escape, they suddenly broke and ran in the same direction they were going when taken. Lieutenant Flynn, who had no one with him but the guide, instantly fired at them with his pistol. One was killed on the spot, the two others escaped, one of them with a bullet through his head.

On the 27th of April Capt. Ketcham, of Company A, Third Infantry, California Volunteers, returned to Fort Baker from a scout to the southward of Van Dusen Fork, with 24 Indian prisoners, all women and children, except two young bucks. In attacking the rancharia 4 Indians were killed, including a squaw, shot by mistake. During the scout Captain Ketcham came upon a rancharia which had been fortified by piles of logs around it, but which the Indians had deserted.

On the same day Lieutenant Staples, with a detachment of the same company, came upon a large band of Indians by surprise (having previously managed to kill their scout or sentinel without giving the alarm), killed 15 of them and took 40 prisoners, 3 of whom he left behind, being unable to travel.

On the 7th of May instant, Capt. Ketcham reported 11 Indians as having come in at Fort Baker, 8 bucks and 3 squaws. He sent out two of them as runners to bring in as many more as possible, assuring them (under my instructions to that effect) of protection.

On the 14th of May instant, Capt. Ketcham reported the return of 10 men sent out by him as an escort to such Indians as could be found by the runners willing to come in, with 19 bucks, 24-squaws, and 16 children; making the total number of Indian prisoners at Fort Baker 88. These, when they arrive at this post, with the prisoners already here, will make the total number of Indian prisoners about 170.

On the 7th of May instant, Lieutenant Flynn, with a detachment of 20 men of Company F, Second Infantry, California Volunteers, then on a scout near Mad River, a few miles below Fort Lyon, received a volley from a band of Indians in ambush. None of the men were injured except the citizen guide, who was shot through both thighs. The troops rushed in pursuit into the timber, which was almost impenetrable from the dense undergrowth and chaparral with which all the forests in this country are filled, but were not able to see a single Indian, although they heard guns snapped in every direction around them (the caps having no doubt been spoilt by the then recent rain).

On the 14th of May instant, on Mad River, near Angel's Ranch, Lieutenant Flynn, then having 15 men with him, "started at daybreak" (I copy from his report) "and found a ranch of Indians about 7 o'clock a. m. They saw me about fifteen minutes before I arrived at their ranch. They crossed the river on their fish-dam and then cut it away so that I could not follow them over the river. They fought me about one hour. I killed 6 of them. None of my men received a wound. The Indians retreated up the hill. I then destroyed all their provisions, beds, clothing, etc. All my men behaved admirably throughout the engagement. I found a quantity of powder and gun-caps. There were about 150 Indians in this band, and it was useless for me to follow them with 15 men. This is the tribe that murdered Mr. Bates, as I found some of his papers in their ranch."

Lieutenant Flynn then returned to Fort Anderson, when Captain Douglas immediately left with his whole command (Company F, Second Infantry, California Volunteers) in quest of the band with which Lieutenant Flynn had skirmished. It is not yet known whether he has found them.

On the 15th of May instant, Captain Hefferman, Company K, Second Infantry, California Volunteers, commanding, at Fort Lyon, returned from a scout, in which he had destroyed 5 rancharias from which the Indians had fled before he arrived, and killed 1 Indian and wounded two others, being the only ones seen during the scout. The 2 wounded escaped, leaving behind a powder-horn, which proved to belong to one of the men murdered by the Indians on Bremen's ranch last November.

These are all the results actually obtained thus far, although the troops have been and are still constantly and actively engaged in scouting in every direction, through deep snows and pathless and almost impenetrable forests, choked with undergrowth and brambles, and over a country consisting entirely of lofty mountain ridges so steep as to render traveling always laborious and often dangerous.

Escorts and expresses have been for some time suspended. Nearly all the men of Captain Akey's company have been called in as witnesses for the prisoners before the court-martial.



The want of mules has caused the only interruption to active operations. In order that one-half of the effective men of every company may be always in the field, there should be not less than 16 mules constantly at the disposal of each company. The country is so difficult, that the men are compelled to pack their blankets and everything except their arms. About 25 mules have already been purchased by Regimental Quartermaster Swasey. I recommend that he be authorized to buy 75 more as soon as practicable. I am convinced it would be a great saving to the Government, and at the same time make our operations more effective, as great delays are constantly occurring in collecting together a sufficient number of hired mules when they are wanted, thus causing a great loss of time.

I am cutting a trail from Fort Humboldt direct to the crossing of Yager Creek. By the existing route the distance is 25 miles; by the trail, when completed, it will not exceed 15, thus reducing the distance from this post to Fort Baker 10 miles, besides opening a path through 15 miles of dense forest hitherto unexplored by white men, but known to be the haunt of many of those Indians who have committed some of the late outrages.

"Elk Camp" is a settlement between Redwood Creek and Klamath River, 15 miles northwest of Fort Anderson. The Indians have recently made their appearance there and are killing their cattle. The settlers are much alarmed and have sent in for protection, and until it can be afforded have sent their families to Arcata. I have directed Captain Stuart, Second Infantry, California Volunteers, commanding at Fort Terwaw, to send a detachment there of 20 men with an officer, and also to cut a trail direct to that point from Fort Terwaw, the distance being about 20 miles. When this is completed it will open a short and sure line of communication between Fort Terwaw and the posts to the south of the Klamath, which is urgently needed.

Company E, Second Infantry, California Volunteers, just arrived, garrison this post. Company A, of same regiment, I am mortified to say, arrived here in a state of entire disorganization, owing solely to the continued drunkenness and misconduct of its commander, Capt. Charles W. Smith, who I have placed in arrest. Charges against him will go down by this steamer, but his character and habits are such as to render him unfit to remain one day longer in the service, and I recommend that he be immediately discharged from it.

I have sent his company to Yager Creek Crossing, under the command of First Lieutenant Flynn, of Company F, Second Infantry, California Volunteers, a very reliable young officer, who is as cool and resolute as he is active and zealous.

I have the honor to be, very respectfully, your obedient servant,

FRANCIS J. LIPPITT,  
Colonel Second Infantry, California Volunteers,  
Commanding Humboldt Military District.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, June 11, 1862.

GENERAL: Inclosed herewith I have the honor to transmit copies of Colonel Carleton's communications of the 24th and 25th of May; they contain the latest information I have received from Arizona.

In organizing the expedition under Colonel Carleton we had much to contend with. The unprecedented heavy rains, which continued for several months, delayed the movement until May. However, the troops are now at Tucson, well supplied in every particular, and will soon push on to the Rio Grande, sweeping the rebels out of that country and re-establishing the authority of the United States.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

Brig. Gen. L. THOMAS,  
Adjutant-General U. S. Army, Washington, D. C.

HEADQUARTERS COLUMN FROM CALIFORNIA,  
Fort Barrett, Pimos Villages, Ariz., May 24, 1862.

MAJOR: I have the honor to inform you that I arrived here yesterday evening. The weather has been intolerably hot during the last few days, but the troops have marched admirably notwithstanding. Colonel West with five companies of infantry, and one of cavalry and two howitzers, you may remember, was ordered to occupy Tucson. He doubtless arrived there last Tuesday, the 20th instant. I am in hourly expectation of hearing from him.

The rebels, from the best information I can get, have retired from Arizona towards the Rio Grande. The Apaches attacked Captain Hunter's company of Confederate troops near Dragon Spring and killed four men and ran off 30 mules and 25 horses.

The Pimos and Maricopa Indians have already sold to us for manta and on credit 143,000 pounds of wheat. Of the new crop, it is estimated that they will have for sale, say 200 tons of wheat. I held a council with them to-day, and promised to have sent down from San Francisco the additional supply of manta and the Indian goods asked for in my letter of the 10th instant.

I have directed a train of fifteen wagons to proceed to San Ledro, Cal., for these goods and for clothing for the troops. The depot quartermaster at that point should be instructed to forward these articles, and particularly the clothing, the moment it comes down from above. The troops *must* have the clothing at once. Once their feet come to the hot ground and their clothing comes to be greatly worn, they will suffer immeasurably.

The Pimos and Maricopas are the best Indians I have ever seen, and will be of great service to us and to the Overland Mail Company, which eventually is certain to run over this route. The Apaches are their hereditary enemies. The Apaches have murdered people on the route and possessed themselves of arms with which they now, for the first time, successfully assail the Pimos. The latter pray to be furnished with arms, not only to defend themselves, but to punish the Apaches. I beg respectfully to request that the general will cause to be sent to my address, at Fort Barrett, 100 stand of the old muskets (percussion), with 10,000 rounds of buck and ball cartridges, and with a supply of bullet molds for the muskets. These can be issued direct to the chiefs, who will be responsible for them, or, which would not be as well, to the commanding officer at Fort Barrett, for the use of the Indians when necessary.

The general may rely upon it, this would be a great favor to this worthy people, who have always been our fast friends. I shall proceed to Tucson in four or five days. I am now having all the wells repaired and made deeper which lie between the Gila and that place on the old stage road.

As soon as the rebels are brushed away from Mesilla, the overland stage from Independence, Mo., via Santa Fé, Fort Thorn, Tucson, Los Angeles, to San Francisco, can commence its trips before the snows of winter again set in. I suggest that attention be drawn to this subject even now.

I am, major, very respectfully, your obedient servant,

JAMES H. CARLETON,

*Colonel First California Volunteers, Commanding.*

Maj. RICHARD C. DRUM,

*Acting Adjutant-General U. S. Army, San Francisco, Cal.*

HEADQUARTERS COLUMN FROM CALIFORNIA,  
*Fort Barrett, Pimos Villages, Ariz., May 25, 1862.*

MAJOR: The advance guard of this column, under Lieut. Col. Joseph R. West, First Infantry, California Volunteers, took possession of Tucson, in this Territory, on the 20th instant, without firing a shot. All the secession troops who were in the Territory, and all of the secessionists, so far as we can learn, have fled—the troops to the Rio Grande, the citizens to Sonora. Our arrival is hailed with great joy by all the people who remain. We shall doubtless be able to get some forage, flour, and beef, and perhaps sugar, from Sonora, but of this I will write you in detail from Tucson in a few days.

A rumor comes from the Rio Grande that Sibley has met with a serious reverse.

I am, major, very respectfully, your obedient servant,

JAMES H. CARLETON,

*Colonel First California Volunteers, Commanding.*

Maj. R. C. DRUM,

*Assistant Adjutant-General U. S. Army, San Francisco, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 12, 1862.*

GENERAL: I have nothing later from Brigadier-General Carleton's command than was reported in my communication of yesterday.

I have this morning received reports from Colonel Lippitt, commanding the district of Humboldt. The colonel has ten companies of infantry and one of cavalry actively engaged in subduing the Indians in his district. Nearly 300 Indians have been collected and brought into Fort Humboldt preparatory to their removal to the reserva-

tion; still there is a strong band of Indians, well armed, who are constantly attacking small parties and isolated settlements. This band must be subdued and captured before we can have peace throughout that region. The country presents almost insurmountable obstacles to the movements of the troops; the dense forests, with obscure trails, with which the Indians are well acquainted, offer them every advantage. Nevertheless, Colonel Lippitt and the troops under his command have exhibited a zeal, energy, and perseverance which must ultimately result in success.

Colonel Connor, Third Infantry, California Volunteers, with his regiment, encamped near Hockton. Transportation and supplies are being collected for a movement on the overland mail route as soon as the mountain road is passable for wagons. The department quartermaster-general, Lieutenant-Colonel Babbitt, is now closing his contracts for the transportation of supplies to Ruby Valley, and also to Salt Lake.

From the district of Oregon I have nothing special to report. Colonel Steinberger having relieved Lieutenant-Colonel Cady in command of the district of Oregon, I have authorized the latter officer to remain at Fort Vancouver for the present, he being in ill-health and receiving medical treatment by the surgeon at that post.

Most of the volunteer regiments of California require a considerable number of recruits to fill them up. Owing to the pressing wants of the service, companies were organized at the minimum number and hastily thrown out to remote posts to relieve the regular troops ordered east. Those companies have received no accessions to their numbers since that time, and have been, in fact, materially reduced by the casualties of the service. Under these circumstances I would respectfully ask that authority be granted to fill the volunteer regiments in this department by re-opening the recruiting stations.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco; June 16, 1862.*

GENERAL: I have the honor to submit a copy of an order issued by General Carleton, commanding the column from California, dated at Fort Barrett, Pimos Villages, 24th May, showing the disposition of troops and progress making at that time for the re-occupation of that country.

I have reports from district of Oregon up to the 10th instant; nothing of importance has transpired in that quarter.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General; U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

GENERAL ORDERS, }  
No. 2. }

HEADQUARTERS COLUMN FROM CALIFORNIA,

*Fort Barrett, Pimos Villages, Ariz., May 24, 1862.*

1. The post on the San Pedro River in this Territory hitherto known as Fort Breckenridge will hereafter be known as Fort Stanford, in honor of the governor of the State of California.

2. Lieut. Col. Edward E. Eyre, First Cavalry California Volunteers, with all the troops of his regiment now at Fort Barrett, will proceed without delay to Fort Stanford and re-occupy it. Lieutenant-Colonel Eyre will take 100 rounds of ammunition per man, and subsistence for his command to include the 30th proximo.

3. Lieut. Col. Joseph R. West, First Infantry California Volunteers, in command of the advance guard of this column, having taken possession of Tucson in this Territory, will leave that town under the command of Capt. William McMullen, First Infantry California Volunteers, and proceed with Frite's company of cavalry, and such other troops from the advance guard as he may deem necessary, and re-occupy Fort Buchanan.

4. The post returns of Fort Buchanan, Tucson, and Fort Stanford, Ariz., for the month of May, 1862, will be forwarded through these headquarters to their proper destination.

5. The chief quartermaster, the medical director, and chief commissary will give such orders as may be necessary to aid in carrying the foregoing paragraphs into due effect.

By order of Colonel Carleton.

BENJAMIN C. CUTLER,  
First Lieutenant, First Infantry, California Volunteers,  
Acting Assistant Adjutant-General.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, June 21, 1862.

GENERAL: My latest dispatches from Brigadier-General Carleton were received this morning, dated June 1. The general was then at Fort Barrett, Pimos Villages, Ariz. The general says that the crossing "the Gila Desert was terrible." Lieutenant Thinn, commanding the light artillery battery, reached Fort Barrett on the 31st of May, and was to march for Tucson on the 1st of June; his horses in good working order, but a little thin. Thus far the expedition has been successfully prosecuted. Arizona is securely occupied notwithstanding the predictions of traitors that we should be compelled to abandon everything in the midst of the desert.

General Carleton dispatched a messenger with a communication for General Canby, but he was unable to go up the Salinas on account of the high water in that river. The general would again make an effort to communicate with Canby from Tucson.

From the district of Oregon my latest date, June 10, represents everything as quiet. Colonel Cornelius, with two companies of Oregon cavalry, had reached Fort Walla Walla, and three more companies of the same regiment had reached the Willamette Valley en route for Walla Walla.

Colonel Connor, Third Infantry, California Volunteers, with his regiment, is still encamped near Stockton, in readiness to cross the mountains at an early day. Colonel Sims, Second Cavalry, California Volunteers, now at Camp Alert, near this city, has been ordered to hold himself in readiness to move with his headquarters and two companies to join the command of Colonel Connor for the protection of the overland mail route.

I have not yet designated the positions to be occupied along the mail route, but in the absence of any special instructions from the War Department I have assumed it as important that a strong post should be established in the vicinity of Salt Lake, and contracts have been made for the transportation to that place of a year's supply for 800 men. An intermediate station, probably at Ruby Valley, will also be established for 300 men.

Under instructions from your office, Brigadier-General Alvord has reported to me for temporary duty. I have received no orders as to the wishes of the Department, as to the disposition of General Alvord, and I shall assign him to the command of the district of Oregon.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

Brig. Gen. L. THOMAS,  
Adjutant-General U. S. Army, Washington, D. C.

---

SAN FRANCISCO, June 10, 4 p. m.  
(Received 10 p. m., Washington, D. C., June 25, 1862.)

General L. THOMAS,  
Adjutant General:

General Carleton, at Pimos Village, May 25th, reports that Colonel West took possession of Tucson, Ariz., on the 20th instant, without opposition. Rebel troops fled to the Rio Grande. As soon as the rebels are brushed away from Mesilla the overland mail route will be open from Honolulu via Santa Fé, Fort Thom, Tucson, and Fort Yuma to San Francisco.

GEORGE WRIGHT,  
Brigadier-General.

[Telegram.]

ADJUTANT-GENERAL'S OFFICE,  
June 25, 1862.Brig. Gen. GEORGE WRIGHT,  
*U. S. Volunteers, San Francisco, Cal.:*If General Alvord is not needed in Pacific Department, order him to report here.  
If he is needed, assign him.L. THOMAS,  
*Adjutant-General.*HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 28, 1862.*

GENERAL: I have the honor to transmit herewith copy of a communication this day received from Brig. Gen. James H. Carleton, commanding United States troops in Arizona, dated at Tucson, June 10, 1862; also copy of a letter addressed to General Carleton by Mr. T. Scheuner, on the 11th of May, and copy General Carleton's instructions to Lieut. Col. Edward E. Eyre, First Cavalry, California Volunteers, of June 8.

I also have the honor to inclose a copy of General Carleton's proclamation of June 8. All these documents are respectfully submitted to the consideration of the War Department.

Under the circumstances of the case, and in view of the absence of all civil authority in the Territory of Arizona, I have approved of the proclamation of General Carleton and ordered its enforcement until such time as the proper civil authorities shall be duly installed, or until contrary instructions may be received from the War Department.

Very respectfully, your obedient servant.

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*Brig. Gen. L. THOMAS,  
*Adjutant-General, U. S. Army, Washington, D. C.*HEADQUARTERS COLUMN FROM CALIFORNIA,  
*Tucson, Ariz., June 10, 1862.*

MAJOR: I have the honor to report that, owing to the fact that all the buildings at Fort Buchanan had been destroyed, and to the fact that the site of that post being one of no military importance in the present condition of this Territory, I ordered it garrison to be withdrawn to this post. The colors were put up there, thus consecrating the ground anew to the country, and the general's order, so far as that post and Fort Breckenridge went, was literally fulfilled. The troops at Fort Stanford (once Fort Breckenridge) will soon be withdrawn for similar reasons, with the additional ones that its garrison, being cavalry, can find better grazing ground up the Santa Cruz River, nearer Sonora, where the horses will fare better and the troops be more cheaply and more readily supplied.

I have here Shinn's Light Battery, with the horses in good condition, two companies of cavalry, with the horses in good working order, and six companies of infantry. The remainder of the column is at present at Fort Stanford and Fort Barrett.

It would surprise you to see how the great heat and the dry air of the desert have affected our wagons. The tires have to be cut and reset and a large amount of other repairs have to be made to keep them from going to pieces. This, with our limited means for such work, is a great task, but every preparation is making for an onward movement as soon as the rains fall to fill the natural tanks between here and the Rio Grande. Now, not over one company at a time could pass a night at many of the wells, which are a march apart. The 24th of June is the average time when the rains commence.

I am making every endeavor to get supplies together against that time. Meantime I shall try to straighten up matters here, so that when a man does have his throat cut, his house robbed, or his fields ravaged, he may at least have the consolation of knowing there is some law that will reach him who does the injury. I inclose herewith a paper which seems to touch this point. I have not called it a proclamation, because, now-a-days, every military commander makes one, and I had hoped to shun, in this respect, their example. Whatever name the instrument may go by, I hope the general will see nothing in it that is not just and called for by the necessities of the case. It already seems to have gratifying results.

I shall send to Fort Yuma for confinement, starting them to-day, nine of the cut-throats, gamblers, and loafers who have infested this town to the great bodily fear of all good citizens. Nearly every one, I believe, has either killed his man or been engaged in helping to kill him. I shall send on a detailed account of the causes which justify their arrest and removal from the Territory. They should be held prisoners at Alcatraz until the end of the war, If discharged at Fort Yuma they will all get back here again and give trouble.

I have sent to arrest Mr. Sylvester Mowry and all the people at his mine. It is possible I shall be obliged to hold Mr. Mowry as a prisoner. That he has been guilty of overt as well as covert acts of treason there is hardly a doubt. I consider his presence in this Territory as dangerous to its peace and prosperity.

Inclosed are copies of certain charges against him and of the instructions for his arrest.

In a few days I will inform the general of my fortune and prospects in getting supplies from Sonora.

Thus far I have been unable to get any reliable news from the Rio Grande.

I am, major, very respectfully, your obedient servant,

JAMES H. CARLETON,

*Colonel First California Volunteers, Commanding.*

Major R. C. DRUM;

*Assistant Adjutant-General, U. S. Army, San Francisco, Cal.*

MOWRY SILVER MINE, May 11, 1862.

General CARLETON:

DEAR SIR: Seeing that you and your army have advanced to Arizona Territory and have gloriously taken possession of that Territory from those impudent rebels, I take pains to post you and your army up so you may know what is going about and around you.

Mr. Sylvester Mowry is one of the officers of the Southern rebellion, and has all the time furnished ammunition to the rebellion party and keep a good many in his place (at the mine) for to attack your troops. Nothing but a few weeks ago he has sent by Sergeant Ford 3,000 caps, powder, etc. His blacksmith and carpenter are raising a 6-pounder brass piece for to receive Northerners, as he says himself, and has offered to bet \$100 that he would be governor of the Territory in less than six months. That was last March when he offered that bet, and that he with his twenty Americans (all Southerners) could whip a hundred of your troops, etc.; and he has made port-holes all through his corral for that purpose.

If you are going up there I advise you not to go during the day-time, as he has two men constantly on the hill looking out for any of your men a coming.

It has to be during the night, after sun-down or early in the morning, and corral him in his house and a guide to enter the corral through the big gateway, as he leaves inside the corral plenty of Mexicans there to be had to show you where he lives, and tell you all about him, and there is less than half mile another town where there is a lot of Southerners also, but you can easily cut them off if you choose unless they don't take the trail to Santa Cruz, Mexico, as they very probably will, as good many have already left.

Any other news that you may wish, I shall be very happy to serve you and your people.

I remain, respectfully, yours,

T. SCHEUNER,

*Metallurgist, M. E. M.*

HEADQUARTERS COLUMN FROM CALIFORNIA,  
*Tucson, June 8, 1862.*

COLONEL: The colonel commanding confides to your charge the duty of arresting and conveying to this post, as a prisoner, one Sylvester Mowry, now at the Patagonia mines, some 90 miles distant from here, near the Sonora line.

Charges of a treasonable complicity with rebels have been preferred against Mowry, and there is little doubt but that he has rendered assistance and furnished supplies to their forces. From the moment that he falls into your hands you will interdict all communications by word or sign between him and his people, except such as you shall personally supervise.

You will seize all his personal papers and any documents of a political character that you may find on the premises and bring them to these headquarters.

You will also take into custody and bring as prisoners to this post all persons whom you find at the Patagonia mines, using such discretion in your control of them as will



prevent their doing anything to the prejudice of your movements or to the United States Government.

You will see that your prisoners have supplies for the road, and you may, if necessary, use any subsistence that falls into your hands at the mines.

You must bring every man that you arrest to this post without fail. It is reported that a respectable German was murdered quite recently at the Patagonia mines. You will make careful inquiry into this matter and report the facts.

In order to protect the interests of the owners of the Patagonia mines, on taking possession of the same, you will make a minute inventory of all the moveable property comprising mining implements and machinery, cattle, horses, arms, provisions; and any other articles appertaining to the mine. This inventory must be verified and signed in duplicate by yourself and by the two officers next in rank of your command. One copy of this inventory you will leave with the commanding officer of the guard that you place in charge of the mine, who will be held responsible for the safe-keeping and preservation of the property named upon it. You will bring all supplies, arms, and ammunition found at the mine to this post, using of either such as you may need for your command.

As soon as you have complied with the foregoing instructions, you will leave such guard in charge of the mine and property as you may deem adequate for security. Captain Willis and his 25 infantrymen will perhaps be sufficient, but of this you must be the judge. Then return with the remainder of your command to this post. Should an opportunity offer in the meantime, you will report progress to these headquarters. At the Patagonia mine, and in the vicinity and enroute thereto, you will ascertain and report upon the facilities available for subsisting troops and foraging animals.

The force intrusted to your command for the execution of the foregoing duties, comprises 60 of the First Cavalry, California Volunteers, Captain Fritz, commanding, and 25 of the First Infantry, California Volunteers, Captain Willis; the latter officer with 12 men you will find in advance at Brevort's Ranch.

The cavalry have rations to the 20th, the infantry to the 30th instant.

The whole command is supplied with 50 rounds of ammunition per man.

Inclosed herewith is an extract from a letter which should claim your careful consideration.

I have the honor to be, very respectfully, your obedient servant,

BEN. C. CUTLER,

*First Lieutenant, First Infantry, California Volunteers,*

*Acting Assistant Adjutant-General.*

Lieut. Col. EDWARD B. EYRE,

*First Cavalry, California Volunteers, Tucson.*

---

TO ALL WHOM IT MAY CONCERN.

The Congress of the United States has set apart a portion of New Mexico, and organized it into a Territory complete by itself.

This is known as the Territory of Arizona. It comprises within its limits all the country eastward from the Colorado River, which is now occupied by the forces of the United States, known as the "Column from California." And as the flag of the United States shall be carried by this column still further eastward, these limits will extend in that direction until they reach the farthest geographical boundary of this Territory.

Now, in the present chaotic state in which Arizona is found to be, with no civil officers to administer the laws, indeed with an utter absence of all civil authority, and with no security of life or property within its borders, it becomes the duty of the undersigned to represent the authority of the United States over the people of Arizona, as well as over all those who compose, or are connected with the column from California.

Thus by virtue of his office as military commander of the United States forces now here and to meet the fact that wherever within our boundaries our colors fly, there the sovereign power of our country must at once be acknowledged and law and order at once prevail, the undersigned as a military governor assumes control of this Territory until such time as the President of the United States shall otherwise direct.

Thus also it is hereby declared that until civil officers shall be sent by the Government to organize the civil courts for the administration of justice, the Territory of Arizona is hereby placed under martial law.

Trials for capital offenses shall be held by a military commission, to be composed of not more than thirteen nor less than nine commissioned officers.

The rules of evidence shall be those customary in practice under the common law.

The trials shall be public, and shall be trials of record; and the mode of procedure

shall be strictly in accordance with that of courts-martial in the Army of the United States.

Unless the public safety absolutely requires it, no execution shall follow conviction until the orders in the case by the President shall be known.

Trials for minor offenses shall be held under the same rules, except that for these a commission of not more than five nor less than three commissioned officers may sit, and a vote of the majority shall determine the issue. In these cases the orders of the officer organizing the commission shall be final.

All matters relating to rights in property and lands which may be in dispute shall be determined for the time being by a military commission, to be composed of not more than five nor less than three commissioned officers. Of course, appeals from the decisions of such commissions can be taken to the civil courts when once the latter have been established.

There are certain fundamental rules for the government of the people of this Territory, which will be rigidly enforced:

1. No man who has arrived at lawful age shall be permitted to reside within this Territory who does not, without delay, subscribe to the oath of allegiance to the United States.

2. No words or acts calculated to impair that veneration which all good patriots should feel for our country and Government will be tolerated within this Territory or go unpunished if sufficient proof be had of them.

3. No man who does not pursue some lawful calling, or have some legitimate means of support, shall be permitted to remain in the Territory.

Having no thought or motive in all this but the good of the people, and aiming only to do right, the undersigned confidently hopes and expects in all he does to further these ends to have the hearty co-operation of every good citizen and soldier in Arizona.

All this is to go into effect from and after this date, and will continue in force unless disapproved or modified by General George Wright, United States Army, commanding the Department of the Pacific, under whose orders the column from California has taken the field.

Done at headquarters of the column from California, in Tucson, Ariz., this 8th day of June, A. D. 1862.

JAMES H. CARLETON,  
*Colonel First California Volunteers, Major U. S. Sixth Cavalry.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 28, 1862.*

The proclamation of Col. James H. Carleton, now brigadier-general of volunteers, U. S. Army, dated at his headquarters in Tucson, Territory of Arizona, June 8, 1862, is hereby approved and confirmed, and will remain in full force until the civil authority shall be re-established in the Territory.

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 28, 1862.*

GENERAL: I have the honor to acknowledge the receipt of your telegraphic dispatches of the 19th and 25th of this month. In anticipation of the intentions of the War Department, I had previously assigned Brigadier-General Alvord to the command of the district of Oregon.

My latest advices from Colonel Steinberger, commanding the district of Oregon, represent everything as quiet in that quarter. Colonel Cornelius, with his headquarters and two companies of Oregon cavalry, had reached Fort Walla Walla; the balance of the regiment (four companies) would move from the Willamette Valley to Walla Walla as soon as the route over the portage at the Cascades was practicable. The unprecedented rise of the Columbia River had destroyed a portion of the railroad, swept away the bridges on the military road, and caused a suspension of the transit of troops and supplies; but I am assured by the president of the transportation company that the road will be repaired within ten days.

From the district of Humboldt I have nothing new to report; the Indians still continue to commit depredations, and Colonel Lippitt, the commander, is actively engaged with his troops in protecting the inhabitants and collecting the Indians preparatory to their removal to the reservation.

In the southern district of California quiet prevails.

Lieutenant-Colonel Evans, Second Cavalry, California Volunteers, has moved with three companies of his regiment from Camp Latham, near Los Angeles, north to the

vicinity of Owens Lake, to look after the Indians in that quarter who have assumed a hostile attitude.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 28, 1862.*

GENERAL: On the 26th instant I reviewed and inspected the Third Infantry, California Volunteers, commanded by Col. P. E. Connor, encamped near Stockton. The regiment made a very fine appearance; the arms, clothing, and equipments were in high order. The industry and untiring zeal and energy of Colonel Connor is manifest throughout. He has a regiment that the State may well be proud of. Colonel Connor has a field battery of four guns in fine order, which he will take with him on his march to Salt Lake. The colonel will march on the 5th proximo.

I am preparing the headquarters and two companies of the Second Cavalry, under Colonel Sims, now encamped at Camp Alert, near this city, to follow the movement of Colonel Connor, in connection with forces destined for the protection of the overland mail route.

Very respectfully, your obedient servant,

G. WRIGHT.

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, July 5, 1862.*

GENERAL: I have the honor to submit, for information of the War Department, the report of Major R. C. Drum, my assistant adjutant-general, of his inspection of the troops in the southern district of California.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., May 30, 1862.*

SIR: I have the honor respectfully to report that, in compliance with instructions received from the general commanding the department, I proceeded to the district of southern California, on the steamer leaving this port on the 6th of April. On my arrival at Camp Drum, which is situated half a mile back from the landing, on the main road leading to Los Angeles, on a ridge sufficiently elevated to afford drainage during the rainy season, and surrounded with abundance of grazing.

The troops were supplied with good water from wells dug within the limits of the camp. There being no timber in the immediate vicinity, fuel was supplied by contract.

During the afternoon of the 8th and morning of the 9th of April I inspected Captains Meade, Shirland, and Cremony's companies of cavalry and Lieutenant Shinn's Battery (A) of Artillery. The equipment of all these companies was complete and, with their clothing, in very good condition. The companies of cavalry were exercised in platoon and squadron, and evinced care in their instruction and a tactical knowledge on the part of their respective officers.

The battery was exercised for one hour at battery drill, and when you consider the short time in which Lieutenant Shinn has had to operate, it is not too much to say that its instruction is excellent and displays intelligence and zeal on the part of its officers.

The discipline at this camp, as well as the general appearance of the troops, was good. Their messing received the attention of company commanders and was generally very well conducted. By direction of the district commander the cooks of each company at this and other camps and posts were instructed in making bread. The object of this was to lessen the amount in bulk of subsistence to be transported. It has succeeded admirably, and the men much prefer this to the hard bread usually provided on a campaign.

At Kline's ranch I found Captain McLaughlin's company, Second Cavalry. One-third of this company are on detached service, as expressmen, teamsters, etc., and the captain could give me no satisfactory information of the condition of their horses, clothing, or equipments. The portion of the company at this station I found admirably instructed in all their duties (excepting their clothing, which is very bad), and in good condition for active service. This officer is, I think, one of the best instructed in the cavalry force from this State, and prompt and active in the discharge of all his duties.

I arrived at Camp Wright early in the morning of the 14th of April and remained there until late in the afternoon of the same day. During that time Major Coult exercised the command, which consisted of six companies of the Fifth California Volunteer Infantry, in battalion drill, both at the quick and double-quick, equipped in complete marching order. These companies have been carelessly instructed, for neither in their marching nor in executing the evolutions in battalion did they display that careful training so necessary to military movement. With the exception of Major Coult none of the officers appeared familiar with tactics, and from what I ascertained I am satisfied that no regular recitations have ever been required of them.

In Major Coult I found an exception, for he is not only familiar with all his duties, but in tactical knowledge has probably no superior in the volunteer service.

I inspected these companies at different points on the route, subsequently, and found their equipments and clothing, except in the article of knapsacks, in very good order. The latter were generally rotten, and very inferior to those used in service. I could not ascertain positively, but think that many of those on hand were made in this city; the material of which they are manufactured is not serviceable, and the officers generally prefer the old army pattern.

The messing arrangements in the several companies was very good; everything indicated neatness and a proper care on the part of the officers. Examined carefully company records and found company commanders almost totally deficient in their knowledge of keeping their accounts. There was a very general desire to be instructed, and a disposition to assume the entire responsibility of the losses resulting from their negligence in not keeping properly their clothing accounts.

The hospital at this camp was in the charge of Surgeon Wooster, Fifth Infantry, California Volunteers, and was apparently properly conducted. All the officers of the regiment appear to have great respect for and confidence in this gentleman.

Camp Wright is under the command of Colonel Bowie, Fifth Infantry. Owing to the necessities of the service the companies of his regiment have been much scattered since their arrival in the district, which has prevented his giving greater personal attention to their instruction. His recent orders, however, if faithfully carried out, will go far to remedy many of the defects now so apparent.

I arrived at Fort Yuma on the 20th of April, and reviewed and inspected the troops the next day. The garrison consisted of seven companies of the First Regiment of Infantry, California Volunteers, under the command of Maj. E. A. Rigg, same regiment. The battalion passed in review both at quick and double-quick, equipped in heavy marching order, displaying a steadiness and regularity of movement that would have done credit to regular troops.

The arms and equipments as well as the clothing of these companies were in excellent condition.

The influence of the large number of old soldiers in this regiment is made apparent in the neatness of their quarters and great care taken of their clothing and equipments, and more particularly in the messing arrangements. Indeed everything about the quarters was highly creditable.

On the 22d and 23d the command exercised at company drill; the first day at Hardee's tactics and light infantry, and the second at the bayonet exercise. I required all the company officers to drill, giving the necessary explanations previous to the execution of any command. They were generally very well instructed in tactics. The companies executed their movements in a manner displaying much care in their instruction. Much of the credit for the great degree of excellence in the military duties of this command is due to Lieutenant-Colonel West and Major Rigg, both of whom have been untiring in their efforts to make their regiment little short of regular troops. All their orders to secure this end indicate a knowledge of men and a familiarity with the details of the service.

The company books were neat, and the clothing accounts properly kept. The reports and returns required in regulations have been regularly furnished. In this, as

in all other commands in the district, I find that the men have been permitted to overdraw their allowance of clothing, many of them even exceeding eighteen months' allowance. This was owing to a want of experience on the part of company commanders and the impression that all accounts of this character were to be settled annually.

In the recent payment of the troops in this district the excess was generally deducted on the pay-rolls, so that the error is partially corrected and not likely to occur again.

Agreeably to instructions, several earth-works have been thrown up at different points around the barracks for the protection of the position from assault. In executing this it was necessary to instruct the men in making gabions and fascines, with which duty they are now familiar. The tracing of the works is, to speak critically, defective, but when you recollect that the whole was executed by officers who had no previous experience and no military works to refer to, it is altogether one of the most creditable undertakings and executed in a manner worthy of commendation.

The police of the garrison was very good, and everything indicated that the place was garrisoned by a well-disciplined regiment.

The howitzers sent to Fort Yuma by the department commander were mounted on a commanding position and a detachment well and regularly instructed by an officer of the regiment who had served in the Army.

I had now inspected all the troops connected with Colonel Carleton's expedition, and in every respect found them, so far as equipments and clothing were concerned; provided as the general commanding desired they should be, for active service in the field.

The condition and quality of the supplies pertaining to staff departments will be found in another part of this report.

Returning I arrived at Camp Latham on the 10th of May. The camp is under the command of Colonel Forman, Fourth Infantry, and its garrison consists of three companies of the Second Cavalry under Lieutenant-Colonel Evans, and three companies and headquarters of the Fourth Infantry.

I inspected and reviewed the companies of cavalry (D, G, and I) on the following day. The men rode very well and the management of their horses was excellent. The clothing of these companies was in a most wretched condition; much of the material was evidently made of shoddy and was actually rotten when received, while other parts had so faded that all trace of the original color was lost. This was particularly so with the pantaloons and caps.

The equipments generally were in pretty good order, as were also the arms. In the latter, however, many small parts in quite a number of pieces were wanting, such as screws, etc., which have been lost, no doubt in consequence of the men being permitted to take their arms to pieces. I called the special attention of company commanders to General Orders No. 2 on that subject.

The company books were neatly and carefully kept, and the messing well conducted. These companies were exercised at squadron and platoon drill, mounted and dismounted, and acquitted themselves very creditably. All the officers were familiar with the tactics and appear zealous in the discharge of all their duties. At least 90 or 100 of the horses pertaining to these companies are unserviceable for active operations. Most, if not all, these were transferred from the First Cavalry and replaced by taking good serviceable horses from the Second Cavalry. This was done by order of the district commander; the consequence is that the command in its present condition is not fitted for field service.

For some time after this exchange very serious results were apprehended, for the taking away their horses came near demoralizing the whole command. It was only the assurance that the department commander would give them an equally good remount that satisfied them that they were not entirely neglected.

The system of detachments carried on in this district has done much to weaken the authority of company commanders and interfere with the instruction of the men and officers. Nevertheless Lieutenant-Colonel Evans has, under all these adverse circumstances, kept his command in as good condition for service as could possibly have been expected. He is certainly one of the best and most reliable volunteer officers I met in the district.

I reviewed and inspected the infantry battalion in marching order, on the 11th. Their marching was very unsteady, and it is very evident that but little care has been taken in the instruction of these companies. Their clothing, equipments, and arms were in excellent condition. The company books were well kept and the messing arrangements of the companies very good.

The hospital, under the direction and charge of Surgeon Todd, Fourth Infantry, was very neat and clean; the sick were made very comfortable. The doctor represents that many of the sick belong to companies on or beyond the Colorado and are here without descriptive lists. I gave the necessary directions in the matter and suggested the propriety of discharging those of them who were permanently injured.



## STAFF DEPARTMENT.

## FORT YUMA.

Second Lieutenant Barrett, First Infantry, discharges the duties of quartermaster and commissary at the post and depot. He appears zealous in the performance of the duties assigned him, and in the transaction of the business pertaining to these departments proves himself both competent and faithful. The amount of quartermaster's funds on hand, \$21.30. The amount actually paid out from November 1, 1861, to April 1, 1862, was \$253.85, of which \$145 was for secret service, by direction of Colonel Carleton, district commander.

The outstanding indebtedness of this department is \$2,860, incurred principally as follows: For guides and expressmen, \$961; mechanic, \$76; interpreter, \$325; teamsters and extra-duty men, \$966; purchase of implements and manita, \$552.

There was a sufficient amount of clothing on hand to meet the wants of the command; it was in good condition; there was on hand 5,184 pairs of infantry booties; 1,721 flannel shirts; 800 cotton shirts; 4,252 pairs of drawers; 5,928 pairs of stockings; 1,023 blankets; 1,832 trousers; this in addition to the amount of clothing then en route of which the quartermaster had received invoices.

There was in store and en route (invoices received) 161,000 pounds of barley; a large quantity had already been thrown forward to points on the Gila. Most of the barley received at this depot by steamer was in very bad condition owing partly to the sacks being defective, but principally caused by rough handling. The result has been very great wastage.

There are but two citizens employed, one as carpenter, the other as wagon-maker. The services of one of these can I think be dispensed with now that the trains have passed beyond this point. All repairs could be made by one with the assistance of the extra-duty men.

I would respectfully recommend that instructions be given to have the quartermaster's storehouse floored; it is very much needed and would add much to the security and preservation of property as well as conduce to the comfort of those employed in it. The best floor would be one made of cement. The clothing room is quite dry and admirably adapted for storing clothing.

I have been thus minute in stating the amount of clothing actually on hand because of the general's desire that Colonel Carleton's command should have everything necessary to insure its success and the comfort of the men.

The total amount of subsistence funds received since November 1, 1861, is \$3,461.67; the expenditure for same period has been \$3,378.02, leaving a balance on hand, April 1, 1862, of \$83.65. The principal part of this expenditure has been for the purchase, under contract, of fresh beef.

The outstanding indebtedness is \$3,204.49. The amount of subsistence stores on hand and en route, 230 barrels of pork, 2,100 barrels of flour, 11,000 pounds hominy, 800 bushels of beans, 15,000 pounds of rice, 37,000 pounds coffee, 54,000 pounds sugar, and about 10,000 pounds desiccated vegetables, as also a proportionate amount of less important parts of the rations.

Stores sent by steamer to this point are generally delivered in bad condition; many packages are broken and all more or less injured, and large wastage is reported. The packages in which sugar and rice are sent from here are very bad, and I would suggest that some other mode of packing for these stores be resorted to.

There is no difficulty in preserving pork, candles, and soap if stored in the cellar of the building on the hill, which is now used for that purpose; but great wastage is reported on molasses, vinegar, pickles, and whisky. This is owing to the shrinkage of the vessels containing these stores, and although several have been tried no place has yet been devised preventing this loss. It would be advisable to send pickles in glass jars to this post, otherwise they can not be preserved. In the absence of other vegetables the commissary has purchased and issued pumpkins, which are relished by the troops.

The ordnance at this post was generally in a serviceable condition. What was not required at the post will be sent to Benicia Arsenal.

## CAMP WRIGHT.

The quartermaster and subsistence departments at this camp were under the immediate control of Lieutenant Bailey, Fifth Infantry. This officer was totally ignorant of his duties, and I had to depend for accurate information on the quartermaster and commissary sergeants. As the camp has been entirely supplied from the depot at New San Pedro, the only expenditure has been the pay of extra-duty men. The outstanding indebtedness for this purpose does not exceed \$20.

The amount of quartermaster's stores on hand, including 1,500 sacks of barley, 800 horseshoes, and 900 mule shoes; as all the trains belonging to Carleton's expedition



had passed this point previous to my inspection, most of these articles will have to be sent elsewhere, for they will not be required by the few expressmen who pass over the route.

The indebtedness of the commissary department is \$118.50, principally incurred in the purchase of fresh beef. There was on hand May 6 about 10,000 rations, except that there was of sugar, pork, and beans, respectively, 25,000, 20,000, and 10,000 rations. Nearly all of this amount would be over and above what could be required by the part of Carleton's command yet to pass Camp Wright. If the camp is to be broken up, directions should be given to have these stores removed to some point where they will be required.

#### CAMP LATHAM.

First Lieut. D. J. Williamson, regimental quartermaster, Fourth Infantry, California Volunteers, the quartermaster and commissary for this command, is intelligent and active in the discharge of his duties. He had just been assigned to them. He reports great irregularity in the discharge of these duties by his predecessors, and as evidence of the fact states that much of the public property in use is not borne on any of their returns. I advised him to take up all Government property found in camp, stating its condition. Many of the tents are much worn and were being repaired. The only outstanding indebtedness at this camp pertains to the subsistence department, and was principally for the purchase of fresh beef.

#### SAN PEDRO DEPOT.

Lieut. F. A. Morgan, Fifth Infantry, California Volunteers, is in charge of the depot at this place. He is represented as a man of strict integrity and exceedingly zealous in discharging his duties. His accounts are regularly and correctly made out, and, what is much in his favor, gives his personal attention to the business intrusted to his care.

The outstanding indebtedness of the quartermaster's department is \$21,635.14, of which \$4,125 is for purchase of mules by Captain Moore, but taken up on Lieutenant Morgan's accounts, and the balance principally for the purchase of barley and pay of teamsters. The amount of money on hand was \$61.77, received for sale of public property.

I found in store quite a number of carpenter's and mason's tools, which I advised Lieutenant Morgan to have carefully packed and in readiness to be used should they be required for Lieutenant-Colonel Evan's expedition; also 70 Sibley, 20 wall, and 25 common tents, more or less worn, 50 pack-saddles complete, and 1,900 pounds of nails.

The new buildings used for store-houses are admirably adapted for this purpose, although the ground on which they are located is very damp; yet I think they are raised sufficiently high to prevent any injurious effects.

At present there are no teams at the disposal of the depot quartermaster, consequently transportation for all stores landed on the wharf has to be hired to transport them to the warehouses, a distance of about 200 or 300 yards, which costs \$1.50 per ton. This has cost the Government during part of the month of May, 1862, \$725.25, enough almost to have purchased the mules for one team.

A corral is much needed at this point for securing the animals belonging to trains coming in for supplies; there is abundance of room on the lot ceded by Mr. Banning both for this purpose and any sheds it may be necessary to erect.

The amount of subsistence funds on hand was \$214. The expenditures in this department are very light. There was in store 38,000 rations. I would suggest that instructions be given for the troops within striking distance of this depot to draw all their subsistence from it. This will prevent the accumulation of large supplies at different points where temporary camps may be established.

In conclusion, I would respectfully suggest that in sending stores and supplies to the different points where water transportation is used, said vessels should be used whenever circumstances will permit. At every point I heard complaints of the great injury done to property carried by steamers, while all the officers stated that that sent by sail vessels was invariably delivered in good condition. This will apply particularly to Fort Yuma. I am confident that much would be gained by the use of sailing vessels to this point.

Very respectfully, your obedient servant,

RICH'D C. DRUM,  
*Assistant Adjutant-General.*

TO ASSISTANT ADJUTANT-GENERAL, U. S. ARMY,  
*San Francisco, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, July 10, 1862.*

GENERAL; My latest dates from the Department of Oregon are to July 1, when all was quiet, and my latest dates from General Carleton are of June 18, which I inclosed yesterday to you, with certain other papers. The expedition has thus far been a perfect success. Our army, with all its supplies, has advanced and passed many deserts without loss of men or property. Arizona is recovered, and now held under martial law, awaiting for the re-establishment of the civil powers, and the column from California is advancing eastward to co-operate with the forces in New Mexico.

In preparing the expedition under General Carleton, as well as the one under Colonel Connor, for the protection of the mail route, we have been compelled to make large purchases, principally of mules and means of transportation; but I can assure the Department that in all cases the greatest economy consistent with the good of the service has been practiced.

The great difficulty is to guard the public interests over such a vast extent of countries, with many small posts, some a thousand or more miles distant. However, the losses which the Government will sustain in this department, I am happy to say, will be small, and but a small portion of that can be set down to the unfaithfulness of officers or agents.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., July 18, 1862.*

GENERAL: I have nothing later from Brig. Gen. James H. Carleton than was communicated in my letters of the 9th and 10th instant.

Inclosed herewith is a copy of a communication under date of June 2, addressed to General Carleton by his excellency Ignacio Pesqueira, governor of the state of Sonora, in the Republic of Mexico.

Col. P. Edward Connor, Third Infantry, California Volunteers, marched on the 12th instant from his camp near Stockton with seven companies of his regiment, for the protection of the overland-mail route. The cavalry force designated for the same service will move on the 21st instant and report to Colonel Connor after crossing the Sierra Nevada Mountains.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

STATE OF SONORA, IN THE REPUBLIC OF MEXICO,  
*Hermosilla, June 2, 1862.*

JAMES H. CARLETON, Esq.,  
*Colonel of the First California Volunteers,  
 Major of the Sixth United States Cavalry, Commander-in-chief at Fort Yuma:*

The government of this State has had much satisfaction in receiving your official communication under date of the 2d of May.

The government esteems highly the kind offers which you make on behalf of the inhabitants of this State to the effect that they may cross the Colorado River and take advantage of the gold diggings recently discovered and sell their produce and goods to the forces under your command.

And the government has no doubt but that its inhabitants will find it to their further advantage to cultivate the best of relationship with your citizens, who, for many reasons, must be considered as both friends and brothers.

On behalf of this government you ought to be fully satisfied, dear colonel, that all my movements will correspond with the friendly demonstrations which you may manifest towards me; I following always the express orders which I have received from the Government of the Union and my own sentiments; because you will readily comprehend, dear colonel, that besides the great political interest which this Republic has in

cultivating friendship and limited relations with its neighbor of the United States, my political sympathies have been and always will be with those nations which are so fortunate as to be governed by purely democratic institutions.

The government of this State considers the assertions circulated by Mr. Reily (and to which you refer in the latter part of your communication) as exaggerated, or perhaps badly interpreted, and it even esteems, as it ought to, your delicacy or politeness in not exacting an explanation of this matter. But this delicacy corresponded compels me to make known to you that no arrangement nor agreement was entered into between the forces or authorities of the States called Confederate and this government, although it is true we offered them all the rights of the neutrality circular which we have been compelled to adopt in the question now agitating the United States.

This does not interfere in any way with arrangements or compromises which have no existence, nor does it offer any more than that which can be granted without failing in the duties of hospitality.

Be assured, dear colonel, I give you my most expressive thanks for the sympathy which you manifest for our people and our government, expressed in terms which at once set forth both your gentility and your refined education. The government repeats that these sympathies being reciprocal, I shall be compelled to correspond as far as possible, and on every occasion that may present itself.

And now, dear colonel, is the time for me to offer you my distinguished consideration and esteem.

Liberty and reformation.

J. PESQUEIRA.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., July 19, 1862.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.:*

GENERAL: In October last, when the orders for the withdrawal of the regular troops from this department reached these headquarters, General Sumner sent orders for the detachment of the Ninth Infantry, on escort duty with Lieut. John Mullan, Second Artillery, to break up and join their companies without delay.

The order found Lieutenant Mullan, with his wagon and expedition, in the Bitter Root Valley, and the mountains covered with deep snow and impassable. Under these circumstances the escort was compelled to remain beyond the mountains during the winter.

Not knowing precisely the wishes of the Government, I wrote to Lieutenant Mullan to retain the escort until he received further orders. It now appears that my letter to the lieutenant failed to reach him, and being bound by the first orders of General Sumner, Lieutenant Mullan directed the escort to fall back to Walla Walla preparatory to joining their companies.

On the 4th of June I received your telegraphic dispatch of the 2d, saying, "The escort of Lieutenant Mullan can not be withdrawn now;" orders were immediately sent accordingly, but owing to the great distance and difficulty of communicating, only met the escort as it was approaching Fort Walla Walla.

By the last steamer from Oregon I received a communication from Brigadier-General Alvord, a copy of which is herewith inclosed. I received no letters from Lieutenant Mullan.

It being too late in the season for the escort to rejoin Lieutenant Mullan, I have approved the action of General Alvord in the matter, and further directed him, if he deems it necessary, to send a company of cavalry along the Fort Benton road to communicate with Lieutenant Mullan and afford him the necessary protection.

Under these circumstances, I hope the Department will approve of my action on this subject.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

The action of General Wright is approved.  
By order of Major-General Halleck.

J. C. KELTON,  
*Assistant Adjutant-General.*

HEADQUARTERS ARMY, October 2, 1862.

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., July 10, 1862.*

Sir: Capt. S. S. Marsh, Second Infantry, commanding escort for the military road to Fort Benton, reports that he will reach Fort Walla Walla on the 15th instant. Lieutenant Hughes states that the day he left that post (the 1st of July) he saw the expressman just in from the Bitter Root Valley, who said that Lieutenant Mullan left Hell Gate on the 23d May, for Fort Benton, with the intention of returning from that point, working this way in the completion of the road. There appears to be no Indian trouble in the Bitter Root Valley.

Much delay must occur at Fort Walla Walla in paying off his employes, and in resting and recruiting his command. If Captain Marsh, under your instructions of the 14th of June, attempted to return to Lieutenant Mullan, he can not reach the Bitter Root Valley until the middle of September, when he must soon return to escape the snows of November.

Under these circumstances, I respectfully recommend that your instructions of the 4th June be countermanded, and that said command be ordered to join their respective companies.

I shall probably assume the responsibility, very reluctantly, of detaining the command to await your reply, especially as the additional transportation he brings will be very valuable at the present moment at Fort Walla Walla.

Your dispatches from Lieutenant Mullan no doubt give you all the facts. No letters from him for these headquarters arrived by this express.

I am, very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Army, Commanding District..*

Maj. R. C. DRUM,  
*Assistant Adjutant-General,  
 Headquarters Department of the Pacific, San-Francisco, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, July 25, 1862.*

GENERAL: Colonel Connor, Third Infantry, California Volunteers, with his regiment, has passed the Sierra and is probably now in the vicinity of Carson City, Nev. Colonel Sims, with headquarters and two companies Second Cavalry, California Volunteers, left this city on the 21st instant and are now advancing on the overland mail route, and will join Colonel Connor beyond the mountains. This force, with the addition of one company of cavalry from Fort Churchill, will move forward and establish a post at Ruby Valley and another in the vicinity of Salt Lake, the latter to be the headquarters of Colonel Connor. Supplies for a year are being thrown forward for all the troops on the mail route, including Fort Churchill.

In the district of Oregon all is quiet. The headquarters of the First Infantry, Washington Territory, Colonel Steinberger commanding, have been established at Fort Walla Walla. The Oregon Cavalry Companies at Walla Walla were ordered to move on the 15th July, on the emigrant road, to meet the approaching emigration and afford them protection through the Indian country.

In the district of Humboldt Indian difficulties still continue; the troops have been zealous and indefatigable in their exertions, and more than four hundred Indians have been captured and brought into Fort Humboldt, and await the action of the Superintendent of Indian Affairs for their removal to some reservation.

The Indian difficulties on Owen's Lake and River, and Mono Lake, on the eastern borders of this State, have nearly terminated, and it is expected that a permanent peace may be soon established.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, August 5, 1862.*

GENERAL: I have the honor to transmit herewith, for the consideration of the War Department, a communication addressed to you by Brigadier-General Alvord, commanding the district of Oregon.

I fully concur with the general's recommendation for the re-establishment of the

Department of Oregon, as the commander would then be clothed with more enlarged powers to enable him to meet any extraordinary emergencies which might arise in that remote quarter.

Whatever decision may be made by the War Department, I deem it of the greatest importance, having in view the great distance from the seat of Government and the present condition of our domestic and foreign affairs, that the senior officer on this coast should retain command of all the forces serving within the limits of the Department of the Pacific as now constituted.

With great respect, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., July 24, 1862.*

GENERAL: This communication I shall forward to you through the headquarters of the Department of the Pacific, and its object is to urge the importance of reviving the Department of Oregon, as established in General Orders No. 10 from the Adjutant-General's Office, dated 13th September, 1858.

I would respectfully represent that every reason which could then be urged for the measure still exists, with the additional consideration that during the existence of the civil war there must necessarily be constant apprehension that at any moment we may be plunged into a foreign war. In that case this region is the most exposed and vulnerable, as it is the most remote, of all our Territories. Fortunately the large emigration now pouring into it across the plains and from California is adding to its population good material for armies in case of trouble. But the occupation of new gold fields in the easterly portion of Washington Territory will only increase the chances of Indian difficulties.

I only repeat an argument often urged by those in command in their dispatches to the War Department from this quarter, that the length of time required for communication between this point and San Francisco is too great for the proper regulation there of military affairs in this quarter.

I understand that during the last year of the existence of the two distinct departments of Oregon and California authority existed for the senior commander to concentrate troops upon any emergency. I can see no obstacle to the existence of such a regulation, leaving otherwise the two departments in their full independence, and ready to perform the most efficient service. This provision was only a substitute for a still better arrangement, such as existed in 1850, when there was a major-general commanding the Pacific Division, embracing the two departments then called Department No. 10 (California), and No. 11 (Oregon).

The General Orders of 13th September, 1858, establishing the boundaries of the old Department of Oregon, very properly left the valleys of Rogue River and Umpqua in the Department of California, those valleys being supplied from San Francisco, and more intimately connected with it by mail and commerce.

I am, very respectfully, your obedient servant,

BENJ. ALVORD,

*Brigadier-General U. S. Volunteers, Commanding District.*

General L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, August 13, 1862.*

GENERAL: I have the honor to transmit herewith a copy of a communication received at these headquarters from Brigadier-General Carleton, commanding "column from California," dated at Tucson, Ariz., July 22, 1862; also copies of the several communications from Lieut. Col. E. E. Eyre, commanding First Cavalry, California Volunteers, dated at Fort Thorn, on the Rio Grande, on the 6th, 8th, and 14th of July, 1862; also a copy of General Carleton's order No. 16, issued at Tucson on the 17th of July.

These documents will fully inform the Department of the movements of our forces in Arizona, and the accomplishment of all that I proposed to do in my communication addressed to you on the 9th of December, 1861.

Much praise is due to Brigadier-General Carleton and the officers and men of his com-

mand, for their indefatigable exertions and patient endurance of hardships while marching through a country intersected by numerous deserts where no water was to be found. Success has thus far attended all our movements.

Colonel Connor, Third Infantry, California Volunteers, commanding the troops on the overland mail route, is now moving east from Fort Churchill with seven companies of his own regiment and three companies of the Second Cavalry under Colonel Sims.

Quiet prevails in district of Oregon.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D C.*

---

HEADQUARTERS COLUMN FROM CALIFORNIA,  
*Tucson, Ariz., July 22, 1862.*

Maj. RICHARD C. DRUM,

*Assistant-Adjutant-General, San Francisco, Cal.:*

MAJOR: In my letter to you dated June 18 I informed you that I sent Expressman John Jones, Sergeant Wheeling, of Company F, First Infantry, California Volunteers, and a Mexican guide named Chares with communications for General Canby. These men started from Tucson on the evening of the 15th June; on the 18th they were attacked by a party of Apaches, and Sergeant Wheeling and the guide, Chares, were killed, and Jones, almost by a miracle, succeeded in getting through the Indians and, after a hot pursuit on their part, made out to reach the Rio Grande at a point known as Picacho, 6 miles above Mesilla. Here he was taken prisoner by the secessionists, who brought him before Colonel Steele (William Steele, late Second Dragoons), who examined him, took his dispatches; and threw him into jail. He managed, however, to get word to General Canby that he was there, and that the column from California was really coming, an achievement that was considered absolutely impracticable. However, as soon as Steele ascertained this matter as a fact, hurried preparations were made to abandon the country. Meantime General Canby had sent a large force to Fort Craig to move on Mesilla as soon as transportation could be provided.

A strong reconnoitering force, under Lieutenant-Colonel Eyre, left Tucson on the 21st June, and after a hard march arrived at the Rio Grande near Fort Thorn on the 4th of July. On the 5th this force occupied that work, it having been abandoned by the enemy. Here the colors were run up by the California troops. Lieutenant-Colonel Eyre was then re-enforced by a squadron of the United States Third Cavalry, and having constructed a raft and built a boat was at the last advices about to cross the river to march on Fillmore and Fort Bliss in Texas. Steele meantime had abandoned Mesilla and was making his way to Texas. The Mexican population was rising on every hand and were killing his men and running off his stock. It is said that Teel's Battery, C. S. A., the one taken from Canby at Valverde, had been attacked some 30 miles below Fort Bliss and taken by the people, who had hovered around it to the number of 1,500. It was believed that neither Steele nor Teel would ever reach Texas.

Sibley and Colonel Riely had fallen back on Texas in May, leaving Steele with what was considered force enough to hold Arizona.

All this news came last night; it was brought by Captain McCleave, who had been exchanged for two lieutenants, one of whom was Steele's adjutant, who had been taken by Captain Fritz, First Cavalry, California Volunteers. Captain Fritz went after Colonel Steele with a flag of truce to effect the exchange. He overtook Colonel Steele 20 miles below Fort Fillmore in full retreat.

As you have been informed, the uncommon drought of this summer had so dried up the country that it was impracticable to move a large force in the direction of the Rio Grande until the rains commenced falling. Usually this occurs by the 24th of June, but this year there has been but little fall even yet. The column, however, has been taking the road by installments, commencing with Robert's company of infantry and Cremony's company of cavalry, which were sent with 25,000 pounds of corn and thirty days' rations for Eyre, in case he was obliged to fall back to the Rio de Sans, 128 miles from Tucson, starting on the 9th of July. (See letter to Colonel West, marked A, herewith inclosed.) I also inclose Colonel Eyre's report, dated at Fort Thorn, July 6, 1862. This officer deserves great credit for his enterprise. I trust the general will notice the conduct of himself and men. This report is marked B. I also send a subsequent report of Colonel Eyre's, dated July 8, 1862, marked C, and also one still later, dated July 11, 1862, marked D, and still another, dated July 14, 1862, marked E, and also a letter from Colonel Chivington, marked F; also a letter



from General Canby, marked G, and letters from General Canby to Colonel Chivington, dated June 9, June 16, June 18, June 27, July 1, and July 4, 1862.

I also inclose general orders numbers 10 and 11, from these headquarters.

The troops marched on the days specified. I shall leave this post to-morrow and move rapidly to the front. If a demonstration on northwestern Teaxs will serve as a diversion in favor of forces landing on the coast, that State will soon be ours. The country is still dry, but we shall do our best.

Respectfully, your obedient servant,

JAMES H. CARLETON,  
Brigadier-General, U. S. Army.

— HEADQUARTERS FIRST CAVALRY, CALIFORNIA VOLUNTEERS,  
Fort Thorn, Ariz., July 6, 1862.

LIUTENANT: In compliance with orders received from the colonel commanding, dated June 17, 1862, I have the honor to make the following report:

June 21.—Left Tucson at 3 o'clock a. m., with Captain Fritz, Lieutenants Hayden and Baldwin, First Cavalry, California Volunteers, and one hundred and forty men. Marched 35 miles to Cienegas de los Pimos, and encamped at 12.30 p. m. Water and grazing abundant. The road to-day is very good, with the exception of two or three hills. At a distance of about 28 miles the road descends into the cienega, then 7 miles to water near the burned station which stood on the hill to the right of the road. Course southeast; 35 miles.

June 22.—Left cienega at 6 a. m., marching over a high rolling country, but good wagon road and splendid grazing all the way for a distance of about 22 miles, when the road descends through a cañon for 1 mile, and then opens on the San Pedro Valley; 2 miles further the river is reached at the overland mail station. Strong bridge over the river. Water and grass abundant. Wood very scarce. Course northeast; 25 miles.

There found the name of Jones, the expressman.

June 23.—Left camp at crossing of the San Pedro at 7.30 a. m. The road at once leaves the river and enters a valley about 1 mile wide and 4 miles long, when it terminates at the foot of the mesa, which is gained through a narrow cañon in which is a long but not very steep hill. The cañon is about 1½ miles, when the top of the mesa is reached; then about 14 miles to overland station at Dragon Springs, at which place we arrived at 12.30 p. m. and camped. Found water sufficient by digging up the cañon two miles, the trail to which is difficult in some places to lead animals over. Course northeast; 19½ miles.

June 24.—Left Dragon Springs at 10.30 a. m. Was detained in consequence of scarcity of water. Marched 25 miles over an excellent road to Ewell's Station, arriving there at 5.30 p. m. Sent Captain Fritz and 6 men with spades to examine the spring in the mountain north of the station. He returned to station by the time the command arrived, and reported only enough water for the men. Camped at 6 p. m. Course northeast; 25 miles.

June 25.—Left Ewell's Station at 1 a. m. Marched 15 miles over a very hilly and in places a very rocky road to station in Apache Pass and camped at 6 a. m. Water scarce. No grass. Course northeast; 15 miles.

About 12 m., I being engaged at the spring superintending the watering of animals, it being necessary to dip it with tin cups, four shots were heard in the vicinity of where the horses that had been watered were being grazed under a strong guard. Immediately thereafter it was reported that Indians were in sight, and that the guard had fired to give the alarm. Almost immediately thereafter it was reported to me that the Indians were waving a white flag. I at once started for them, taking with me a white flag, and Mr. Newcomb as interpreter. At the end of about one hour I succeeded in getting sufficiently near one of them to be understood. I explained to him what I desired, and asked for the chief. At this time at least 75 to 100 Indians were in sight, many of them mounted on good-looking horses, and all of them armed with fire-arms—some with rifles and six-shooting pistols. Of the latter I observed a great number, and occasionally single-barreled shotguns.

When the chief came forward I told him we were Americans, and that our great captain lived at Washington; that we wished to be friends of the Apaches; that at present I was only traveling through their country, and desired he would not interfere with my men or animals; that a great captain was at Tucson with a large number of soldiers; that he wished to have a talk with all the Apache chiefs and to make peace with them and make them presents. He professed a great desire to be friendly with the Americans, and assured me that neither my men nor animals should be molested.

He asked for tobacco and something to eat. I gave him all that could possibly be spared, and we parted with a request on his part that I would meet him at the same

place at sunset. On my return it was reported to me that three of the men were missing. A party of 30 was at once sent out in the vicinity of where the firing was heard, and after an hour's search the bodies of the missing men were found, stripped of all their clothing, and two of them scalped. Each was shot through the chest with fire-arms and lanced through the neck.

They were victims to their own imprudence, the entire command having been repeatedly warned by me not to wander from camp. It appears they had started leading their horses from the spring where the watering was being done, over the ridge into another gulch, when they came on the Indians and were murdered. The Indians succeeded in getting one horse. When the bodies of our murdered men were found, instant pursuit of the Indians was made, some of whom were seen on a hill half a mile distant, but being unable to come up with them a return to camp was ordered, carrying in the dead bodies, which were buried, the entire command being present.

The animals now being all watered, or as much as could be obtained for them, and there being very little grass in the pass, at 6 p. m. left camp, marched out and made a dry camp on the plain, 2 miles beyond the cañon. Course, east-northeast; 4 miles.

At 11 p. m. a volley of six or eight shots was fired into camp wounding Acting Assistant Surgeon Kittridge in the head and killing one horse at the picket line.

June 26.—Left dry camp No. 1 at 3.30 a. m.; marched 15 miles over an excellent road to San Cimon Station; then turned square to the right and marched 13 miles up the dry bed of the river to a large cienega, and camped at 2 p. m. Course, east-northeast and southeast; 28 miles.

This is a splendid camping place, water and grass in the greatest abundance.

The proper road to the cienega turns to the right from the stage road, about 6 miles from Apache Pass and around the point of mountain. It comes on the San Cimon, 1 mile below the water.

At 12 midnight camp was alarmed by shot fired by one of the guard. On examination it was found to be a coyote which he mistook in the dark for an Indian crawling through the scattered bushes, but which he instantly killed. This was a very hard day's march on men and animals, being obliged to leave dry camp without breakfast, owing to the scarcity of water, having but eight 5-gallon kegs in which to carry water for the men, and not being able to get at the pass as much water as the animals required.

June 27.—Laid over.

June 28.—Left camp at Cienega of San Cimon at 4 p. m.; marched 5 miles north northeast to the pass in the mountains; road heavy. On arriving at the pass found the road through it very good, and the pass wide. Marched 15 miles from San Cimon and made dry camp No. 2 at 10.15 p. m. Course, north-northeast; 15 miles.

June 29.—Left dry camp at 4 a. m.; marched 9 miles to Lightendorffer's well, in Round Mountain Cañon; road good; well on right of and close to the road. It is about 8 feet square and 7 deep; rock bottom. Halted at well one hour; obtained a very limited supply of water for my command.

This is a tolerably good camping place for three companies of infantry. By care they could obtain sufficient water, which is good.

Left Lightendorffer's well at 8 a. m.; marched 22 miles to Densmore's Station (Soldier's Farwell) at 5 p. m. and halted. Discovered here a small spring about 2 or 3 miles up the arroyo north of station, and a hole of bad water 800 yards south of station. Left Densmore's Station at 8 p. m.; marched 14 miles to Cow Springs and camped at 12 midnight. Water and grazing abundant. The road from the cienega of San Cimon to this place is good for loaded teams, excepting 4 or 5 miles to the pass. Course, northeast; 46 miles.

Soon after leaving Densmore's Station found two men on the side of the road under rather suspicious circumstances; took three letters from them; one directed to commander of Federal forces at Tucson or en route. Put the men in charge of guard and brought them back. Letters herewith inclosed, marked Nos. 1, 2, and 3. There discovered nine men camped who proved to be a party sent by Colonel Chivington, commanding southern military district of New Mexico at Fort Craig, with a letter to Colonel Carleton, with verbal orders to deliver it to the commander of the advance of his column when met with, and return to Fort Craig. Read the communication and returned Mr. Milligan and one of his party with the answer to Fort Craig, at 3 p. m. on the 30th instant, at which place he would arrive on the evening of the 2d proximo. Letter of Colonel Chivington and my answer thereto herewith inclosed.

From Mr. Milligan I learned of the capture of Jones, the expressman, by the secessionists at the Pichaco near Messilla, his two companions having been killed by Indians at Apache Pass, and himself chased by them for a great many miles. This information was brought to Fort Craig by a friendly Mexican who was present at the capture of Jones.

June 30.—Laid over.

July 1.—This morning a number of men were discovered by the lookout approach-

ing from the direction of the Pino Alto gold mines; sent out a party and brought them into camp. They proved to be a party of thirty Mexican miners returning to Sonora in consequence of the almost total absence of provisions at the mines. Allowed them to proceed on their journey.

Left Cow Springs at 8 a. m.; arrived at the Rio Mimbres at 1 p. m., and camped two miles above station. Water and grazing abundant, and of the best quality; road good. Course northeast; 16 miles.

July 2.—Laid over.

At 1 o'clock this morning one of the pickets discovered persons approaching camp. They were arrested and brought in, twelve men and two women, one a German, the other Mexicans. They also were from the mines en route for Messilla. Ordered them confined in order to secure the secrecy of my movements. At 9 a. m. sent out party of twenty men to examine Cooke's Cañon, with orders to arrest, if possible, all persons they may meet with, and remain at Cooke's Spring until the command came up.

July 3.—Left Mimbres River at 6 a. m. Marched 12 miles over a good road to Cooke's Pass. From here to Summit, road hilly; a long, rocky, but not very steep hill brings you to the top of the pass; from there the descent to the spring is good. Distance from pass to spring 6 miles. Course north-northeast and northeast; 18 miles.

There came up with the party sent in advance yesterday. They reported no person in sight and no fresh traces.

July 4.—Left Cooke's Spring at 6:30 a. m. Took Fort Thorn road, which keeps a north-northeast course, while the Messilla road turns to the right immediately at the springs and bears east-northeast, passing the overland mail station which is seen on the hill about a half mile distant. Marched 13 miles to Mule Spring (good road). Here no water could be found, even by digging, having sent a party in advance with spades for that purpose.

Left Mule Spring at 12 m. Marched 22 miles to the Rio Grande, and camped at 7 p. m., near Fort Thorn. Course north-northeast and northeast; 35 miles.

The road for about 8 miles after leaving Mule Spring is very good, when it enters a rolling country, the hills becoming more and more abrupt for a distance of about 6 miles, when it descends into a broad cañon which is followed (on a good road) to the river.

Immediately on making camp the national colors were raised amid the long and continued cheers of the assembled command. This was the first time the stars and stripes floated on the Rio Grande below Fort Craig since the occupation of the country by the Confederate troops, and it being the anniversary of our National Independence was not calculated to dampen the ardor of the command.

We are now within 35 miles of the enemy, which the prisoners whom I have taken variously estimates from two hundred to eight hundred strong. As soon as the horses have a little recruited—they being considerably reduced on a march of about 300 miles through a broiling sun, and over a country utterly destitute of water for distances ranging from 35 to 60 miles—will reconnoiter his position and endeavor to ascertain his strength, which I have but little doubt of accomplishing, and in case he does not greatly outnumber me, will give him a fight.

July 5.—Moved 3 miles down the river to and re-occupied Fort Thorn; three miles.

I am, lieutenant, very respectfully, your obedient servant,

S. E. E. EYRE,

*Lieutenant-Colonel First Cavalry, California Volunteers, Commanding.*

Lieut. BEN. C. CUTLER,

*Acting Assistant Adjutant-General, Column from California, Tucson, Ariz.*

---

HEADQUARTERS CAVALRY, CALIFORNIA VOLUNTEERS,  
Fort Thorn, Ariz., July 8, 1862.

LIEUTENANT: I have the honor to report the re-occupation of Fort Thorn by the squadron of First Cavalry, California Volunteers, under my command on the evening of the 5th instant. Immediately thereafter the national colors were run up and the old flag once more floated over the garrison.

On the morning of the 6th instant an express arrived from Fort Craig with a communication from Colonel Chivington, First Colorado Volunteers, commanding Southern Military district of New Mexico, a copy of which is herewith inclosed. He also sent a communication addressed to Colonel Steele, Confederate States Army, empowering me to negotiate an exchange for Captain McCleave and the men who were made prisoners with him.

Soon after the express from Colonel Chivington arrived a party of men were seen approaching from the direction of Messilla; one of them proved to be Captain

McCleave on his way to Fort Craig, bringing with him a proposition from Colonel Steele for an exchange for Captain Gardner, Confederate States Army. Having learned from the expressman just arrived that Captain Gardner died a few days since, I at once sent Captain Fritz, First Cavalry, California Volunteers, to Fort Fillmore with a request to Colonel Steele to name any other captain General Canby had made prisoner in exchange for Captain McCleave.

Also proposing an exchange for the men taken with him, as well as an exchange for our expressman, Jones, and a Mr. John Lemon, of Messilla, who was extremely kind to Captain McClure during his confinement, and who had horses ready saddled and hid out for Jones's escape; he was ordered to be hung, and was taken out to a tree for that purpose, but after hanging a Mr. Marshall, who was taken out with him, his execution was postponed. Captain Fritz will probably be back to-night, when I will at once send Captain McCleave with a party of twenty-five men through to Tucson. It is not safe for a less number to travel that road on account of the Indians, and even then with the utmost caution.

If it is the desire of the colonel commanding to keep open communication between Tucson and the Rio Grande, I would respectfully recommend that a company of infantry be stationed at Dragoon Springs and two companies at the Apache Pass. That corps would be far more effective against the Indians in the rugged mountains at the points above named than cavalry; besides horses could not be kept in flesh on the dry grass alone; they would be utterly useless in two weeks' riding. At this season of the year sufficient water and of a good quality can be obtained for two companies of infantry at the foot of the mountain 4 miles north of Ewell's Station. The spring is prominently marked by a large white spot on the mountain, which is directly over the water.

The Rio Grande has been unusually high this summer, almost the entire bottom between Fort Craig and Messilla being still overflowed. It is impossible at this time to approach Messilla on the west side of the river, a new channel having been washed out on that side of the town, through which the largest portion of the water flows; besides the bottom for a long distance is overflowed, and the soil being of a loose nature animals mire down in attempting to get through it.

This morning I sent Captain McClure with a small party to examine the San Diego crossing, 18 miles below here, to ascertain if the river can be forded at that point.

The moment a crossing can be effected it is my intention, unless otherwise ordered by General Canby, to move on Messilla and reoccupy Forts Fillmore and Bliss. When that is done that portion of the proclamation of the colonel commanding will not only have been carried out, but the sacred soil of Texas will have been invaded.

Captain McCleave reports Colonel Steele, with the rear of Sibley's brigade, making hurried exertions to get away from Texas. He is pressing every team, both mule and oxen, he can find into service, compelling the owners, generally Mexicans, to take Confederate scrip therefor. The same mode is resorted to by him in regard to provisions.

Captain Howland, Third United States Cavalry, in advance of his squadron, has just arrived. His command, one hundred men, will probably be here this evening. His horses are in shocking condition. Should we come up with Colonel Steele, and a mounted charge be made, it must be done by the squadron of my regiment.

On the capture of Jones greatly increased exertions were made by Colonel Steele to get away. Messilla was evacuated and Captain McCleave, who was at that time on parole to the limits of the town, immediately confined under a strong guard. Mr. White, of the Pimo villages, has been released, and will probably be here with the return of Captain Fritz. The horses are out grazing, under a strong guard, from daybreak until dark; then tied up to the picket-line, with as much grass as they eat during the night. They are doing very well, but have not yet recovered from the effects of the very distressing march from Tucson here. Captain McCleave has just returned and reports the road down the river almost impassable for loaded wagons, and the river swimming at the crossing.

July 9.—Sent Captain McCleave, with an escort and two wagons, to Fort Craig for supplies. The squadron of the Third United States Cavalry, one hundred strong, arrived and gone into quarters at this post.

Captain Fritz returned this evening, having effected an exchange for Captain McCleave and others named in my communication to Colonel Steele, a copy of which is herewith inclosed.

Two lieutenants were given in exchange for Captain McCleave, as Colonel Steele affected to know of no captain of theirs for that purpose, although there are a number. His real object was to exchange for officers of his own regiment only.

About 6 o'clock this evening an express arrived from Captain McCleave informing me of an attack on his party as they were moving up the river, by the Navajos, sixty or seventy strong; that he had made camp, but was being surrounded by them. I immediately sent Captain Howland with Lieutenant Baldwin and forty men to his relief.

I forward herewith, for the information of the colonel commanding, all communications received or written by me since my arrival on the Rio Grande.

I am, lieutenant, very respectfully, your obedient servant,  
E. E. EYRE,

*Lieutenant-Colonel First Cavalry, California Volunteers, Commanding.*

Lieut. BEN. C. CUTLER,  
*Acting Assistant Adjutant-General, column from California, Tucson, Ariz.*

HEADQUARTERS FIRST CAVALRY, CALIFORNIA VOLUNTEERS,  
*Fort Thorn, Ariz., July 14, 1862.*

LIEUTENANT: I have the honor to report the arrival here on yesterday of another express from General Canby, the second one alluded to in Colonel Chivington's communication of the 7th instant.

\* \* \* \* \*

I leave here to-morrow morning with my command for Messilla.

On examination I found the road from here to Rough and Ready Station impracticable and have determined to make a road to the San Diego Crossing, and then pass the river on a raft, which I am now having made for that purpose, and which will be floated down to the crossing. The road on the east side of the river from San Diego to Messilla is good. It is my determination, unless otherwise ordered, to hoist the national colors over Messilla, Fort Fillmore, and Fort Bliss before the end of the present month.

\* \* \* \* \*

I neglected in my report of the march to this place to give the names of the men killed by the Indians at Apache Pass. Their names are Privates James F. Keith, Peter Maloney, and Albert Schmidt, of Company B, First Cavalry, California Volunteers.

I am, lieutenant, very respectfully, your obedient servant,  
E. E. EYRE,

*Lieutenant-Colonel First Cavalry, California Volunteers, Commanding,*

Lieut. BEN. C. CUTLER,  
*Acting Assistant Adjutant-General, column from California, Tucson, Ariz.*

GENERAL ORDERS, }  
No. 10. }

HEADQUARTERS COLUMN FROM CALIFORNIA,  
*Tucson, Ariz., July 17, 1862.*

The column from California will move to the Rio Grande in the following order:

1. On the 20th instant, Col. Joseph R. West, First Infantry, California Volunteers, with companies B, C, and K of his regiment, and Company G, of the Fifth Infantry, California Volunteers. This command, at the Rio de Sanz, will receive the addition of Company E, of West's regiment, and Thompson's mounted howitzers. Maj. Theodore A. Coult, of the Fifth Infantry, California Volunteers, is assigned to duty with this command. Colonel West will take 40,000 rounds of rifle-musket ammunition.

2. On the 21st instant a second command, consisting of Shinn's light battery, United States Third Artillery, and Companies A, First Infantry, and B, Fifth Infantry, California Volunteers, will take up its line of march for the Rio Grande. This command will be supplied with all the artillery ammunition now here which pertains to Shinn's battery and 17,000 rounds of ammunition for the rifle-musket.

3. On the 23d instant a third command under Lieut. Col. Edwin A. Rigg, consisting of Companies I, F, D, and H, First Infantry, California Volunteers, will start for the Rio Grande. This command will have 28,000 rounds of ammunition for the rifle-musket.

4. Each of these commands will be supplied with subsistence for thirty days, with at least two tents for each company, and with a good supply of intrenching tools. Each command will also have one hospital tent (complete) and an ambulance for the sick and wounded, and will have a forge and material for shoeing horses and mules, and also a water-tank and a good supply of water-kegs.

5. On the 31st instant a train of wagons laden with forty day's supplies of subsistence for the whole command hereby ordered forward, with the following ammunition, viz, 40,000 rounds for the rifle-musket, 30,000 rounds for the Sharp's carbine, and 20,000 rounds for the navy size Colt's revolver, together with such other supplies of clothing, tents, tools, spare wagon timbers, leather, wagon grease, horseshoes, mule shoes, horseshoe nails, stationery, etc., as may be required, will leave Tucson for the Rio Grande, escorted by Companies A, Fifth Infantry, and A, First Cavalry, California



Volunteers, each furnished with sixty days' rations. This command will have an ambulance, forge, and water-tank, and such other articles as may be required to render it efficient.

6. Company D, First Cavalry, California Volunteers, will move from Tubac directly for the crossing of the San Pedro, where it will arrive on the 22d instant. From that point it will form the advance guard of the column, and habitually, unless otherwise ordered, will march one day in front of West's command.

7. Captain Cremony's Company B, of the Second Cavalry California Volunteers, will march near the head of the column to serve as flankers or as videttes, as occasion may require.

8. The staff officers attached to these headquarters, except the chief commissary, will, until further orders, move with West's command. Surgeon Prentiss, First Cavalry, California Volunteers, will move with the second command, and Surgeon Wooster, Fifth Infantry, California Volunteers, will move with Rigg's command.

9. The chief quartermaster, chief commissary, and medical director are charged with giving the most perfect efficiency possible to all matters pertaining to the public service in their several departments, keeping in mind the fact that this column is presumed now to move forward prepared at all points to engage the enemy at any moment by night or by day. Let nothing be omitted or neglected which will give due effect to this idea, whether on the march or on the field of battle.

10. That every soldier may move forward with a light, free step, now that we approach the enemy, he will no longer be required to carry his knapsack.

11. This is the time when every soldier in this column looks forward with a confident hope that he, too, will have the distinguished honor of striking a blow for the old Stars and Stripes; when he, too, feels in his heart that he is the champion of the holiest cause that has ever yet nerved the arm of a patriot.

The general commanding the column desires that such a time shall be remembered by all, but more particularly by those who, from their guilt, have been so unfortunate as to be prisoners on such an occasion. He therefore orders that all soldiers under his command who may now be held in confinement shall be at once released.

By command of Brigadier-General Carleton.

BEN. C. CUTLER,

*First Lieutenant, First Infantry, California Volunteers,  
Acting Assistant Adjutant-General.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, September 1, 1862.*

GENERAL: Colonel Connor, with seven companies of Third Infantry, California Volunteers, and three companies Second Cavalry, will reach Ruby Valley to-day en route for Salt Lake. The command is in good health, and under the admirable discipline established by Colonel Connor is perfectly reliable for any service required of it. From Brigadier-General Carleton I have no late official reports. He has a fine body of troops, probably now on the Rio Grande; I shall continue to throw forward supplies to meet all his wants. From the district of Oregon I have nothing special to report; all is quiet in the Indian country, and a strong cavalry force is on the road to protect the approaching overland emigration. In the district of Humboldt the Indian disturbances still continue; the troops under Colonel Lippitt, Second Infantry, California Volunteers, are vigorously prosecuting hostilities; many Indians have been killed, and we have now some eight hundred at the different military stations who have either been captured or who have voluntarily surrendered. The superintendent of Indian affairs has made arrangements to have all these Indians placed on a reservation on Smith's River, in the north west section of the State of California. The steamer which leaves here on the 5th instant will transport the Indians to Crescent City, near which point I have a battalion of the Second Infantry, California Volunteers, to take charge of them. I have brought down from Oregon the residue of the Second Infantry, California Volunteers, and sent them to service in the district of Humboldt. I have also brought down from Humboldt the three companies of the Third Infantry, California Volunteers (Connor's regiment), preparatory to their movement in the direction of Salt Lake. The Washington Territory regiment, Colonel Steinberger, is doing well. Six full companies have been raised here; five of them are now in the district of Oregon, and the sixth will go up on the next steamer. I have never received any special instructions as to the disposition of the forces I designated for the protection of the overland mail route, but I have assumed it as a matter of course that the route between this and Salt Lake City came under my special supervision, and have acted accordingly.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*



[Telegram.]

WASHINGTON, *September 15, 1862.*

Brigadier-General WRIGHT,  
*San Francisco, Cal.:*

It has been proposed to send a regiment of five companies of cavalry from California to New Mexico. Could they at this season pass over the southern route without serious difficulty?

H. W. HALLECK,  
*General-in-Chief.*

SAN FRANCISCO, CAL., *September 27, 1862.*

Maj. Gen. HENRY W. HALLECK,  
*Washington, D. C.:*

It is too late to raise a new regiment and pass it over the southern route this season. The troops on this coast should not be sent beyond my control; they may be needed here.

GEORGE WRIGHT,  
*Brigadier-General, U. S. Army, Commanding Department.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, September 15, 1862.*

GENERAL: Inclosed herewith is a copy of a telegraphic message sent to the Secretary of War on the 12th instant, signed by his excellency Governor Stanford and myself. I hope that authority will be granted to raise another regiment of volunteer infantry in this State. The force at my immediate disposal is small. The large command dispatched to the Rio Grande under Brigadier-General Carleton and the command of Colonel Connor on the overland mail route has reduced my force much, yet I have troops enough for all present purposes, although an emergency might arise requiring an increase. The late election in this State passed off very quietly, resulting in the success of the Union ticket by large majorities. But our enemies are not idle; they are making every effort to depreciate our Government and our currency. I have had interviews with the governor of the State, the United States marshal, collector, postmaster, and chief of police, and I am happy to find that perfect harmony exists amongst them all, and that I can rely with perfect confidence upon receiving their cordial support in maintaining the supremacy of our laws and the enforcement of the orders lately received from the War Department.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General, U. S. Army, Washington, D. C.*

[Telegram.]

SAN FRANCISCO, CAL., *September 12, 1862.*

SECRETARY OF WAR, *Washington, D. C.:*

The undersigned respectfully recommend that another regiment of infantry be raised in California.

LELAND STANFORD,  
*Governor of California.*  
 G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Official.

RICHARD C. DRUM,  
*Assistant Adjutant-General.*

EXECUTIVE DEPARTMENT,  
Carson City, September 15, 1862.

Brigadier-General WRIGHT, U. S. ARMY,  
*Commanding Pacific Department;*

SIR: I have seen an order issued from the Department at Washington in relation to the treatment of prisoners who speak disrespectfully of the Government. I see likewise that you are about to appoint a military commission to act upon and decide the several cases arising in this department. How are we to bring such cases before said commission? Is there power; if so, where does it exist, to transport them across the mountains? Can we have a commission appointed for this Territory? Treason is very openly spoken here now since Colonel Connor's proclamation. The trouble lies here in the fact that there is only one company stationed at the fort, and they can raise a force any day more than sufficient to overpower them. To obviate this difficulty I can furnish you with two or three companies or have them at hand subject to call if you can furnish them with arms. The arms that we had are now pretty much distributed to such companies as have and are now forming. I have taken pains to so distribute these companies as to secure the greatest efficiency in case of trouble. I am quite apprehensive that there is a band of guerrillas forming in this Territory to burn, rob, and plunder all of the loyal citizens they can reach. They formed under the pretense of going East to join the rebel army, and received material aid from the rebel sympathizers here to help them across. They now think they are urking about the country, and threaten to destroy it. I am quite certain that these Indian difficulties on the Plains are brought about by the interference of the secessionists. I am of the opinion that there will be a necessity for stationing troops from the Humboldt to Ruby Valley. There has been some bloody work there within a few days.

I think a portion of the command destined for Salt Lake should halt in the neighborhood of Gravelly Ford until the emigration has passed. The depredations appear to be committed north of the line of march of Colonel Connor's command; the troops keep the mail road and the emigration north. It seems too bad that so many should be killed so near their journey's end.

You will know much better than I do what to do. I will inclose a copy of a letter from my Indian agent from Humboldt showing the state of things there, and I have to-day heard of much more bloody butchery. If I can procure arms I can put a thousand good men in a condition to render good and efficient aid in any emergency. Can I do it? I see a troublesome winter before us and am anxious to be prepared for it. How to be prepared and what to do are the points upon which I desire your counsel and advice. I hear the mutterings and desire to prepare for the storm. At the bottom of all these troubles are the cursed rebels. If we could send them all to Alcatraz the troubles would end. The sooner the work is commenced and consummated the better. If we could have those in our midst removed the exciting cause would be gone.

If you will advise me in relation to—

First. What is the best to be done with the traitors and how it is to be done?

Second. What can be done with the Indian troubles?

Third. In relation to arms, etc., I will be much obliged to you.

I have the honor to be your humble servant,

JAMES W. NYE,  
*Governor of Nevada Territory.*

---

GENERAL HEADQUARTERS, STATE OF CALIFORNIA,  
ADJUTANT-GENERAL'S OFFICE,  
Sacramento, September 20, 1862.

GENERAL: Permit me to introduce to your notice Messrs. W. H. Beatly, Edward I. Robinson, and F. R. Jones, all citizens of Sacramento.

These young men are extremely anxious to serve their country in this its hour of peril, and desire if possible to raise a company of one hundred men in Sacramento, who shall form a part of the regiment from California to be accepted by the Government for service at the seat of war.

They are gentlemen of high standing in this community, full of patriotism, energy, and enterprise. Any courtesies you may be able to show them to aid them in this most noble enterprise will be appreciated by them and the community, and greatly oblige,

Your obedient servant,

WILLIAM C. KIBBE,  
*Adjutant-General State of California.*

Brig. Gen. GEORGE WRIGHT,  
*Commanding Pacific Department, U. S. Army, San Francisco.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, September 22, 1862.*

GENERAL: I have the honor to inclose herewith a copy of a communication from Col. P. E. Connor, Third Infantry, California Volunteers, commanding the district of Utah, dated at Fort Ruby, Ruby Valley, September 14, 1862.

Colonel Connor is now on his march to Salt Lake, and I have instructed him to take up his position at the place he suggests, 3 miles from the city, as that appears to be the best location for the accomplishment of the object in view, viz, the protection of the overland mail route and the due execution of the laws of the United States.

The energy of Colonel Connor, coupled with his sound judgment and decision of character, point him out as eminently fitted for the command with which I have intrusted him.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DISTRICT OF UTAH,  
*Fort Ruby, September, 14, 1862.*

MAJOR: I have the honor to report my return to this post from Salt Lake last evening. I am glad I made the journey, as it will be the means of saving my command much suffering for want of water.

The country between this place and Salt Lake is an alkali desert, scarce of wood and water, but I have made such arrangements as will enable me to take my command over with comparative comfort.

It will be impossible for me to describe what I saw and heard in Salt Lake, so as to make you realize the enormity of Mormonism; suffice it, that I found them a community of traitors, murderers, fanatics, and whores. The people publicly rejoice at reverses to our arms, and thank God that the American Government is gone, as they term it, while their prophet and bishops preach treason from the pulpit. The Federal officers are entirely powerless, and talk in whispers for fear of being overheard by Brigham's spies. Brigham Young rules with despotic sway, and death by assassination is the penalty of disobedience to his commands.

I have a difficult and dangerous task before me, and will endeavor to act with prudence and firmness. I examined the country in the vicinity of the city to find a suitable location for a post.

Fort Crittenden (Camp Floyd) is in ruins, except the few buildings, of which I send you a description, and for which the owner asks \$15,000. There are also some buildings purchased by and belonging to the Overland Mail Company, and now occupied by them, but which are not for sale. Of the remaining buildings there is nothing left but the adobes, except two or three buildings owned by former sutlers, which are in tolerable repair, and could be purchased cheap. If it were designed to establish a permanent post, most of the buildings would have to be torn down and removed, as many of them are half a mile from the officers' quarters, or what was known as headquarters.

The latter buildings are the only ones in tolerable repair, the others require doors, windows, and considerable work to place them in habitable order. The land is considered a Government reserve, but the post is badly located, being on the edge of the reserve and adjoining a small village, inhabited by a class of persons of questionable character. There is good grazing on the reserve, which is the only redeeming quality, in my opinion, it has. There are sufficient adobes on the ground to erect such additional buildings as I may require, but good timber is scarce, and the saw-mills are 60 miles distant.

I found another location, which I like better, for various reasons, which I shall explain. It is on a plateau about 3 miles from Salt Lake City; in the vicinity of good timber and saw-mills, and at a point where hay, grain, and other produce can be purchased cheaper than at Fort Crittenden. It is also a point which commands the city, and where 1,000 troops would be more efficient than 3,000 on the other side of the Jordan. If the general decides that I shall locate there, I intend to quietly entrench my position, and then say to the saints of Utah, enough of your treason; but if it is intended that I shall merely protect the Overland Mail and permit the Mormons to act and utter treason, then I had as well locate at Crittenden.

The Federal officers desire and beg that I will locate near the city. The governor especially is very urgent in the matter. It is certainly rather late in the season to

build quarters, but I believe I could make my command comfortable before very cold weather sets in.

It is raining here now, and snowing on the surrounding mountains. It is important that I should know the general's decision as soon as possible, as winter is fast approaching. Communication by mail or telegraph will, until my arrival at Salt Lake, reach me earlier by being directed to Ruby Valley than to any other point.

I have the honor to remain, your obedient servant,

P. EDWARD CONNOR,  
Colonel Third Infantry California Volunteers,  
Commanding District of Utah.

Maj. R. C. DRUM,  
Assistant Adjutant-General, San Francisco, Cal.

*Description of property for sale at Fort Crittenden, by P. J. Hickey, for the sum of \$15,000.*

Old stable, 40 by 300 feet, only good for the lumber, say about 25,000 feet.  
Old stable, in ruins, about 5,000 feet of poor lumber.  
Quartermaster's employes mess-houses, good only for the lumber in them, about 15,000 feet.

Three warehouses, 25 by 100 each, only needing slight repairs.  
Five old buildings, only good for doors and window panes in them.  
Dyer & Bros.' store, 25 by 50, two stories, in good order.  
Nine buildings, known as headquarters, in tolerable order, requiring some doors and windows; of sufficient capacity for the officers of the command, with outhouses.  
Ice-house and stable, 30 by 60, in good order, in the rear.

Seven company quarters, known as Seventh Infantry Quarters, needing considerable repairs, and doors and windows.

There are a sufficient number of abodes on the reserve to erect all the additional buildings I may require for my command.

P. EDWARD CONNOR,  
Colonel Third Infantry, California Volunteers.

---

[Telegram received at War Department, September 27, 1862, 6:40 p. m.]

SAN FRANCISCO, September 27, 1862.

General THOMAS:

I have to request that 20,000 rifle muskets and equipments may be sent here by first steamer.

G. WRIGHT,  
Brigadier-General, Commanding.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, October 4, 1862.

GENERAL: I am still without late advices from Brigadier-General Carleton. I have received dispatches from Maj. D. Ferguson, First Cavalry, commanding in Arizona, dated at Tucson, 18th of September. He had heard nothing from General Carleton since the 4th of August. General Carleton's force is deemed ample, in co-operation with that previously in Mexico, to hold securely that country; or even, should it be deemed advisable, to advance into Texas and create a diversion in our favor, should it be the design of Government to re-establish our authority in that State at once, by landing a force on its southern borders. I learn (unofficially) that Brigadier-General Canby has been withdrawn from New Mexico; if so, I presume that General Carleton is now in command of all the troops in that country. Colonel Connor, Third Infantry, having established a post at Ruby Valley, is now on his march to Salt Lake, and on his arrival there will establish himself near the city, as I have already advised you. Affairs in the district of Oregon, under the management of Brigadier-General Alvord, are quiet. In the district of Humboldt the Indian difficulties still continue. However, nearly one thousand Indians have been captured or induced to surrender to the military authorities, and have been transferred to the reservations. Arrangements have been made to so dispose of the troops as to afford the greatest possible security to the settlements. I am happy to say that quiet prevails generally throughout the department; yet we must not disguise the fact that there is a large element of opposition on this coast, and that it is only by watchfulness, prudence, and prompt action in case of emergency that we can expect to preserve the peace. I telegraphed

to you a few days since asking that 20,000 stand of small-arms and equipments might be sent here by the first steamer. I hope they will be sent; occasion might arise rendering it necessary to use them. I would most respectfully request that authority be given for raising another volunteer regiment of infantry in California for service here, as I do not think it would be prudent to send beyond the limits of the department any more troops raised on this coast. I have deemed it proper to prohibit the transmission through the United States mails and post-offices, and express, of several newspapers published in California and Oregon. They were violent in their denunciations of the administration, of its policy, and the war, thereby discouraging enlistments in the Army. You can rest assured that I shall take no measures to disturb the quiet of this country unnecessarily; but if it becomes necessary to strike, I shall be prepared to do so effectively.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

EXECUTIVE OFFICE, Salem, Oregon, October 7, 1862.

General B. ALVORD:

DEAR SIR: The legislature has under consideration a militia law. And there is a question under our constitution as to what officers are to be appointed by the governor and which are elective. The question arises as to which are "the chief officers of the general staff" and which are "officers of the line."

Herewith I send you a copy of our constitution and call your attention to sections 3 and 4, article 10. Who are "officers of the line?" Where is the distinction between "line" and "staff?"

There is a difference of opinion here. If our constitution means anything I presume you are perfectly familiar with the rule that should govern, and you will place me under renewed obligations by giving me information upon these points at your earliest convenience.

Any general suggestions you may be pleased to make on the organization of the militia will be gratefully received.

Dr. McBride has just returned from the Powder River mines, and he told me this morning that in his opinion there will be trouble with the Indians in that vicinity; that the Indians had informed the miners that they might dig gold but must not take their lands.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,

*Governor of Oregon.*

HEADQUARTERS DISTRICT OF OREGON,

*Fort Vancouver, Wash., October 11, 1862.*

Hon. A. C. GIBBS,

*Governor of Oregon, Salem, Oregon:*

Who are "officers of the line?"

The third section of the tenth article of the constitution of Oregon says: "The governor shall appoint the adjutant-general and the other chief officers of the general staff and his own staff, and all officers of the line shall be elected by the persons subject to military duty in their respective districts."

My opinion is requested as to the meaning of the term "all officers of the line" in the above paragraph.

I understand by this all regimental and company officers, colonels, lieutenant-colonels, majors, captains, first lieutenants or second lieutenants, either of infantry, cavalry, or artillery. I understand the constitution to confer upon the governor the appointment of all other officers, that is, the officers of every branch of the staff. (See Col. H. L. Scott's *Military Dictionary*, page 389.)

The phrase "officers of the general staff" must include all officers not regimental, including general officers. (See Halleck's "Military Act," page 236, first edition.)

BENJ. ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco October, 17, 1862.*

GENERAL: I have the honor to transmit herewith a copy of a communication addressed to these headquarters by Brig. Gen. James H. Carleton, commanding "column from California," dated at Santa Fé, N. Mex., September 20, 1862. General Carleton forwarded with his dispatches copies of his correspondence with Brig. Gen. E. R. T. Canby, then commanding the Department of New Mexico, and other officers serving in that quarter. I have selected out such as I deemed necessary and proper to forward to the headquarters of the Army, viz:

First. Copy of a communication from Lieut. Col. E. E. Eyre, commanding First Cavalry, California Volunteers, dated at Las Cruces, Ariz., August 30, 1862.

Second. Copy of a communication from Brig. Gen. James H. Carleton, U. S. Army, to the commander of the Confederate State troops at San Antonio, Tex., dated headquarters district of Arizona, Franklin, Tex., September 1, 1862.

Third. Copy of a communication from Capt. E. D. Shirland, First Cavalry, California Volunteers, to the acting assistant adjutant general of the "column from California," dated at camp on the Rio Grande, September 2, 1862.

The communication of Brigadier-General Carleton will fully inform the General-in-Chief of the movements of the columns from California up to the 20th of September. I am happy to say that the troops from this department have successfully accomplished all that I proposed to do when I asked authority to organize the expedition. The hardships endured in crossing the desert, the subordination and good conduct of the officers and men of General Carleton's command, are fully set forth by the general. This expedition I organized and prepared in southern California, during a winter and spring unprecedented for severity. Its advance was delayed on account of the roads being impracticable for wagons until late in the season. I then launched forth this column on the desert with perfect confidence of success. I knew the officers, and felt assured that with the indomitable perseverance, energy, and foresight of General Carleton and those under his command there was no such word as fail. General Carleton speaks in glowing terms of the conduct of several of his officers and asks for their promotion. I most cheerfully unite in that recommendation, although they have not been engaged in any brilliant action with our enemies, yet the hardships they have endured without a murmur and the zeal they have manifested in the discharge of all their duties will, I hope, be recognized by the Government, and that they may be promoted for meritorious services.

With great respect, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS COLUMN FROM CALIFORNIA,  
*Santa Fé, N. Mex., September 20, 1862.*

To Lieut. Col. RICHARD C. DRUM,  
*Assistant Adjutant-General U. S. Army, San Francisco, Cal.:*

COLONEL: I wrote to you on the 22d day of July informing you of all the important events connected with the column from California;—from June 18th to that date. I then inclosed copies of General Orders Nos. 10 and 11 from these headquarters, which prescribed the manner in which the column should march across the desert from Tucson to the Rio Grande. I left Tucson myself on the 23d of July, passed Colonel West with most of the troops, encamped on the San Pedro on the 24th, and led the advance of the column from that point to Las Cruces, N. Mex., with one company of infantry and two of cavalry. From the hostile attitude of the Chi-ri-ca-hui, I found it indispensably necessary to establish a post in what is known as Apache Pass; it is known as Fort Bowie, and garrisoned by 100 rank and file of the Fifth Infantry, California Volunteers, and 13 rank and file of Company A, First Cavalry, California Volunteers; this post commands the water in that pass. Around this water the Indians have been in the habit of lying in ambush and shooting the troops and travelers as they came to drink. In this way they have killed three of Lieutenant-Colonel Eyre's command, and in attempting to keep Captain Roberts's company, First Infantry, California Volunteers, away from the spring a fight ensued in which Captain Roberts had 2 men killed and 2 wounded. Captain Roberts reports that the Indians lost 10 killed. In this affair the men of Captain Roberts's company are reported as behaving with great gallantry.

Two miles beyond Apache Pass I found the remains of 9 white men who had been murdered by the Indians; they were a party traveling from the Pino Alto mines to California; one of them had been burned at the stake. We saw the charred bones,



and the burnt ends of the rope by which he had been tied. The remains of 7 of these men were buried on that spot. From the Rio de Sanz to Ojo de la Vaca there was a great dearth of water. At the latter place I addressed a letter to General Canby, giving him all the elements going to make up the column, the object of its march, and the wishes of General Wright. A copy of that letter is herewith inclosed, marked A. Having been informed that a large number of men, women, and children were in a destitute and starving condition at the Pino Alto mines, 40-odd miles northeastward from the Ojo de la Vaca, I directed Colonel West to furnish them with some subsistence stores as a gratuity. (See letter of instructions to Colonel West, marked B, and Captain Shirland's report on the starving condition of these people, marked C.) I arrived on the Rio Grande on the 7th day of August, at a point 3 miles above Fort Thorn, and immediately communicated with General Canby by letter, marked D. On the 9th of August I passed the Rio Grande at the San Diego crossing, 18 miles below Fort Thorn. The river was still very high and very rapid; but the men stripped off their clothes and dragged the wagons through by main force; the baggage, subsistence stores, ammunition, etc., were crossed in two small leaky boats. At this point we built a larger and better boat for the use of the detachment of the column still to come up.

The head of the column arrived at Las Cruces on the 10th day of August. Here I found the advance guard, under Lieutenant-Colonel Eyre, First Cavalry, California Volunteers, strengthened by four companies of the United States Fifth Infantry, which had been sent down from Fort Craig. Two companies of regular cavalry had also been sent down to re-enforce Colonel Eyre, but these had been recalled, and had started back to Fort Craig on the 9th of August. -Unfortunately Colonel Eyre had been forbidden by Colonel Chivington and Colonel Howe to proceed in the direction of Texas below Las Cruces, otherwise I believe he would have captured the whole of Steel's force of Confederate troops. (See his report on this subject, marked E.) The energy, enterprise, and resources of Colonel Eyre, as exhibited in his rapid march from Tucson to the Rio Grande, his crossing of that river, and his unlooked-for presence directly upon the heels of the retreating rebels can not be too highly appreciated. He exhibited some of the finest qualities of a soldier, and had he not been fettered by orders from higher authority than himself, he would without doubt have achieved advantages over the enemy creditable to himself and to the column from California. But for his timely arrival upon the Rio Grande Las Cruces and Mesilla would both have been laid in ashes by the enemy. Hampered as he was by orders, he nevertheless managed to hoist the Stars and Stripes upon Fort Thorn, Fort Fillmore, Mesilla and Fort Bliss, in Texas. On the 11th of August General Canby wrote me a very handsome letter, in which he liberally offered to furnish the column with all the supplies it might need, together with \$30,000 subsistence funds. Gen. Wright will be gratified to read it. (It is marked F.) It will be seen by that letter that the medical supplies and ordnance stores in the Department of New Mexico are so abundant as to preclude the necessity of any more of these stores being purchased or shipped in the Department of the Pacific for any of the troops east of Fort Yuma belonging to the column from California.

On the 11th of August General Canby sent to me another communication, in which he treats of the impracticability of an invasion of Texas from this direction, and in which he speaks of removing the regular troops from New Mexico and of receiving other re-enforcements from California. As the views set forth seem to be of great value, I submit it for the perusal of General Wright. It is marked G. On the 12th of August General Canby wrote still another letter, in which he authorized me to use my own judgement in regard to the disposition of troops in Arizona and southern New Mexico. It is marked H. My letter to General Canby, dated August 15, together with General Orders Nos. 14 and 15, herewith inclosed, will inform General Wright of the distribution of the troops along the Rio Grande. These communications are marked I. On the 16th of August I started with three companies of cavalry for Fort Bliss, in Texas. At the town of Franklin, opposite El Paso, I found a surgeon of the Confederate army and twenty-five sick and disabled Confederate soldiers, whom I made prisoners of war by order of General Canby. I also found that a large amount of hospital stores and quartermaster's property, which once had belonged to the United States, was in store-rooms connected with the custom-house, at El Paso, in Mexico. These stores I managed to recover. There were twelve wagon loads of them. I sent them to the depot which I had established at Mesilla. I then proceeded nearly 100 miles farther down the valley of the Rio Grande into Texas. The object of my march was to restore confidence to the people. They had been taught by the Texans that we were coming amongst them as marauders and as robbers. When they found we treated them kindly and paid them a fair price for all the supplies we required, they rejoiced to find, as they came under the old flag once more, that they could now have protection and be treated justly; the abhorrence they expressed of the Confederate troops and of the rebellion convinced me that their loyalty to the United States is now beyond question.

On the 22d of August the troops of the column from California hoisted the Stars and Stripes over Fort Quitman; this was done by Capt. John C. Cremony, with his company, B, Second Cavalry, California Volunteers. On the same day Captain Shirland, First Cavalry, California Volunteers, was directed to proceed to Fort Davis, 140 miles still farther into Texas, and hoist the national colors over the post. (See General Orders No. 16, herewith inclosed, marked K.) How well Captain Shirland performed his duty, and how gallantly he and his men behaved in a fight with the Indians, will be seen by his report, a copy of which is herewith inclosed, marked L. Captain Roberts's company, which whipped the Indians in Apache Pass, is from Sacramento. Lieutenant-Colonel Eyre, who led my advance guard to the Rio Grande and hoisted the colors over Forts Thorn, Fillmore, Bliss, and Mesilla, is from Sacramento; and so is Captain Shirland, who hoisted the Stars and Stripes 240 miles farther into the State of Texas, and also whipped the Indians in that neighborhood. This speaks nobly for the men from that city. I inclose a telegraphic communication from General Canby to the Adjutant-General of the Army, dated August 10, in which he requests that a regiment more of infantry and five companies of cavalry be sent into the Department of New Mexico from California, so as to relieve the regular troops now here. It is marked M. On the 21st of August I was instructed to arrange the affairs of the district of Arizona, so as to turn over that district to the officer next in rank to myself, and hold myself in readiness to repair to the headquarters Department of New Mexico. I also received Special Orders No. 148, from the headquarters of that department, directing me to send an officer as bearer of dispatches to the commander of the Department of the Pacific. Copies of these documents are herewith inclosed, marked N.

On the 2d of September I received Special Orders No. 123, marked O, directing me to relieve Brigadier-General Canby in the command of the Department of New Mexico. Previous to this order I had published General Orders No. 17, which posted a company of infantry at Franklin, Tex., and another one at Hart's Mills, Tex. It is herewith inclosed, marked P. On the 1st day of September I put the Texan prisoners of war whom I found at Franklin on their parole, and sent them on their way to San Antonio, Tex., escorted by Company D, First Cavalry, California Volunteers. (See my letter to the commanding officer of the Confederate forces, San Antonio, Tex., marked Q.) I then returned to Las Cruces, N. Mex., where I published General Orders No. 20, marked R, regulating the affairs of the district of Arizona and transferring the command of that district to Col. Joseph R. West, First Infantry, California Volunteers. I still retain the command of the column from California, and shall cause all the reports which you require in your letter to me, dated at San Francisco, May 30, 1862, to be sent to the headquarters Department of the Pacific until I am otherwise ordered by competent authority. I then proceeded to Santa Fé, arriving here on the 16th instant. General Canby relinquished the command of the Department of New Mexico on the 18th instant. (See General Orders No. 83, marked S.) I assumed command of the department on the same day. (See General Orders No. 84, marked T.) Some additional changes have been made of the troops pertaining to the column from California, which are indicated in a letter to Colonel West, dated September 8, marked U, and another dated September 9, marked V; also in two others dated September 14, marked W and X, respectively. I inclose for your information three communications, marked Y. I also inclose a copy of an order directing Lieut. Col. Edward E. Eyre, First Cavalry, California Volunteers, to bear these dispatches to headquarters Department of the Pacific. It is marked Z.

These various communications will give General Wright a pretty good idea of the operations of the troops comprising the column from California from July 22 of this year to the present time. I find that the supply of provisions in this department is adequate to the wants of all the troops from California now serving here, and therefore respectfully recommend that no more subsistence stores be purchased for the column from California until further advices on this subject. I propose to transport from Fort Yuma to Tucson, during the cool weather of the fall and winter, a large quantity of the subsistence stores now in excess at the former post, so as to provide for the contingency of the other troops being ordered to New Mexico from California, to provide for the wants of the troops already stationed in Arizona, and to form a magazine in case of any reverses here which may lead to the destruction of our present stores or oblige the California or other troops to retire towards the Pacific. When these supplies have been accumulated at Tucson by a train now employed for that purpose, that train will be required for service in this department, meantime it can be used as transportation from Fort Yuma to the Rio Grande for any troops which General Wright may order from the Department of the Pacific into Arizona or New Mexico. The southern overland mail route has been opened, and the military posts in Arizona and southern New Mexico and northwestern Texas have been reoccupied by troops composing the column from California. Thus far the instructions of the general commanding the Department of the Pacific have been carried out. It was no fault of the troops from California that the Confederate forces fled before

them. It is but just to say that their having thus fled is mainly to be attributed to the gallantry of the troops under General Canby's command. That they were hurried in their flight by the timely arrival of the advance guard of the column from California, under Lieutenant-Colonel Eyre, there can not be a doubt.

The march across the desert from the Pacific to the Rio Grande by the column from California was not accomplished without immense toil and great hardships, or without many privations and much suffering from heat and want of water. The amount of labor performed by Col. Joseph R. West, the second in command, was immense and of the greatest practical importance; much of our success was dependent on his energy, perseverance, cheerfulness, and high soldierly qualities. I can not too strongly recommend that this officer be promoted to the grade of brigadier-general of volunteers as a reward for these services, and particularly as he now commands the most important district in this department. I trust that General Wright will urge the necessity of this advancement of Colonel West, and set forth to the General-in-Chief his eminent fitness for the office of brigadier-general. This will promote Lieutenant-Colonel Rigg, which will be a reward for his important services as commanding officer at Fort Yuma during the past winter, and for his efficient labors in the column while crossing the Great Desert. I regard Colonel Rigg as one of the finest soldiers in the column from California. Those who know the troops from California as I know them will consider this a high compliment. Lieut. Col. Edward E. Eyre, First Cavalry California Volunteers, deserves a regiment. The zeal he has manifested in the discharge of his duties and the alacrity and cheerfulness he has always shown when called upon for any hazardous enterprise distinguish him as one eminently fitted for the profession of arms. If five companies more of cavalry are to be sent from California, as requested by General Canby, I trust they will be added to the five which now compose the First Cavalry California Volunteers, and that Lieutenant-Colonel Eyre will be commissioned as full colonel. The services of Major Coult, Fifth Infantry California Volunteers; of Major Ferguson, First Cavalry California Volunteers, and of Major McMullen, First Infantry California Volunteers, have been most arduous and are deserving a reward.

The officers and men of the Second Cavalry California Volunteers, of the Fifth Infantry California Volunteers, shared and shared alike in all the privations and toil encountered by the First Infantry and First Cavalry California Volunteers. As soldiers in the highest acceptation of that word they were all equally subordinate, patient, energetic, and patriotic. If I should select the names of some of them to be rewarded for these high qualities it would be an invidious distinction. Capt. John B. Shinn and First Lieut. Franklin Harwood, of the Third Artillery, for their incessant toil by night and by day to bring the battery of light artillery which is attached to the column from California through the Yuma and Gila deserts, should each receive the compliment of a brevet; Captain Shinn to be brevetted as major and First Lieutenant Harwood as captain. Unless these young men are rewarded by a compliment of this kind, I shall always feel that the passage of a battery of light artillery, always in fighting condition, over such an inhospitable waste in the midst of the heats of summer, is a matter of such trivial importance in the profession of arms as not to be worthy of notice. Theirs was the first battery that ever crossed the desert. I am sure that he who crosses the next one will be considered an accomplished soldier. I trust that General Wright will call the attention of the General-in-Chief to the credit which is eminently due these young gentlemen for their services in this column. I have already asked for promotion for my adjutant-general, Lieut. Benjamin C. Cutler, for my medical director, Surgeon James M. McNulty, and for my regimental quartermaster, First Lieut. La Fayette Hammond, all of the First Infantry California Volunteers. Their merits are too well known at the headquarters Department of the Pacific to need any further words of commendation from myself.

In conclusion I beg to thank General Wright for the confidence he always reposed in me. In carrying out his orders and instructions I have endeavored to do my best, yet as it was a new and very extended field of operations, my judgment about what was best to be done under emergencies as they arose, was doubtless not always of the soundest character, yet I feel that General Wright has kindly overlooked all imperfections of this nature and saved me the pain of many rebukes which no doubt I have deserved. For this I feel very grateful. The march of the column from California across the Great Desert in the summer months, in the driest season that has been known for thirty years, is a military achievement creditable to the soldiers of the American Army. But it would not be just to attribute the success of this march to any ability on my part. That success was gained only by the high physical and moral energies of that peculiar class of officers and men who compose the column from California. With any other troops, I am sure I should have failed. I send you a set of colors which have been borne by this column. They were hoisted by Colonel West on Forts Breckinridge and Buchanan, and over Tucson, Ariz., by Colonel Eyre over Forts Thorn, Fillmore, and over Mesilla, N. Mex., and over Fort Bliss, in Texas. They

were hoisted by Captain Cremony over Fort Quitman, and by Captain Shirland over Fort Davis in Texas, and thus again have those places been consecrated to our beloved country.

All of which is respectfully submitted.

JAMES H. CARLETON,  
*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., October 22, 1862.*

Official:

RICHARD C. DRUM,  
*Assistant Adjutant-General.*

HEADQUARTERS FIRST CAVALRY CALIFORNIA VOLUNTEERS,  
*Las Cruces, Ariz., August 30, 1862.*

LIEUTENANT: In compliance with verbal orders received from the general commanding the column, I have the honor to report that immediately after my arrival on the Rio Grande, July 4, 1862, I sent a scouting party down the river as far as the San Diego crossing for the double purpose of ascertaining if the enemy had pickets within that distance of my camp, and also whether the high stage of water in the river rendered it impracticable to move my command that far, for the purpose of crossing, it being my intention to follow, and if possible overtake the retreating Texans under Colonel Steele. On their return they reported it impracticable to get to the crossing with wagons, but that the river was falling fast, and that in a short time, say one week, I would be able to accomplish my purpose of moving on Fort Fillmore, where a portion of the Texans were then quartered. I therefore determined to remain at Fort Thorn for a short time longer, to recruit the men and animals and to receive reinforcements from Fort Craig which I had asked for from Cow Springs, having sent an express from that point on the 28th of June. On the 8th ultimo Captain Howland, Third United States Cavalry, with one hundred men, arrived at Fort Thorn and reported to me for duty. I was now still more anxious to pursue the enemy, being confident of my ability to successfully cope with his disorganized and disheartened troops, although they outnumbered me more than two to one. On the morning of the 10th ultimo I received a communication from Colonel Chivington, commanding Southern Military District of New Mexico, of which the following is an extract:

"You will do all you can to learn the enemy's strength, position, and purpose; but General Canby does not design an advance from where you are until he can go in force. I am under orders to advance to Santa Barbara or thereabouts with sixteen companies of infantry and a battery of four 6-pounder guns and two 24-pounder howitzers, and an additional cavalry force to support the advance of General Carleton, and to co-operate with the forces under him in the re-occupation of the valley of the Mesilla."

Although this was not a positive order to remain where I was, yet it intimated so clearly the desire of the district commander to lead the advance on Mesilla and Fort Fillmore that I felt exceedingly embarrassed as to whether I would be authorized in leaving Fort Thorn until the arrival there of Colonel Chivington; but on consultation with Captains Howland, Tilford, and Fritz I determined, unless more positively ordered to remain, to move down to the San Diego crossing as soon as the water would permit. Accordingly on the 13th ultimo I sent Wagonmaster Black with a party to the crossing to ascertain if it was yet practicable to get the train of thirteen wagons to that point. On his return the same day he reported favorably, and on the 15th ultimo I left with my command and arrived at the crossing on the 16th, a distance of 18 miles. On the 17th ultimo I had succeeded in crossing successfully my command in a small boat which I caused to be made for that purpose before leaving Fort Thorn. On the 19th ultimo I received from Lieut. F. Van Vliet, acting assistant adjutant-general, the following communication:

"I am instructed by the colonel commanding the district to inform you that your troops will not cross the river until further orders."

This was from Colonel Howe, acting assistant adjutant-general, he then being in command of the southern military district of New Mexico; but having crossed the river before its receipt, and having received supplies from Fort Craig, I determined to push on to Roblaro or Donna Ana and there await his further orders, and so wrote him. But on my arrival at the latter place I found neither forage or grazing for the animals, and pushed on to Las Cruces, where quarters were found for the command in unoccupied houses belonging to notorious secessionists.

On my arrival at Las Cruces I at once made inquiry as to the whereabouts of the Texans, and learned from reliable authority that a portion of them were at Frank-

lin, Tex.; that they were collecting at that point a large amount of Government property, which had been by them secreted at different places on their march up the river, and that they designed selling it to citizens of El Paso, Mexico. This property I could have undoubtedly taken, and in all probability have captured the Texans then at Franklin, had I at once pushed on to that point; but the strong intimation not to leave Fort Thorn which I received from Colonel Chivington, and the positive order not to cross the river which I received from Colonel Howe, and my letter to him that I would await his further orders at Las Cruces compelled me to remain at the latter place. Indeed, by moving farther down the river I would have run counter to the expressed wishes of the district commanders of the southern military district of New Mexico, if not against their positive orders. On the 28th ultimo I received a positive order from Colonel Howe not to leave Las Cruces until further orders. Subsequently, while accompanying the general commanding on his march to Fort Quitman, I learned that Colonel Steele greatly feared he would be overtaken by the California troops, and in his hurried retreat burned a number of his wagons and destroyed a large amount of ammunition. I also learned that so much were his men disheartened and so thoroughly disorganized that, had they been attacked by even a small force, they would have at once surrendered. Certain it is that an opportunity would have been given them to do so had it not been for the orders received from Fort Craig, for I should certainly have followed, and as certainly overtaken them before they left the river at Fort Quitman.

I am, Lieutenant, very respectfully, your obedient servant,

E. E. EYRE,

*Lieutenant-Colonel First Cavalry, California Volunteers, Commanding.*

Lieut. B. C. CUTLER,

*Acting Assistant Adjutant-General, Column from California, Franklin, Tex.*

Official:

BEN. C. CUTLER,

*First Lieutenant California Volunteers, Acting Assistant Adjutant-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, October 22, 1862.*

Official:

RICHARD C. DRUM,  
*Assistant Adjutant-General,*

HEADQUARTERS DISTRICT OF ARIZONA,  
*Franklin, Tex., September 1, 1862.*

*To the Commander of the Confederate States Troops at San Antonio, Tex.:*

SIR: I found on my arrival here some twenty odd sick and disabled soldiers of the Confederate States army, whom I was ordered by General Canby, commanding the Department of New Mexico, to make prisoners of war. These men, at their earnest solicitation, I send to San Antonio on their parol. They have been furnished with rations of subsistence for forty days and with such medicines and hospital stores as were necessary for them on the road. I have also furnished two wagons for the transportation of those who are unable to walk, and I have sent an escort of one lieutenant and twenty-five rank and file of the First Cavalry California Volunteers to guard them from attack by Mexicans or Indians until a sufficient force from your army is met, to whom they may be transferred, or until they reach some point near San Antonio where from thence onward they can travel with safety. From that point the lieutenant is ordered to return with his party and all the means of transportation belonging to the United States with which he is intrusted for the use of his escort and benefit of these prisoners.

I have the honor to be, very respectfully, your obedient servant,

JAMES H. CARLETON,  
*Brigadier-General U. S. Army, Commanding.*

CAMP ON RIO GRANDE, *September 2, 1862.*

LIEUTENANT: I have the honor to state that, pursuant to instructions received from General James H. Carleton, commanding column from California, I left this camp at 3 o'clock p. m. August 23, en route to Fort Davis; encamped at 8 o'clock the same evening, having marched 15 miles. Started at daybreak of the 24th and arrived at Eagle Springs at 9.30 a. m., 17 miles. Found the springs filled with rubbish and carrion; by cleaning them out succeeded in obtaining water for men and animals. There being no grass in the vicinity, I left the springs at 4 p. m. Marched about 5



miles and made a dry camp. Grass abundant and good. Started at daybreak and marched 20 miles to Van Horn's Wells; found these wells entirely filled up. Cleaned out one of them, but found it impossible to obtain sufficient water for the men. Many of the horses being unable to proceed further, I thought it best to go on from here with 20 men and picked horses, taking the ambulance with me. Accordingly I directed Lieutenant Haden to retrace his steps to Eagle Springs with the remainder of the detachment, to clean out the springs thoroughly and remain there eight days, unless he received other orders from me; if at the expiration of eight days I should not have returned or sent back an express, I directed him to return to the river and wait for me there two days, and then proceed up the river and report to General Carleton. I left Van Horn's Wells at about 4 o'clock p. m. and arrived at Dead Man's Hole at about 2 a. m. Found sufficient water there for the animals, but not enough for a company. Distance, 35 miles. Started at 6.30 a. m. and arrived at Barrel Springs at 3 p. m., having halted on the road to graze the animals. Found water enough at these springs for one company. Remained here that night, and on the next afternoon sent forward Corporal Bartlett, with one private and the Mexican guide, to find out the condition of affairs at Fort Davis, distant 18 miles.

They returned about noon the next day, having performed their duty in such a manner that if the fort had been occupied by the Confederate States troops their (Corporal Bartlett and party's) presence could not have been discovered. They reported the fort unoccupied, and I, thinking it best not to send back for the company, on account of the scarcity of water, proceeded to the fort. I found it entirely deserted, but in one of the buildings of the Overland Mail Company I found the dead body of a man lying on the floor. He had been shot through the body with a bullet and had an arrow wound on the head and one on the arm. From the appearance of the room I think that it had been used by the Confederate troops as a hospital, and this man left there sick and afterwards killed by the Indians. I had the body buried. The fort appears to have been garrisoned by the Confederate States troops since their first appearance in the country, by at least a portion of one company. It also seemed to have been used as a rendezvous for sick soldiers, but they had all left with the last detachment for San Antonio. The following is a description of the buildings at the fort:

Five company quarters, about 80 by 25 feet, one story high, built of stone, thatched roof. Four of these buildings are in fair condition; the roof, doors, and windows of one have been burned.

One guardhouse, about 80 by 25 feet; building stone; roof, doors, and windows burned.

One quartermaster storehouse, about 100 by 20 feet, built of stone; roof, doors, and windows entirely destroyed; surrounded by several small buildings, use not known.

One wooden or slab building, 30 by 16 feet, thatched roof, used as an adjutant's office.

One wooden building, 36 by 27, with kitchen and several small outbuildings, supposed to have been the commanding officer's quarters. On this building the flag was hoisted and kept up during one day.

One wooden building, 48 by 22 feet, with the kitchen and outhouses attached, supposed to have been officer's quarters.

One wooden building, 22 by 12 feet, with one small outbuilding, 10 by 14.

One wooden building, 36 by 18.

One building, 14 by 12.

One slab building, 40 by 15 feet.

One slab building, 50 by 14 feet.

One slab building, 20 by 12 feet.

One slab building, 20 by 12 feet.

One slab building, 30 by 15 feet.

One slab outhouse, 10 by 12 feet.

Seven small slab houses.

One slab stable, 50 by 14.

One stone and mud house.

Three small slab buildings.

These are estimated measurements, as I had no other means of doing. One overland mail station, consisting of houses, storehouses, shop, stables, saddlery, granary, etc.

One adobe building, formerly used as a store. Many of the doors and windows have been destroyed. Some seem to have been hauled off, others burnt. One wagon stands loaded with lumber.

I have heard as report, in fact, that the entire fort was sold by Confederate States officers to some party at Del Norte, Mexico. Property consists of some iron in quartermaster storehouse, some 100 horseshoes, two old citizen wagons, several wagons and cart wheels, empty barrels, several chains, many hospital bedsteads, but all broken or in a dilapidated condition. I started from the fort on my return at day-



light on the 30th and marched to Dead Man's Hole, watered the animals and made a dry camp in the prairie. Left camp at 9 a. m. and marched about 10 miles, when an Indian made his appearance with a white flag, followed by five others, all mounted. I tried to hold a talk with them, but they seemed unwilling to have anything to say, they being followed by 25 or 30 more mounted men, and still farther behind by a large party on foot, and it being evident that their only intention was to gain time and delay us until they could surround us, I ordered the men to fire upon them. A fight immediately ensued, they making every effort to surround us, coming toward us in every direction, a large proportion of them mounted.

Wishing to get rid of the footmen I made a running fight of it, expecting the mounted men to follow, which they did for a short distance, but finding it too hot for them they returned. They left four men dead on the field, two of them the leaders, respectively, of the mounted and foot men. I have good reason to believe that at least twenty were wounded. I had two men wounded, one slightly and one painfully, by a pistol ball in the shoulder. I had also one horse wounded. I then came on to Eagle Springs, where I arrived at 11 o'clock p. m., watered all my animals, and found that Lieutenant Haden with the remainder of the command had left for the river several days before. Camped for the remainder of the night, and on the next day proceeded to the river, arriving there about 5 o'clock p. m., and found Lieutenant Haden with the remainder of the command, he stating that he could not find sufficient water at Eagle Springs for the use of the animals. I omitted in the foregoing report to state that about 10 miles from Van Horn's Wells I met two Mexicans coming this way. I arrested them and brought them to this camp, where I released them, and they went on up the river and will report to General Carleton in person.

I am, sir, very respectfully, your obedient servant,

E. D. SHERLAND,

*Captain Company C, First Cavalry, California Volunteers.*

Lieut. B. C. CUTLER,

*Acting Assistant Adjutant-General, Column from California, Franklin, Tex.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, October 18, 1862.*

GENERAL: I have the honor to inclose herewith a copy of a communication addressed to these headquarters by Brig. Gen. B. Alvord, commanding district of Oregon, dated at Fort Vancouver, Wash., October 6, together with a copy of the report of Lieut. Col. R. F. Maury, First Cavalry, Oregon Volunteers, commanding the troops on the emigrant road, dated September 22, 1862.

Very respectfully, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., October 6, 1862.*

SIR: Herewith I have the honor to forward a copy of a dispatch of the 22d ultimo from Lieut. Col. R. F. Maury, First Cavalry, Oregon Volunteers, commanding the expedition upon the emigrant road. He was encamped on Bruneau River, about 40 miles from Salmon Falls. You will perceive that he proposes to start on the 28th ultimo on his return. So far as I can learn, the emigrants who kept the old road south of Snake River have had little trouble from Indians. Those who crossed Snake River above Fort Hall and kept north of that river, trying to get to the Salmon River mines, have been in some instances attacked by the Snakes, who have also attacked travelers east of Fort Hall. Colonel Maury and Captain Crawford, commanding the expedition of seventy-five men enrolled in Nebraska Territory, have naturally kept the old emigrant road. You will notice that Colonel Maury reports an emigration this autumn of about 1,300 wagons with 8,000 people.

I am, sir, very respectfully, your obedient servant,

BENJAMIN ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

To the ASSISTANT ADJUTANT-GENERAL,

*Headquarters Department of the Pacific, San Francisco, Cal.*

HEADQUARTERS EMIGRANT-ROAD EXPEDITION,  
Camp Bruneau, Snake River, September 22, 1862.

GENERAL: On the 19th day of August the command moved from Camp Owyhee, marching slowly, and meeting more or less emigrants every day. We arrived at this camp on the 28th; saw but few Indians, and those upon the opposite side of the river. Grass being very scarce and indifferent from Owyhee to this point, I determined to muster here on the 31st, this being an excellent camp, with a large amount of good grass. Our stock was much improved by the 1st instant, when we continued to march, arriving at the falls early on the 4th. On the 6th, moved to Fall River, 5 miles above the falls. I established a depot at Camp Bruneau, leaving the bulk of our commissary stores and means of transportation, taking with me 125 men and twenty days' provisions. Found a few Indians at the falls apparently quite friendly, but pretending entire ignorance of all depredations committed at any former period. The Indians seen at the falls are the only ones who have visited our camps. Our intercourse with them was friendly and without any misunderstanding. They expressed doubts as to whether it would be possible to effect a treaty with any considerable number of the tribe. They appear to understand well that soldiers will not kill them indiscriminately, only upon some show of guilt, and that so long as they know nothing or pretend ignorance of all offenders the Government has no means of affixing guilt upon any.

Captain Crawford, commanding the escort from Omaha City, arrived at our camp on Fall River on the 8th instant; all well, and gave it as his opinion that he had the last of the emigrants with him. I sent a detachment 40 miles up the river; they returned reporting none on the road. I determined to leave the falls and return to this camp, where I shall remain, sending out detachments as circumstances require, until the 27th or 28th, when I shall commence the march for Fort Walla Walla. While on the march to and from the falls and while there (in all eighteen days), the animals of the expedition suffered very much, grass being very scarce and of very indifferent quality. Nothing definite has been heard of the Van Norman children; their uncle, Z. Van Norman, has gone through to Salt Lake City. In this connection I will mention that one Indian at the falls said that it was the Indians who live in the vicinity of Harney Lake who committed the massacre and that the children were taken prisoners. Since then he has heard nothing of them, but had no doubt they had been killed. The emigration for Oregon and Washington is very large, amounting to 1,300 wagons and 8,000 people. They have met with very little trouble from Indians, and that at or near Raft River, Fort Hall appearing to be the focus of their operations east and west. At the falls they say that a war council is being held in that vicinity at present to determine upon peace or war with other tribes, the Blackfeet, etc. From the character, as charged by the emigrants, of the depredations committed this season I can not resist the conclusion that white persons were the instigators and allies of the Indians.

I remain, very respectfully, your obedient servant,

R. F. MAURY,  
*Lieutenant-Colonel First Cavalry, Oregon Volunteers,  
Commanding Emigrant-Road Expedition.*

General ALVORD,  
*Commanding District of Oregon, Fort Vancouver, Wash.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, October 20, 1862.

GENERAL: Colonel Connor, commanding expedition for the protection of overland mail-route, telegraphs me from Fort Crittenden, October 17: "Have just arrived; will cross the Jordan to-morrow."

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, October 23, 1862.

GENERAL: I am advised by Colonel Connor of his arrival with his command at Salt Lake City on the 20th instant and occupation of the site for a new post. The colonel reports his command in good health and discipline. I also inclose a copy of

a communication received from Maj. D. Ferguson, First Cavalry, California Volunteers, dated at Tucson, Ariz., October 4, with two inclosures, all relating to the occupation of Arizona by the rebel troops previous to the arrival of the column from California.

Very respectfully, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

TUCSON, ARIZ., October 4, 1862.

Lieut. Col. R. C. DRUM,

*Assistant Adjutant-General, U. S. Army,*

*Headquarters Department of the Pacific, San Francisco, Cal.:*

COLONEL: As considerable difference of opinion has existed and does exist in regard to the number of rebel troops that occupied this Territory since the commencement of the insurrection, I have taken considerable pains to set the matter at rest, and have the honor to transmit herewith affidavits made by reliable residents of this place on this subject. A few days ago a person named Ferguson passed through here en route to Camp Wright, from Mesilla. He stated to Major Coult, Fifth Infantry, California Volunteers, that he resided in Mesilla from March, 1861, until last month, and the number of Confederate troops in Mesilla never exceeded 270; that they belonged to Baylor's regiment and that this was the force to whom Major Lynde surrendered 700 men in New Mexico. The command of Hunter, at Tucson, and Baylor, at Mesilla, comprised the enemy's force in this Territory, viz, 375 men. A few of the miners at Pino Alto, for the purpose of self-protection against the Apaches, organized themselves into a company, and in order to obtain arms, ammunition, etc., from Colonel Baylor they took the oath of allegiance to the Confederate government, but in no wise formed part of its forces or took any part in its service. Mr. Ferguson, above-referred to, is a brother of Mrs. Cable, at Oak Grove, San Diego County, and is now on his way there, where his affidavit can be taken if necessary. The statements of Stevens, Aldrich, and Gay are abundantly corroborated by the evidence of almost every person residing in Tucson during its occupation by the rebels.

I am, sir, very respectfully, your obedient servant,

D. FERGUSON,

*Major First Cavalry, California Volunteers.*

P. S.—I have opened this to inclose copy of a scrap of a letter found amongst the records of Tucson (Post) from Colonel Baylor, which substantiates the statements in regard to the force of rebels in this Territory.

D. F.

TUCSON, October 5, 1862.

Hiram Stevens, at present a resident of Tucson, Ariz., being duly sworn, deposes and says that he accompanied a detachment of Confederate States troops from Mesilla to Tucson; that the said troops left Mesilla in January and arrived at Tucson in February, 1862; that the said detachment was composed of Captain Hunter's company and Lieutenant-Colonel Riley's escort; that the whole number of the said detachment, including employes did not exceed 105 men; that the means of transportation consisted of three wagons; that they had no artillery; that the men were all mounted and well armed; that the said detachment was the only Confederate force that occupied Tucson or any part of the Territory of Arizona west of the Pino Alto mines; that the escort of Colonel Riley consisted of 30 men; that the colonel returned to the Rio Grande with his escort in March, 1862, and that Hunter's company after that time was not reinforced, and that its numbers did not exceed 75 men from that time until it left the town of Tucson in May, 1862, for the Rio Grande; that his company was not drilled nor disciplined during its stay in Tucson, so far as he (Stevens) knows, and he had every means of knowing, being a resident of Tucson during the time the said company occupied it; that the horses of the said company were kept in the corral of the Overland Mail Company; and that the men of the said Hunter's company slept each where he liked, in any part of town he chose, as a general thing, while the said company occupied Tucson.

H. S. STEVENS.

Sworn and subscribed to before me this 3d day of October, 1862, at Tucson, Ariz.

D. FERGUSON,

*Major First Cavalry, California Volunteers.*

Frank Aldrich and M. G. Gay, of Tucson, Ariz., being duly sworn, depose and say that they are acquainted with Hiram Stevens, who made the foregoing affidavit, and

that they were residents of Tucson during its occupation by the troops of the Confederate States between the months of February and May, 1862; that the statements made by the said Hiram Stevens in regard to the numbers, discipline, etc., of the said Confederate troops are correct and true to the best of their knowledge and belief.

M. ALDRICH.  
M. G. GAY.

Sworn and subscribed to before me this 3d day of October, A. D. 1862, at Tucson, Ariz.

D. FERGUSON,  
*Major First Cavalry, California Volunteers.*

DEAR THEODORE: I write this letter in hopes that it may reach you by some good luck. I am, as you may know, in command of this Territory as civil and military governor, having come up in July last with 375 men—thrashed and took prisoners all the troops at Fort Fillmore, 700 in number, and have held the country until the arrival of General Sibley, with 4,000 Texans, who are now en route for Fort Craig, where Colonel Canby is, with 1,200 regulars and 2,800 Greasers, all of whom will get used up in no time when the fight comes off. I take it for granted that you are with us. So far Mr. Lincoln is not making much headway in suppressing the rebellion. He has got himself thrashed in every fight from Manassas to Mesilla, and to-day we dare them to attack us at any point. I have only to say that I would be glad to see you with us, and the way is open. Sister is with me at Galveston who is Captain Wharton now and quartermaster. She wrote to you, but I have had no chance to send the letter. She was well by last letter from San Antonio. Our family are all in the rebellion. I am. And when the Union is restored by force of arms, it will be when there is not a battalion of Southern men left to fight. I rely on your coming to me, for I can now aid you and give you a position; so come and bring with you in your own way all who want to fight for Dixie's Land.

Yours,

JNO. R. BAYLOR.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, October 25, 1862.*

GENERAL: I have the honor to inclose herewith communications from Brig. Gen. B. Alvord, commanding the district of Oregon, dated, respectively, on the 14th and 15th instant. In the general's letter of the 14th of October he has frequently referred to the policy which I recommended to the War Department when I was in command of the Department of Oregon in 1860, and which, but for the breaking out of the rebellion, would doubtless have been carried out with beneficial effects. I most cordially approve of all the recommendations of General Alvord, especially as to the establishment of a post at or near old Fort Boise and the arrangement of a system of escorts for the protection of the large and annually increasing number of immigrants arriving from the East.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., October 15, 1862.*

SIR: I start to-morrow morning for Fort Walla Walla and Camp Lapwai, Wash., on the Nez Percé Reservation. Agreeably to the wishes of the general commanding, verbally expressed to me in San Francisco, I had arranged (as my special orders set forth) for the return of all the parties in the field to Fort Walla Walla by the 1st of November, including the command at Camp Lapwai, Captain Mathews's company of Oregon Cavalry. Congress has appropriated \$40,000 to pay the expense of instituting negotiations with the Nez Percés for a part or the whole of their reservation. C. H. Hale, esq., superintendent of Indian affairs for Washington Territory, writes me on the 3d and 10th instant that he contemplates going to Lapwai Agency in a few days. W. H. Rector, superintendent of Indian affairs for Oregon, accompanies him. They are appointed commissioners to discharge this duty.

They are now to hold, I learn, a preparatory talk with the chiefs; but the final council for a treaty will not be convened until next spring or summer. On reaching Fort Walla Walla, I will have to arrange for a command to stay at or near Camp

Lapwai until the commissioners leave. As cavalry ought not to be on the march after the 11th of November, I shall probably order Captain Mathews's company at once to Fort Walla Walla, as contemplated in my letter to you of the 4th instant, and I shall probably order an infantry company to Camp Lapwai to remain there temporarily. Unless the winter is one of extraordinary severity, an infantry company can well remain encamped there until the 30th November. Mr. Hale in his letter expresses the apprehension that there will be a "serious outbreak of the Indians before winter."

There is too much reason for dissatisfaction among the Nez Percés; but I can not believe from all the intelligence I can gather from that quarter that they will rise. Evil-disposed and abandoned white men may, as is rumored, have endeavored to incite them to revolt. Fortunately, the main body of the Nez Percés have more principle, more intelligence, and more loyalty than those men have. Secession sympathizers, fiendish enough to wish to see re-enacted the scenes in Minnesota, may exist there. But there is reason to hope that they would fail of their purpose. I have instructed the commanding officers in that quarter to arrest and hold subject to my orders any white man found guilty of such an atrocity. The Snakes may attack the outer mining camps south of Salmon River, but that must be expected. They are perpetually at war. Eagle of the Light, a Nez Percé chief who married a Snake woman, may have a small band of his people with him. It is rumored he is in affiliation with the Snakes. It may be so. He never assented to the treaty of 1855. On my return I hope to be able to report to you more satisfactorily on these subjects. I expect that no step will more conduce to quiet and satisfy the Nez Percés than the establishment next spring of a permanent military post. They have been habituated to look for protection from the military.

Major Rinearson has, agreeably to my instructions, removed recently a good many intruders from their farming and grazing lands and broken up various grog-shops, much to their satisfaction. I do not see how I can, unless there is a stern necessity, keep a company there all winter, as no quarters have been erected. If I shall venture to promise to Nez Percés the establishment of a military post next spring, I hope my course will meet the approval of the general commanding.

I am, very respectfully, your obedient servant,

BENJAMIN ALVORD,  
*Brigadier-General, U. S. Army, Commanding District.*

The ASSISTANT ADJUTANT-GENERAL,  
*Headquarters Department of the Pacific, San Francisco, Cal.*

---

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., October 14, 1862.*

SIR: I am satisfied that a post ought to be established at or in the vicinity of Fort Boise next summer, and it is the object of this communication to recommend that authority be obtained from the War Department to establish it. And I will accordingly respectfully request that this letter may be forwarded to the headquarters of the Army, and I confidently ask General Wright to concur in the recommendation, as he two years ago, when in command of the Department of Oregon, made a report in favor of the same step. His dispatch on that subject was dated October 10, 1860. Every consideration which then called for it now applies with tenfold force. The whole route from Walla Walla to Fort Boise (250 miles) is being settled with either farmers or miners. First comes Grand Ronde Valley, containing some inviting agricultural land, where there is a considerable settlement. Next Powder River. On this river the gold mines have attracted many people and a large share of the emigration this fall. Auburn, on Powder River, 25 miles west of the emigrant road, contains now three hundred houses. Next come the mines on Burnt River, and lastly the recently discovered and very inviting gold mines on Boise River. I am satisfied from personal inquiry of reliable persons whom I met in Portland that there have been discovered such attractive mines on that river that there can be no doubt there will be a rush of thousands in that direction next spring. I append to this letter one newspaper statement on this subject, which I have reason to believe is a fair sample of the well-vouched reports from Boise River.

Two years ago the main object of the establishment of a post in that vicinity was the protection of the annual emigration from the Mississippi Valley. Now it is also needed for the protection of the settlements, for, as the general commanding the department well knows, the Snake Indians are, and have for years been, very hostile. They have made several attacks this season, killing several persons, as, for instance, the emigrants who, unfortunately leaving the old road, crossed the Snake River above Fort Hall and kept north of that river. About the 9th August they made an attack

on Bois  River on a train, the captain of which was named Zimmerman. The same party had been attacked on the 9th July near Soda Springs.

A party of emigrants who attempted to take the southerly emigrant road, intending to enter Rogue River Valley, were attacked by the Snakes some time in September about a day's journey after leaving the main emigrant road. Two parties of miners on Bois  River have also been attacked. The report that fifty-seven miners had been killed on Burnt River by the Snakes about the 19th September was utter fabrication. As a large share of the emigrants have stopped in that country and not come to this region, it is very difficult to procure the true statistics of these transactions. I have made it my aim to procure such in every way. Lieutenant-Colonel Maury, commanding the expedition upon the emigrant road, in his letter of the 23d ultimo already forwarded to you, says that the emigrants "have met with very little trouble from the Indians, and that at or near Raft River, Fort Hall being the focus of their operations east and west." The emigrants with Captain Crawford have also been well protected. But I am satisfied that many attacks have been made which could not necessarily come to the knowledge of those officers. Colonel Maury's expedition has been very successful in protecting the emigration, and it is now fortunately in the very position to protect the whites, who in large numbers are prospecting for gold on the Bois  River. These miners are mostly armed. I hear of one party of seventy-five men, and another of one hundred men, starting for that river two weeks ago. They will be likely to meet Colonel Maury about Fort Bois .

Colonel Maury was not able to get possession of any of the guilty authors of the massacre of September, 1860. My instructions to him of the 12th of July contemplate his doing so if possible. But so far no opportunity has occurred. Those Indians deserve to be well punished for all their offenses, and an efficient campaign against them next summer should be prosecuted. The establishment of a military post in their country would check them more effectually and permanently than any other step. But, until they should get a good whipping, that post would be harassed by the thieves. Gorged with plunder and steeped in blood, the appetite for robbing and marauding has been sharpened and cherished by their success and impunity. The dispatch of General Wright of two years since (above referred to) contemplated an active campaign against them; and no doubt, but for the secession movement, the proposition would have been carried into effect. A large share of the attacks on the emigrants and other travelers occurred between the South Pass and Fort Hall. The dispatch above mentioned recommended that early notice should be given in the newspapers when a column would leave Utah for the protection of the emigrants, so that they might avail themselves of the escort. As this department now embraces Utah, I recommend that orders be given that a command shall leave Fort Crittenden, Wash., about the 15th of June next, proceed to some eligible point near the South Pass to intercept the emigrants, and having gathered together sufficient to render it proper to move for their protection, to repair on the emigrant road to Salmon Falls on Snake River, there to meet a command from this district about the end of August.

I concur in the recommendation in the dispatch of the 10th October, 1860, that the garrison at Fort Bois  should consist of three companies of infantry and two of cavalry. The latter for the first winter could return for shelter and subsistence to Fort Walla Walla. After the first winter plenty of forage would be grown for the supply of the post by the inhabitants in that neighborhood. I respectfully request that you will please direct Lieutenant-Colonel Babbitt, deputy quartermaster-general, in estimating for the funds needed for the Quartermaster's Department for the fiscal year ending 30th June, 1864, to include sufficient for the establishment of Fort Bois . After all the companies of Colonel Steinberger's regiment of Washington Territory Volunteers shall have been raised, I shall need, to accomplish the purposes above set forth, three or four additional companies, say one of cavalry and the remainder of infantry. I may ask in the spring that they shall be sent from California, especially as I am satisfied it will be necessary next season to establish a permanent post at or near Camp Lapwai, on the Nez Perc  Reservation.

I have the honor to be, very respectfully, your obedient servant,

BENJAMIN ALVORD,  
Brigadier-General, U. S. Army, Commanding District.

The ASSISTANT ADJUTANT-GENERAL,  
Headquarters Department of the Pacific, San Francisco, Cal.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, October 25, 1862.

GENERAL: A few days since I had an interview with his excellency J. W. Nye, governor of Nevada Territory. It is well known that many persons in the Territory of Nevada sympathize strongly with the rebellion, and the character of many of the



emigrants recently arrived in that country has only added to the disloyal element previously there. The governor, anxious for the welfare of the Territory, came to consult with me as to the best means to be adopted to crush any attempt of the disaffected to raise the standard of rebellion. The governor has already organized and armed four companies of loyal men at different points in the Territory, and he proposed to organize two more of infantry and one of cavalry, composed of good men and true, who would be always ready to meet any emergency that might arise. To enable the governor to carry out his patriotic views I have placed at his disposal one hundred stand of small arms and equipments, also such arms and equipments for a company of cavalry as could be spared from our limited supply. For the same purposes I some time since placed at the disposal of his excellency, Governor Stanford, of the State of California, five hundred stand of small-arms, to enable him to organize and arm companies of good Union men at certain points in the State. The governors are particularly careful that none but men of undoubted loyalty shall enter the companies, and the very fact of having such organizations of men well armed and ready to act will go far to prevent any demonstrations of disloyalty. I have placed these arms at the disposal of the governors without any special authority from the general-in-chief or the War Department, not doubting that my acts would be approved, having for their object the maintenance of the peace and quiet of the country.

I beg here to renew my former request that 20,000 stand of small-arms and equipments may be sent to this coast at an early day; they may be needed, and remote as we are from the source of our supplies, prudential considerations demand that in an emergency we should be able to call out and arm 30,000 men at once. I would also respectfully recommend that another regiment of infantry be raised in this State, and that the First Cavalry Regiment of California Volunteers be increased to twelve companies. It will be recollected that this regiment, now consisting of only five companies, commanded by a lieutenant-colonel, was originally organized for special service with the command designated to protect the overland-mail route; subsequently its destination was changed to southern California; it is now in Arizona and New Mexico, having formed a part of the column from California under Brigadier-General Carleton. Owing to the vast extent of this department, and the detaching of large forces to New Mexico and Utah, the increase herein recommended is deemed absolutely necessary. I am compelled in the present state of our affairs to post troops at a greater number of points and it is highly important that they should be sufficiently strong to command respect for the Government of the United States.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, October 27, 1862.*

GENERAL: I have served on the Pacific coast for ten years, the last year in command of this department. My duties have called me to nearly every section of this great country; from the sunny plains of the south to the farthest bounds of our possessions in the north. I have been called, either to battle with our savage foes, or to aid in the preservation of this beautiful land from the horrors of civil war. During this long period I have had ample opportunity of judging of the character of the people and the value to the Union of these remote possessions of the United States. Previous to the war with Mexico but little comparatively was known of this country; a few of our most adventurous people had found their way across the continent and taken up their abode either in Oregon or California; but when peace was restored, and we acquired California, and coeval with that event the discovery of gold mines, extensive and almost fabulous in richness, caused a large influx of population. It was not alone from the States of our Union that the people came; every quarter of the globe, as well as the isles of the ocean, contributed to swell the number. It will thus be seen that this country was overrun and occupied by people bringing with them and retaining all their home prejudices, and ill-calculated to establish a colony of loyal citizens eager to promote the prosperity of the country. Time and contact have done much to harmonize and smooth down the discordant elements of this incongruous population, yet the outbreak of a formidable rebellion in our land had a tendency to revive these sectional sympathies and attachments, which have prompted men to glory in the fact not that they are Americans but that they are from such or such a State, to which their paramount allegiance is due.

Happily, the number of men who thus ignore the authority of the Federal Government and declare their fealty to the State from which they came is small compared

with that of the men who are Americans, and who love the Union and are willing to risk their all for its preservation. Such was the character and such the division of sentiments on this coast when I assumed command of the department. I saw at once that to overcome all these threatening difficulties it was necessary to be watchful, vigilant, and firm; not create unnecessary alarm in the public mind by hasty and ill-advised acts, but to pursue the even tenor of my way, regardless of personal consequences, and feeling assured that such a course could not fail to secure the respect of political parties of every complexion, and ultimately redound to the honor of our Government and country. If what little I have done has contributed in the smallest degree in preserving intact our glorious Union and maintaining unsullied our flag, I shall feel more than repaid. It affords me high satisfaction to inform the general-in-chief that during all the period of my command in this department I have received the most cordial approval and assistance from the governors and State officers, as well as from the most prominent citizens.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, October 30, 1862.*

GENERAL: I have already written to you asking for authority to raise another regiment of infantry in this State, and also to raise seven additional companies of cavalry to complete the organization of the First Oregon Volunteer Cavalry Regiment, now in New Mexico, and composed only of five companies. Lieutenant-Colonel Eyre, of the First Cavalry, is now here, having been sent from New Mexico with dispatches by General Carleton, and if the authority is granted for the additional cavalry companies I will thank you to inform me by telegraph in order that no time may be lost.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

[Telegram.]

WAR DEPARTMENT, *December 2, 1862.*

Brigadier-General WRIGHT,  
*Commanding Department of Pacific, San Francisco:*

You are authorized by the Secretary of War to raise the regiment of infantry and the seven companies of cavalry mentioned in your letter of October 30.

THOMAS M. VINCENT,  
*Acting Adjutant-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, December 8, 1862.*

GENERAL: I have the honor to acknowledge the receipt of Assistant Adjutant-General Vincent's telegraphic dispatch of the 2d instant, conveying the authority of the Secretary of War for me to raise a regiment of volunteer infantry and seven companies of cavalry. To insure the appointment of none but efficient and competent officers, I have organized a board of experienced officers of the Army at my headquarters, to examine into the qualifications of all applicants for appointments, and submit to me recommendations for filling the different grades; and if approved, I shall then present their names to the governor of the State, who will issue the commissions.

This plan will secure the services of good and reliable men as officers, and has received the cordial approval of Governor Stanford.

The seven companies of cavalry will complete the organization of the First Cavalry, California Volunteers, now with Brigadier-General Carleton, in New Mexico; and if it is the wish of the General-in-Chief (as I presume it is from his dispatch to me some time since) that these seven companies should be sent to New Mexico by the southern route, I propose to advance them by company or squadron as fast as organized, via

Fort Yuma, thus enabling them to pass the deserts without the inconvenience attending the movement of a large command.

The infantry regiment can be well employed within this department. The vast extent of country and the threatening aspect of our Indian affairs require at least one of the arts of war to be well understood, that is the "art of distributing troops." In the district of Oregon, by the prudence and foresight of Brigadier-General Alford, peace has thus far been maintained, but it is much to be feared that collisions will be brought about between the large number of our people who have overrun the mining regions and the Indians now on their reservations. Last winter, in accordance with the authority granted to me by the Secretary of War, I suspended the further organization of the Oregon cavalry regiment, on the completion of six companies. Circumstances may arise in the early spring rendering it necessary to complete the regimental organization by raising six additional companies of cavalry. I doubt not that an entire regiment of mounted troops will be necessary on the route from Fort Hall to Oregon and Washington to protect the large emigration arriving from the Eastern States during the summer and fall months.

Very respectfully, your most obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., December 16, 1862.*

The undersigned, commanding the Military Department of the Pacific, takes great pleasure in announcing to the patriotic of California that he has been authorized by the honorable Secretary of War to call upon his excellency the governor for an additional regiment of infantry and seven companies of cavalry to be mustered into the service of the United States.

The troops called for are designed for distant service in the field, and will be commanded by able and experienced officers.

Californians, you have already exhibited a noble devotion to the Union. Ten thousand men furnished by your State, and the magnificent voluntary contributions in money and supplies which you have sent forward to aid our sick and wounded soldiers in the east, bear witness to your love for the old flag.

Knowing, as I do, the people of this State, their love of country, their intelligence, their zealous and holy attachment to the Union, I appeal to them with confidence.

Respond promptly to the call; rally under the protecting folds of the glorious old star-spangled banner, and swear fidelity to the Union.

G. WRIGHT,  
*Brigadier-General, United States Army, Commanding.*

---

[Telegram.]

SAN FRANCISCO, October 31, 1862.

To L. THOMAS, *Adjutant-General:*

All the companies of Washington Territory volunteer regiments have been organized, and I find an extra company from Alcatraz Island. Can I retain this company in a new regiment for California, or transfer it to the Oregon Cavalry regiment?

G. WRIGHT,  
*Brigadier-General, Commanding.*

---

[Telegram.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
*Washington, D. C., November 3, 1862.*

Brig. Gen. G. WRIGHT,  
*Commanding, San Francisco, Cal.:*

The extra company Washington Territory Volunteers will be retained. Assign it at your discretion.

L. THOMAS,  
*Adjutant-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*Sacramento, Cal., November 8, 1862.*

GENERAL: Since I last had the honor to address you nothing of importance has taken place in this department. From Oregon I have received advices from Brigadier-General Alvord. He was at Walla Walla making arrangements for the continuance of the military post at Camp Lapwai, in the Nez Percé country, during the winter; this has been rendered necessary in order to maintain the peace between the miners and Indians. General Alvord has already strongly recommended the establishment of a military post at or near Fort Boise, on the Snake River. I have concurred in the general's views, and directed the deputy quartermaster-general to prepare his estimates accordingly. The establishment of a post at Boise was directed by the War Department some three years since, but the order afterwards revoked, and in consequence of the disturbed state of our country nothing further was done in the matter. It is now considered important to erect the post to overawe the marauding savages and afford protection to the emigrants annually approaching that country. The public sentiment in this country remains unchanged, and it is believed that the precautions already taken will effectually suppress any attempt of the disaffected to throw this State into the vortex of rebellion. I have frequent personal interviews with the governor of this State, and I am happy to state that he is watchful and vigilant, doing all that is possible for the preservation of this country from the horrors of a civil war. We have frequent reports of organizations in the remote interior districts of the State for resistance, but such reports have, upon investigation, been found highly exaggerated; that many organizations hostile to the Government do exist I have no doubt, but they are principally confined to the localities where the sympathizers with the rebels are in the majority. By the organization of militia companies in those places, composed of loyal men, with officers appointed by the governor, together with a judicious posting of United States troops, I can apprehend but little danger that any open demonstrations against the Government will be made.

I propose to make a tour through different sections of the department for the purpose of ascertaining more correctly the true state of feeling, and to be prepared to meet any emergencies which may arise. In the absence of any special authority to travel over the department or to remove my headquarters temporarily, I have thus far been no farther from San Francisco than this city. In the present condition of our affairs I beg leave to ask that authority may be given me to remove temporarily my headquarters to such positions as may be deemed necessary. During a few months past I have been suffering with the asthma, the only affliction I ever had, and this only in San Francisco. Anywhere removed from the coast I am perfectly well. I find this city, which is the seat of government and the residence of the governor, very convenient for the transaction of the business of the department; besides, being but a few hours from San Francisco, the mails from the east reach me here a day sooner. Under these circumstances I respectfully request that authority be granted to remove my adjutant-general's office to Sacramento, at least during the session of the legislature, as well as a general authority to visit any post or section of the country where my presence would be beneficial to the interests of the Government.

Very respectfully, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, November 17, 1862.*

GENERAL: I have the honor to inclose herewith a communication addressed to these headquarters by Brig. Gen. B. Alvord, commanding the district of Oregon, dated the 4th instant, with nine inclosures. The report of General Alvord, with accompanying documents, will fully inform the general-in-chief of the state of affairs in this district, especially in relation to the Nez Percé Indians and the reservations set apart for them by treaty stipulations. I have fully approved of all that General Alvord has done and proposes to do to maintain the peace and quiet of that country. The large and constantly-increasing number of miners in the Nez Percé country can only be held under proper restraint by the strong arm of military power. The Nez Percés have been our steadfast friends for more than half a century; they rendered me essential aid in my campaign against the northern Indians in 1858, and still later they have yielded to the encroachments of a multitude of miners, who have overrun nearly their entire reservation, asking only that they may receive protection from the Government in their just rights, and that the white intruders may be held under proper

restraint. This must be done; and, other means failing, I shall not hesitate to declare martial law over the entire reservation, and strictly enforce the laws of Congress regarding Indian country, and take such other steps as may be deemed necessary to suppress the disloyal practices of those sympathizers with the rebellion, who have sought an asylum in the country with a view of encouraging those Indians to revolt against the authority of the United States.

Very respectfully, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

---

HEADQUARTERS DISTRICT OF OREGON, —  
*Fort Vancouver, Wash., November 4, 1862.*

SIR: I have the honor to report my return to this post, having as I proposed in my letter to you of the 15th ultimo, made a visit to the Nez Percés Reservation. On my way, at the Des Chutes, I heard of two murders of white men in that country having occurred, supposed to be the act of Indians, and was thus, besides the reasons assigned in my dispatch of the 15th ultimo, gratified to find myself en route to the scene of trouble. I have been compelled to establish a military post on the Lapwai, 3 miles above its mouth, where the Nez Percé Agency is established, and 12 miles from Lewiston, Wash., which is at the confluence of Clearwater and Snake Rivers. I have left there Maj. J. S. Rinearson in command, with two companies—one, Captain Matthews's company F of First Oregon Cavalry, and the other Captain Knox's E of First Washington Infantry. You have seen by Special Orders Nos. 76, 77, and 78, heretofore inclosed to you (duplicates sent herewith), that I have enjoined the strictest economy in the execution of this duty, and have ordered First Lieut. D. W. Porter, regimental quartermaster First Oregon Cavalry (daily expecting his commission as captain and assistant quartermaster), to be stationed there as acting assistant quartermaster and acting assistant commissary subsistence.

For taking this step, I hope to be able to assign reasons satisfactory to the general commanding the department. I have to throw myself on his indulgence, as he verbally expressed a wish before we separated at San Francisco that no new post should be established without his authority being previously obtained. I found that the motives alluded to in my letter of the 15th ultimo, which would demand its establishment next spring, imperatively demanded it now. When I assumed command of the district of Oregon on the 7th July last, there were about fifteen thousand people, mostly gold miners, on the Nez Percés Reservation, in defiance of the express provisions of the treaty with that tribe which was ratified by the Senate 29th April, 1859. The treaty was made 11th June, 1855, and not ratified until the above date on account of the revolt of other Indian tribes, with whom treaties had been made at the same time. As the Nez Percés never shared in said revolt, but on the contrary opposed it, and assisted our troops to suppress it, it was very hard that they had to wait four years before their treaty was ratified. Even now, at the end of seven years, I can find but few evidences of a fulfillment of the treaty. Sawyer has never received but six months of his salary as head chief, and the house with which he was to be provided has but just been commenced. Few of their annuities have ever reached them. I met some now on the way to Lewiston, and I am happy to say that I think the new superintendent of Indian affairs for Washington Territory, C. H. Hale, esq., is a man of integrity, who will take an interest in securing so far as practicable, the rights of those Indians. Their whole history, from their earliest contact with the Americans, has been signalized by their fidelity to the whole white race, especially to us, the other tribes having rather called themselves "King George Indians" before the boundary line was run.

In every war they have indignantly refused to join those tribes, and sometimes fighting on our side, as in 1858, when we promised in return to aid them in future against their enemies. Two years ago the stream of gold-seekers began to invade their country. I shall not attempt to portray the number and nature of the outrages to which this faithful tribe has accordingly been subjected. With no evidence of any adequate fulfillment of the old treaty, the tribe is agitated with the prospect of being invited to form a new treaty, provision for making one being made at the recent session of Congress. They learn that the whites are clamorous to get possession as well of their farming and grazing as of the gold-mining regions. Vile rebel sympathizers, of the lowest class of gamblers, outlaws, and land pirates, such as always haunt an Indian frontier, have invested the reservation and instilled poisonous words into their ears, such as representing that the power of our Government was gone, etc. I doubt not that a few such vagabonds have sought to hatch a revolt. The signal was to have

been any great reverse at the east, as the capture of Washington or Baltimore. The object was nothing but plunder, pillage, and robbery in the midst of the disorder. On the 30th September I sent the instructions, a copy of which is herewith inclosed, to Major Rinearson, but he has been unable to obtain sufficient testimony upon which to found any action.

As the Nez Percés had in their own recent experience too much reason to regard the power of our Government a myth, the fiendish plotters might have supposed that they had ready prepared for them a congenial soil upon which to operate. Fortunately Nez Percés fidelity has been able to withstand even all this unwonted array of temptation; the two murders had occurred, one on the 10th and the other on the 11th October. These the whites attributed to an intention to make war. The imputation, even if untrue, was calculated to excite and irritate. To crown all, the military force which has been at Camp Lapwai this summer was about to be withdrawn for the winter. As they afforded the Nez Percés their only protection against trespasses, outrages, and whisky-selling, you can readily imagine the disturbed and dissatisfied condition of the tribe on my arrival. I reached Fort Walla Walla on the 19th and met there the letter of the Indian agent, herewith inclosed, and the proceedings of the mass-meeting of citizens of Lewiston, both on the subject of additional force being ordered to the reservation.

I immediately ordered forward Captain Knox's company to Fort Lapwai, and directed also Captain Thompson's company (A) of Washington Territory Volunteers, to go thither on the arrival of Lieutenant-Colonel Maury's command. But I subsequently (on the 28th) countermanded the order for the last-named company. I placed all the troops (as see in accompanying General Order, No. 15) upon the Nez Percés Reservation, and at Fort Walla Walla, under the command of Colonel Steinberger, with authority to move them to and fro, according to the demands of the public service.

This is eminently proper, as the winter may soon cut off all communication with these headquarters for a long period of time.

On reaching Camp Lapwai, on the 23d, I found that in anticipation of my arrival and that of the Indian superintendents (for whom I had not waited) a large gathering of the Indians of the tribe had occurred, in part also occasioned by the reported murders, which were evidently a cause of as much concern to the Nez Percés as to the whites.

On that day one of the accused, named Wet-too-law-in, an illegitimate son of Pepe-mox-mox by a Nez Percés woman, was surrendered by Sawyer to Major Rinearson. He is accused of the murder of Mr. Titus, a citizen of Oro Fino. On the 24th I met the Indian chiefs, thirty in number, in a grand council, composed of Sawyer, Joseph, Big Thunder, and all the principal chiefs except Eagle of the Light, who has never participated in any of the treaties. A brother of Looking Glass was there. They were assembled to see me, and expected from me a talk. I gave them the talk, a copy of which is herewith inclosed. I have every reason to believe that it had a happy effect upon them. I dwelt upon their past fidelity, and promised them protection to the extent of our ability, stating that the military whom I should leave in their country would protect them as far as possible under the old treaty, and also under any new treaty which might be formed. Under the operation of the confidence inspired by the establishment of a military post among them they may by spring be prepared to form a new treaty, surrendering their gold mines to the whites. It appears that all factions of the tribe are pleased with the establishment of a military post, which is to this faithful tribe a harbinger of good. Major Rinearson appears to have discharged his duty with fidelity and discretion, and obtained the good will of the Indians, as Capt. A. J. Smith, First Dragoons, did a year ago last summer. The company of Oregon Cavalry there is composed of excellent material, who have behaved well and have not been ruined by the temptations of a mining town. The infantry company sent there is composed of the best behaved men in the garrison at Fort Walla Walla. I was desirous, with a view to economy, to leave only an infantry company there this winter; but I am satisfied that it would not answer. The Indians would see no token of good faith or efficiency in such a command. A mounted force inspires their respect, as they rate the consequence of any man by the number and value of the horses he owns, and it is only a mounted force which can promptly move for their protection. Their chiefs, to their credit be it said, persistently insist on the removal of whisky-sellers from points outside the mining towns and the lines of transit.

I inclose herewith a copy of my instructions of the 7th of September, to Major Rinearson, in reference to the removal of intruders on their farming and grazing lands. You were furnished at the time with a copy of my instructions of the 18th July, to which the other is only supplemental. I found on leaving that I had no further instructions to give. One of the Indians accused of murder belonged to the band of Big Thunder, who is a leader of the party in opposition to Sawyer, and a rival candidate for the head chieftainship. He and the chiefs in his interest sought an interview with me at Camp Lapwai on the 27th ultimo. He said that he wanted more



time to investigate the question of the guilt of the accused. When satisfied of his guilt he would surrender him, as required in the treaty. Dr. Newell, Mr. Craig, and Mr. W. H. Rector (the latter superintendent of Indian affairs for Oregon) concurred in advising me to give him more time as he asked. He went on to profess that he was for peace, that this murder, if it was committed, was the act of a mere boy, and no indication or presage of war. The above-named gentlemen agreed in thinking that he was sincere, and that he and his adherents, notwithstanding the causes of irritation, have evinced no warlike intentions or preparations. Thus I am pleased to say that I think the murders were exceptional cases, and not the precursors of revolt. One of the accused, a half Walla Walla, can find sufficient cause for his deed in the killing of his father, Pe-pe-mox-mox, by the whites in 1856. The other, if guilty, remains the only full-blooded Nez Percés who ever killed a white man. This is averred as true of them by Dr. Newell and Mr. Craig, who have known them for thirty years. It is a miracle, with all the causes of conflict existing on that reservation for the last two years, and all the outrages from bad whites to which they have been subjected, that some white man has not before been killed. It is an exception which proves the general rule. It is truly wonderful to find such persistent loyalty, and such a want of crime in a tribe subjected to such trials and temptations.

I have reason to hope that under existing circumstances no general outbreak will occur, but we may from time to time hear of more murders, as it can hardly be anticipated that even the virtues of this tribe and the establishment of the military post will prevent the natural consequences of such provocation, of whisky and of contact with bad white men. The military post will act as a check both to the whites and to the Indians, and I trust that my course in establishing it will be approved. As the roads are now painfully infested by robbers and cut-throats, the presence of the military will materially aid the civil authority. Still I declined the entreaties of some of the citizens of Lewiston to establish martial law for the preservation of order among the whites. I conceived that the troops had full as much on their hands as they could accomplish in attending to their legitimate duties. No such step would of course be justifiable, unless it was entirely practicable and absolutely necessary for the preservation of the peace of the frontiers. Of the interest centering in Lewiston you can form some idea, when I state that a half million dollars for freights have been paid at that place during the last year. I have called the new post Fort Lapwai. Letters for that post should be directed to Fort Lapwai, near Lewiston, Wash.

I am sir, very respectfully, your obedient servant,

BENJAMIN ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

The ASSISTANT ADJUTANT-GENERAL,

*Headquarters Department of the Pacific, San Francisco, Cal.*

---

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., September 7, 1862.*

SIR: The object of this communication is again to enforce upon you the necessity of protecting the Indians from the aggressions of the whites. I am to-day informed by C. H. Hale, esq., superintendent of Indian affairs for Washington Territory, that the Nez Percés Indians have given their consent to the occupation of Lewiston and the other mining towns by the whites, but outside those towns it is especially desirable to enforce the provisions of the treaties and the United States laws intended for the protection of Indians in the Indian country. I desire you to afford to the Indian department every assistance in your power for that purpose. In cases in which white men have squatted on the agricultural and grazing lands belonging to the reservation, contrary to the wishes of the Indians and the express prohibition of the agent, they should be removed. I desire you not to hesitate to break up any grog-shops established in places which are evidently an encroachment upon the Indians, and intended for the sale of liquor to the Indians. When the letter was sent to you from these headquarters on the 30th ultimo, in answer to your letter of the 10th ultimo, I was not aware that the grog-shops spoken of were in places regarded as an encroachment on the Indians. I am satisfied that the military authorities, upon the request of the Indian agent, will be justified in removing or destroying any fences, houses, or improvements which constitute aggressions upon the Indians. You may also be asked to assist the civil authority or the Indian department in the arrest of men who have committed crimes and offenses against the Indians. You will, of course, be expected to exercise a sound discretion in such cases, as I do not wish the military power used for any purpose of oppression.

In any offense against the Indian intercourse act the military force may, so far as practicable, be employed to assist the Indian department. (See section 23 of the act of June, 1834.) They can be removed by your orders to Walla Walla, where they

can be committed for trial before the civil authority. If a United States commissioner resides on the reservation who has authority to commit, your action should be so far as possible in obedience to his mandate or of the marshal or acting marshal of the Territory. As stated in my instructions of the 18th of July, I have a personal interest in the Nez Percé Indians, whose friendship for the whites has for years been so conspicuous, and I shall, therefore, be much gratified if you can give them efficient aid and protection. Pray omit no fair opportunity of showing your wishes and intentions towards them. In any event which may possibly occur, rendering a re-inforcement desirable, you must apply to Col. J. Steinberger, commanding officer at Fort Walla Walla, for such aid, who has been instructed to furnish it. If he should himself at any time repair to your camp you will exhibit to him all your instructions and be governed by his orders. You may exhibit this letter and also my instructions of 18th July to the Indian agent, if you choose to do so.

I am, sir, very respectfully, your obedient servant,

BENJAMIN ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

Maj. J. S. RINEARSON,

*First Cavalry, Oregon Volunteers, Commanding Camp Lapwai, Wash.*

Copy respectfully furnished for the information of the general commanding the department.

Headquarters District of Oregon, Fort Vancouver, Wash., November 5, 1862.

BENJAMIN ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

OFFICE NEZ PERCÉ INDIAN AGENCY,

*Lapwai, Wash., October 12, 1862.*

SIR: I understand from Major Rinearson, commanding the detachment of troops stationed at present on this reservation, that his command will probably be removed from this part of the country in a short time. I fear the withdrawal of all the military forces from this neighborhood at the present time will be attended with serious consequences. A very considerable portion of the Nez Percé tribe are disaffected towards the whites, and I fear only await a favorable opportunity to retaliate on the settlers on their lands, and on those passing through their country for the many wrongs they have suffered at the hands of the whites. The reservation is infested with a great number of lawless white men; who sell whisky to the Indians, steal their horses, and debauch their women. A military force, and one that will act promptly, is essentially necessary to hold these men in check, as well as to protect the whites against the depredations of the Indians.

If either the whites or the Indians be permitted to carry on their acts of violence and wrong without restraint, a war between the two races must necessarily ensue. Day before yesterday a white man was murdered by an Indian within 3 or 4 miles of the agency; to-day I hear of another murder within 5 or 6 miles of the agency on the other side. I do not know positively who committed this last murder, but from the few facts I have been able to gather I doubt not it was done by Indians. I have sent out a party of men to bury the dead body but they have not yet returned. I am afraid we are only at the beginning of our difficulties with the Indians. I have conversed with numbers of them since I have been here, who do not hesitate to express their unfriendly feelings against the whites. Sawyer, the head chief, seems much excited, and says he is apprehensive of danger from a portion of the tribe.

The military force stationed here at present is, in my opinion, entirely inadequate to protect the Indians in their rights and at the same time insure safety to the whites over so great an extent of country as that covered by this reservation. Could two or three companies of troops, say two of infantry and one of cavalry, be stationed at different points on the reservation, their presence would no doubt overawe the disaffected portion of the Indians, and thus maintain peace and quiet in the country until a treaty could be effected with the tribe. I have taken the liberty of calling your attention to the existing state of affairs on this reservation, that you may take such measures as you deem necessary to insure protection both to whites and Indians.

Very respectfully, your obedient servant.

J. W. ANDERSON,

*Sub-Indian Agent; Washington Territory.*

General ALVORD,

*Commanding District of Oregon.*

HEADQUARTERS DISTRICT OF OREGON,

*Fort Vancouver, Wash., November 5, 1862.*

A true copy.

BENJAMIN ALVORD,

*Brigadier-General, U. S. V., Commanding District.*

GENERAL ORDERS, }  
No. 15. }

HEADQUARTERS DISTRICT OF OREGON,  
Fort Walla Walla, Wash., October 20, 1862.

I. Colonel J. Steinberger, First Infantry, Washington Territory Volunteers, is placed in command of all the troops on the Nez Percé Indian Reservation and at Fort Walla Walla, and on the departure of the general commanding the district he will give such orders for the movement of the troops to and fro as may be necessary for the public service.

By order of Brigadier-General Alvord.

FREDERICK MEARS,  
First Lieutenant, Ninth Infantry, U. S. Army,  
Acting Assistant Adjutant-General.

Copy respectfully furnished for the information of the general commanding the department.

Headquarters District of Oregon,  
Fort Vancouver, Wash., November 6, 1862.

BENJAMIN ALVORD,  
Brigadier-General, U. S. Volunteers, Commanding District.

SPECIAL ORDERS, }  
No. 76. }

HEADQUARTERS DISTRICT OF OREGON,  
Fort Walla Walla, Wash., October 19, 1862.

I. Company E, First Infantry, Washington Territory Volunteers, commanded by Capt. W. M. Knox, will repair without necessary delay to Camp Lapwai, Wash., near the Nez Percé Agency, where it will be stationed.

II. Quarters will be erected at some eligible point in that vicinity for the company, and Lieut. W. B. Hughes, acting assistant quartermaster at Fort Walla Walla, will furnish, so far as practicable, the necessary tools, materials, etc., for that purpose. He will also supply the company with Sibley or other tents, and with all the necessary wagons and teams for the wants of that post.

III. The acting assistant quartermaster at this post will furnish the necessary transportation for this movement, and the acting assistant commissary of subsistence will furnish subsistence for the command until the 30th June next.

IV. The acting assistant quartermaster and commissary of subsistence at Camp Lapwai, Wash., will make necessary estimates on the chief of the staff at department headquarters for the wants of the troops. The estimates will be forwarded through the headquarters of this district.

V. So far as practicable the labor will be performed by the troops, but such citizen employes as are absolutely necessary for the erection of the quarters at Camp Lapwai, will be hired by Lieut. W. B. Hughes, acting assistant quartermaster; but in all the expenditures the utmost economy will be practiced. Major Rinearson, First Oregon Cavalry, commanding post, will vigilantly guard the public interests in all disbursements and in the care of public property.

By order of Brigadier-General Alvord.

FREDERICK MEARS,  
First Lieutenant, Ninth Infantry, U. S. Army,  
Acting Assistant Adjutant-General.

Copy respectfully furnished for the information of the general commanding the department.

Headquarters District of Oregon,  
Fort Vancouver, Wash., November 6, 1862.

BENJAMIN ALVORD,  
Brigadier-General, U. S. Volunteers, Commanding District.

SPECIAL ORDERS, }  
No. 77. }

HEADQUARTERS DISTRICT OF OREGON,  
Fort Walla Walla, Wash., October 20, 1862.

I. Col. J. Steinberger, First Infantry, Washington Territory Volunteers, will, on the arrival of the superintendents of Indian affairs, accompany them to Fort Lapwai, Wash., and remain there during their visit. He will not return to Fort Walla Walla until the approach of winter and the state of affairs shall render his presence unnecessary.

II. Company F, First Oregon Cavalry, and Company E, First Washington Territory Volunteers, will constitute the garrison of Fort Lapwai, and quarters and stables will be built for both under the orders of Maj. J. S. Rinearson, First Oregon Cavalry.

III. On the arrival of Colonel Maury's command, Company A, First Washington Territory Volunteers, will proceed to Fort Lapwai, Wash.

IV. The quartermaster's and commissary department will furnish the necessary transportation and subsistence for the execution of the above orders, and will take measures to supply forage in the most economical manner, oats being hauled thither from this post if necessary.

By order of Brigadier-General Alvord.

FREDERICK MEARS,

*First Lieutenant, Ninth Infantry, U. S. Army, Acting Assistant Adjutant-General.*

Copy respectfully furnished for the information of the general commanding the department.

Headquarters district of Oregon, Fort Vancouver, Wash., November 6, 1862.

BENJ. ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

SPECIAL ORDERS, }  
No. 78. }

HEADQUARTERS DISTRICT OF OREGON,

*Lewiston, Wash., October 22, 1862.*

First Lieut. D. W. Porter, regimental quartermaster First Oregon Cavalry Volunteers, will as soon as his health will permit repair to Fort Lapwai, Wash., and perform the duties of acting assistant quartermaster and acting assistant commissary of subsistence, at that post. He will be considered as mustered out of the service, pursuant to the orders of the War Department, as regimental quartermaster of the First Oregon Cavalry, on the day he receives and accepts his appointment as assistant quartermaster, having been notified by Senator Nesmith that such appointment has been mailed to him by the War Department.

By order of Brigadier-General Alvord.

FREDERICK MEARS,

*First Lieutenant, Ninth Infantry, U. S. Army, Acting Assistant Adjutant-General.*

Copy respectfully forwarded for the information of the general commanding the department.

Headquarters district of Oregon, Fort Vancouver, Wash., November 6, 1862.

BENJAMIN ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

HEADQUARTERS DISTRICT OF OREGON,

*Fort Vancouver, Wash., September 30, 1862.*

SIR: Rumors have reached these headquarters that white men, lost alike to a sense of duty and humanity, are mixed among the Indians in your locality, instilling into their minds a disregard for the peace of the frontiers, and under a pretext that the Government is powerless to protect or punish, to incite them to revolt, and with it all the horrors of rapine and murder. The general commanding directs that you arrest and hold subject to his disposition any person or persons caught in the act (or when reliable information is furnished you of such fact) of inciting, advising, or in any way encouraging disaffection and revolt among the Indians. While you are expected to use these instructions with discretion, you are nevertheless to act with promptitude and vigor, and not to hesitate, if necessary, to use the force at your command for the purpose above set forth. Similar instructions have been furnished to Col. J. Steinberger, commanding at Fort Walla Walla.

I am, sir, very respectfully, your obedient servant,

FREDERICK MEARS,

*First Lieutenant, Ninth Infantry, U. S. Army,*

*Acting Assistant Adjutant-General.*

Maj. J. S. RINEARSON,

*First Oregon Cavalry, Commanding Camp Lapwai, Wash.*

Copy respectfully furnished for the information of the general commanding the department.

Headquarters district of Oregon, Fort Vancouver, Wash., November 4, 1862.

BENJ. ALVORD,

*Brigadier-General, Commanding District.*

LEWISTON, October 11, 1862.

Colonel STEINBERGER,  
Walla Walla :

SIR: At a meeting held in this town a short time since the citizens drew up a series of resolutions, and also a memorial, which they have forwarded to his excellency Governor Pickering, requesting or urging upon him the necessity of continuing the troops now at Lapwai at or near Lewiston during the ensuing winter; also for an additional force of two hundred muskets with which to protect themselves in case of need, as it is greatly feared that there will be an outbreak among the Indians. They have commenced to show signs of hostility already, and I am authorized by them to notify you of the facts. Anything that you can do in this matter to aid us in getting the necessary force or arms will be kindly remembered by our citizens.

Your most obedient servant,

R. BAILEY,  
Secretary.

Respectfully forwarded for the information of the general commanding the department.

Headquarters District of Oregon, Fort Vancouver, Wash., November 4, 1862.

BENJAMIN ALVORD,  
Brigadier-General, U. S. Volunteers, Commanding District.

---

*Talk of Brig. Gen. Benjamin Alvord to the chiefs of the Nez Percé Indians, assembled at the Lapwai Agency, Wash., on the 24th October, 1862.*

I left Fort Vancouver to visit you before I had heard of the murders in your country. The report of them met me at the Des Chutes on my way up the Columbia. I have come to see you in order to assure you that the Government desires to do all in its power to protect you. Hereafter, as heretofore, every officer under me will be directed to spare no exertion to afford all possible protection to you. Oftentimes this duty must necessarily be performed imperfectly, and you will, as heretofore, often find our intentions and wishes more satisfactory than our performances. You are entitled to this protection by the treaty. You are also doubly entitled to this care and friendship from your long and unwavering fidelity to our people and to our flag. You received with kindness Lewis and Clark sixty years ago, when they crossed the Rocky Mountains and wintered on the Clear Water. You were kind to Colonel Bonneville in 1835, and to Frémont in 1843. In 1847 you indignantly rejected the proposition of the Cayuse, after the murder of Dr. Whitman, to join in a war. In the spring of 1853 I was in command at The Dalles, and I learned that you again scornfully rejected the message of the Cayuse asking you to join in a general combination for a war against the whites. That war did not finally break out until two years later, when you refused to join them and aided Governor Stevens in reaching Walla Walla from the Blackfeet country. In 1858, under General Wright, in the Pelouse and Cœur d'Alene country, some of you fought on our side, and we promised, accordingly, to fight for you against your enemies. You will never have a worse enemy than the whisky sellers and the bad whites who intrude upon you and commit outrages on you and on your families.

Major Rinearson has been making war upon them as Captain Smith did a year or two ago. Like Captain Smith, he is a warm friend to the Nez Percés. Major Rinearson shall continue to discharge this duty. He will remain here permanently and will build a military fort, and will no doubt continue hereafter, as heretofore, faithfully to discharge the task confided to him. It will be his duty to make all good Indians his friends by doing all he can to protect you, when requested by the Indian agent, to prevent the whites from settling upon your farming lands, to aid in the arrest of whites who commit crimes against the Indians, and to punish those who sell or give whisky to your people. When I first met Sawyer with Mr. Craig in 1853 at The Dalles you were then fortunately remote from the emigrant road, and I had hoped that thus you would have an opportunity of developing and cultivating those elements of Christianity and civilization which had, by the aid of missionaries, been planted among you. As one worshipping the same God and Saviour, I must admit that I took a deep interest in the experiment.

When encamped near The Dalles in May, 1853, your men were seen to kneel on the ground and say their prayers and worship in truth and sincerity the Great God of Heaven. You won in that way my respect and regard. Could I have had my will, I would have raised a wall around you as high as the heavens to keep out intruders. It is very sad to find that the discovery of the gold and the consequent rush of miners to this country should have brought such a mass of the very worst white men in

contact with you, and thus impede your improvement. Better if all the gold found there were sunk in the ocean than that such injustice should be done you. In this unfortunate and unlooked-for state of affairs, the best the Government can do for you is to provide, as it has, for the making a new treaty, so as to compensate you so far as possible for the unauthorized occupation of the gold mines by our people. It is true that no amount of money can compensate you for your injured feelings. But the making this treaty is not given to me. It is in other hands.

It will be my duty after a new treaty is made to aid the Indian agent in enforcing it. Some vexatious delays have occurred in executing the old treaty. A portion of the annuities were at Wallula as I passed there. The new superintendent, Mr. Hale, is an honorable gentleman, who I am sure wishes to do you justice. He had to send his bonds to Washington before he could get money for you. But that delay will soon be at an end. When the Pacific Railroad is built, which the present Congress has provided for commencing, we can communicate so quickly with Washington that such delays will be at end. Some of you and some of your sons will yet visit the great father at Washington on that railroad. Believe not the deceitful words of the cunning and slanderous men who say that this great Government has lost its power. The very reverse is true. Never was the Government so mighty and terrible in its power. Never did it have so many rifles or so many soldiers. It has a million of brave and gallant warriors in the field. In the very midst of such a war it makes a beginning, as I have already said, of a Pacific railroad. Owing to the delays interposed by the Southern States, that measure was never before started. The Northern people have all the country from here to Texas, including California, Utah, New Mexico, Nebraska, and Kansas; nearly all to the Mississippi River. You are under a great, a proud, a rich, and a generous Government. And never did we have more noble, patient, and faithful allies than the Nez Percés. It takes fire to temper the steel. Temptation is the test and trial of virtue. If a Nez Percés lodge will stand rain and storm and hail and hurricane, it is then well pitched; it is then firmly secured to the earth. The sun may shine, but fair weather and sunshine are no test for it. It required all this severe and harassing treatment by the gold diggers to show how true and honest and straightforward a Nez Percés can be. Such fidelity shall always have my praise. We wish in return for it, not only to be fair, not only to be just, but to be also as kind and as generous as possible towards you.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, November 18, 1862.*

GENERAL: I have the honor to inclose herewith a copy of a letter from Col. P. E. Conner, Third Infantry, California Volunteers, commanding the district of Utah, dated November 6, 1862, also a copy of the report of Maj. E. McGarry, Second Cavalry, California Volunteers, detailing the result of his expedition to capture guerrillas and punish Indians engaged in the late massacres on the Humboldt River. The swift retributive punishment which has been meted out to those Indians will doubtless have the effect of preventing a repetition of their barbarities. It is the only way to deal with those savages.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

---

HEADQUARTERS DISTRICT OF UTAH,  
*Camp Douglas, Utah, November 6, 1862.*

COLONEL: I have the honor to transmit herewith a copy of the report of Major McGarry, Second Cavalry, California Volunteers, detailing the result of his expedition to capture guerrillas and punish Indians engaged in the late massacres on the Humboldt River, for the information of the general commanding the department. I am satisfied from verbal information received from officers of the expedition, that the Indians who have been punished were a part of those who had committed the late murders, and that the punishment was well merited.

I hope and believe that the lesson taught them will have a salutary effect in checking future massacres on that route.

Very respectfully, your obedient servant,

P. EDWARD CONNOR,

*Colonel Third Infantry, California Volunteers, Commanding District.*

Lieut. Col. R. C. DRUM,

*Assistant Adjutant-General, Department Pacific, San Francisco, Cal.*



HEADQUARTERS SECOND CAVALRY, CALIFORNIA VOLUNTEERS,  
*Camp Douglas, Utah, October 31, 1862.*

COLONEL: Agreeably to your orders, dated Fort Ruby, Nev., September 29, to proceed thence on the next day (the 30th) with Company H, Second Cavalry, California Volunteers, on the northern overland route, via the "City of Rocks," in quest of guerrillas or hostile Indians supposed to have congregated there; I have the honor to report that, having left Fort Ruby on the day specified, I overtook, on the second day's march, Captain S. P. Smith, of the Second Cavalry, who preceded me with his company the day before and who was encamped in Pine Valley. Here I remained awaiting the return of the Indians who accompanied Captain Smith, and who had been sent out by him to bring in hostile Indians.

Having been informed that fires were seen near our camp, I dispatched Captain Smith with a portion of his company, at night, to learn of them. He returned next morning and reported, "No trace of Indians." On the morning of the 4th we took up the line of march, on the route designated, and arrived at Gravelly Ford on the 5th without having discovered any Indians. Here on the 7th I sent Captain Smith and Lieut. Darwin Chase with a party of men down the river, and Lieut. George D. Conrad up the south side of the Humboldt, with instructions to scour the country for hostile Indians or guerrillas, and to report to me, at a place designated, on the north side of the Humboldt, where I encamped on the 9th with the balance of the command. This evening (the 9th) some of the command enticed into the camp three Indians; two of them were armed with rifles and the other with bow and arrows, I immediately ordered their arms taken from them, and placed them under a guard, intending to detain them until the arrival of my interpreter, who was with the detachment under Lieutenant Conrad. A short time after their arrest the Indians made an attempt to obtain their arms, and, having succeeded, they resisted the guard and broke and ran a short distance; they were fired upon by the guard and crippled. Fearing that they would escape, and not wishing to hazard the lives of my men in recapturing them alive, I ordered the guard to fire, and they were killed on the spot. Here on the 10th Captain Smith joined the command and reported that he had received no information nor had he seen any signs of guerrillas or hostile Indians.

On the 11th I proceeded on the march, having sent out the officers of the command with instructions that if Indians were found to bring them into camp. Captain Smith, having been sent in advance, had not proceeded more than 10 or 12 miles when he came upon a party of about fourteen or fifteen Indians, who were armed with rifles, bows, and arrows. He surrounded them and took from them their arms. Immediately after, the Indians attempted to escape by jumping in the river. They were fired upon and nine of them killed. On the same day Lieutenant Conrad and party brought into camp three Indians and an Indian child. Captain Smith returned in the evening with two squaws. Next day (the 12th) Captain McLean returned bringing in one Indian and a squaw. Same day Lieutenant Clark returned with one Indian; another Indian was captured during the evening. The next day (the 13th) I told two of the Indians, through the interpreter, that if they would go and bring in Indians who were engaged in the massacre of emigrants I would release them, but that if they did not return that night I would kill all the Indians I held as prisoners in camp. The next morning (the 14th), hearing nothing from the Indians I had sent out the day previous, I put to death four of those remaining, and released the squaws and child, telling them that we were sent there to punish Indians who were engaged in the massacre of emigrants, and instructed them to tell all the Indians that if they did not desist from killing emigrants that I would return there next summer and destroy them. On the next day (the 13th) I sent Lieutenants Chase and Conrad with a detachment on the south side of the Humboldt with instructions as before. They came upon a party of Indians encamped in the mountains, armed with rifles, bows, and arrows. They were surrounded and their arms taken from them. The Indians, attempting to escape, were fired upon, when eight of their number were killed. The balance of the route no traces of Indians were seen. On the 28th I arrived at this camp designated by you; the next day, at about 3 o'clock p. m., arrived at this camp.

The route is a good one, with an abundance of grass and water. In conclusion, it affords me great pleasure to report the efficiency of the officers and the good conduct of the men of the command without the loss of any.

I have the honor to be, very respectfully, your obedient servant,

EDWARD MCGARRY,  
*Major Second Cavalry, California Volunteers.*

Col. P. EDWARD CONNOR,  
*Third Infantry, California Volunteers,  
commanding District of Utah, Camp Douglas, Utah.*

Official:

RICHARD C. DRUM,  
*Assistant Adjutant-General.*

[Telegram.]

WASHINGTON, D. C., December 6, 1862.

Maj. Gen. GEORGE WRIGHT, *San Francisco, Cal. :*

Your attention is called to the propriety of garrisoning Fort Bridger with a part of the California regiment.

H. W. HALLECK,  
*General-in-Chief.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., December 8, 1862.*

His Excellency LELAND STANFORD,  
*Governor State of California, Sacramento City, Cal. :*

SIR: I have authority from the Secretary of War to raise in this State another regiment of infantry and seven companies of cavalry. The cavalry companies are designed to complete the organization of the First Cavalry California Volunteers, now consisting of only five companies.

I have organized a board of experienced army officers at my headquarters for the purpose of preparing a plan of organization, and examining the candidates for appointment and submitting their recommendations for my action. From time to time, as I receive the recommendations of the board, I propose to submit them to the consideration of your excellency.

It is believed that the plan proposed for selecting the officers will secure the services of efficient and reliable men.

The power of commissioning the officers is by law vested with the governors of States, and should you approve of my plans, and refer all applicants for appointments to the consideration of the board before giving any commissions, your excellency will be relieved from much embarrassment and annoyance.

With great respect, I have the honor to be, your excellency's obedient servant,  
G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

WASHINGTON, D. C., December 9, 1862.

Brigadier-General WRIGHT, *San Francisco, Cal. :*

All communications received at the War Department from Overland Mail Company, Post-Office Department, and Department of the Interior urge the removal of Colonel Connor's command to Fort Bridger and Harris Fork, as a check upon the Indians.

H. W. HALLECK,  
*General-in-Chief.*

PORTLAND, OREGON, December 15, 1862.

General ALVORD,  
*Fort Vancouver, Wash. :*

DEAR SIR: It has been rumored that the company of Captain Whannell, of San Francisco, is not attached to any regiment. I therefore respectfully recommend that it be attached to the Oregon cavalry. Allow me further to recommend that the regiment of Oregon cavalry be filled up. However, I do not think it can be made up in Oregon in the same manner that it was commenced; that is, by furnishing their own horses. Men might be got, I think, if horses can be furnished them.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., December 24, 1862.*

Hon. A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon:*

GOVERNOR: I have the honor to acknowledge the reception of your letters of the 15th and 16th instant.

I inclose herewith to you a copy of General Orders 18, of the No. 21st February, 1862, from the Adjutant-General's Office.

When I was in San Francisco, I was informed that General Wright had recommended to the governor of California that after the regiments or battalions were fully raised and organized vacancies should, as a general rule, be filled by promotion, as in the Army. This would leave to be otherwise filled the vacancies in the lowest grade, that of second lieutenant. One-half of these should be filled from the faithful non-commissioned officers or from the ranks.

If a captain resigns, the senior first lieutenant should be promoted to fill his place, unless in case of manifest injury to the service; or in case he should decline promotion, the senior second lieutenant would be promoted to first lieutenant in his place.

This system is the one best calculated to reward the faithful officer or soldier. There are so few stimulants and rewards for faithful service in this quarter, that it is desirable to avail ourselves of all that offer. I understand the governors of New York and some other States have adopted this rule.

This is the mode of procedure: The general commanding the department will notify me and Lieutenant-Colonel Maury of the acceptance of the resignation of an officer; Colonel Maury will recommend the promotion or appointment; I will indorse the letter and forward the same to you. If the recommendation meets your approbation, you will notify me of your wishes. If it was an appointment from civil life, as in the case of a second lieutenant, or if appointed from the ranks, he would have to be examined by a board of officers ordered by myself, to report upon his fitness, loyalty, etc. If the report of the board was favorable, I would then order that he should be mustered into the service of the United States, and would notify you so that you might send him a commission.

Each of the officers now in the service was subjected to examination by such a board, but for promotion he would not, as a general rule, be directed to be re-examined.

I am informed from department headquarters that Captain Whannell's company will be attached to a California infantry regiment. It has not yet been decided to ask for any increase to the number of companies in the First Regiment of Oregon Cavalry.

I am, sir, very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 15, 1862.*

GENERAL: I have the honor to inclose herewith a communication addressed to my headquarters by Col. P. E. Connor, commanding the district of Utah, dated at Camp Douglas, December 2, 1862, with a copy of his instructions to Maj. E. McGarry, Second Cavalry California Volunteers, and a report from the latter officer of the execution of his orders. In Colonel Connor's communication it will be observed that he is taking every precaution to guard effectively the overland mail route, and also the telegraph stations; and to his energy and sound judgment may safely be confided that important duty.

Very respectfully, your most obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

---

HEADQUARTERS DISTRICT OF UTAH,  
*Camp Douglas, Utah, December 2, 1862.*

COLONEL: I have the honor to inclose a letter of instruction to Major McGarry and his report of the expedition upon which he was sent. The uncle of the boy, who is now at this post, is a resident of Oregon, and, as he informs me, has been in search of the boy for two years. Three sisters of his, who were captured at the same time, are dead. He also informs me that three expeditions had previously been sent out from Oregon for the recovery of the children, one of which was under command of Captain Dent, of the Ninth Infantry.

The Indians are threatening the overland mail-route east and west of here. I have no fears of the western end, as the lessons I have been teaching them and the messages I send them make them fear me. About a week since I sent ten men to protect the telegraph station at Big Sandy, which was threatened by Indians. On Saturday last they stole one hundred horses from Fort Bridger Reserve, belonging to some

mountaineers, who are wintering there; and fears are entertained that they will attack some of the stations of the overland mail.

I have therefore ordered Company I, Captain Lewis, of my regiment, to garrison Fort Bridger this winter. I shall order detachments of his company to the different stations in this district east of here, if I find it will be necessary. Pacific Springs Station, lately attacked by Indians, is just east of the line dividing this district and the department of the west, and has been garrisoned by troops from that department. The telegraph station at Big Sandy is in the district of Oregon. I shall leave the ten men now there at that point until I am satisfied there is no further danger from Indians, unless otherwise ordered.

I have the honor to remain, very respectfully, your obedient servant,  
P. EDWARD CONNOR,

*Colonel Third Infantry, California Volunteers, Commanding District.*

Lieut. Col. R. C. DRUM,

*Assistant Adjutant-General, Department of the Pacific, San Francisco, Cal.*

HEADQUARTERS DISTRICT OF UTAH,

*Camp Douglas, Utah, November 20, 1862.*

MAJOR: You will proceed this p. m., with a detachment of 60 men of your command, to Cache Valley, at which point are encamped Bear Hunter's tribe of Snake and Bannock Indians, who, I am credibly informed, have in their possession an emigrant boy, about ten years of age, whose parents were murdered last summer by Indians. The boy's uncle is at present at Cache Valley and will guide you to where the boy is. You will march by night and by a trail which will be shown you by a guide who will accompany your command. Surround the Indians if possible, before they become aware of your presence, and hold them prisoners while you send a part of your men to a valley about 2 miles from the Indian camp, where, I am told, there is a large number of stock stolen from murdered emigrants, which, if you have reason to believe that my information is correct, you will drive to this post. You will search the Indian camp thoroughly for the emigrant boy, and if you should not find him you demand him of the Indians, and if not given up you will bring three of their principal men to this post as hostages. You will also investigate as to their complicity in the massacres of last summer, and if you have reason to believe any of them are guilty you will bring all such to this post for trial. You will not fire upon the Indians unless you find it necessary to the proper execution of your instructions.

P. EDWARD CONNOR,

*Colonel Third Infantry, California Volunteers, Commanding District.*

Maj. E. MCGARRY,

*Second Cavalry, California Volunteers.*

HEADQUARTERS SECOND CAVALRY, CALIFORNIA VOLUNTEERS,

*Camp Douglas, Utah, November 28, 1862.*

LIEUTENANT: I have the honor to report that, agreeable to instructions of the colonel commanding the district, I left this camp on the night of the 20th instant and proceeded to Cache Valley, where I arrived about 11 o'clock p. m. on the 22d, distance 100 miles, where I was met by Mr. Van Orman, the uncle of the emigrant boy you ordered me to rescue from the Indians; he informed me that Chief Bear Hunter was encamped with 30 or 40 of his tribe, Shoshones, Snakes, and Bannocks, about 2 miles distant. I left the horses in the settlement called Providence, in charge of a guard, and started about 1 o'clock for the Indian camp; the night was dark and cold, and we did not find the camp until the morning of the 23d. I then divided my command into three parties under Captain Smith, Lieutenant Conrad, and myself, with instructions to surround the camp and close in upon them at day-break. I found in a tent two squaws; the Indians had all left that night, as I perceived that the fires in their huts were not extinguished. I then returned to where I had left the horses, at which place I arrived about 7 o'clock a. m. Captain Smith brought in one Indian, caught in trying to escape; I made a prisoner of him. About 8 o'clock a party of mounted Indians, I should think 30 or 40, armed with rifles, bow and arrows, made their appearance from a cañon on a bench between the settlement and hills, about a mile from the settlement, and made a war-like display, such as shouting, riding in a circle, and all sorts of antics known only to their race. I immediately ordered my men to mount, divided them as before, sent Captain Smith to the right, Lieutenant Conrad to the left, and I took the center, driving the Indians into the cañon; when I arrived at the

mouth of the cañon I halted for the purpose of reconnoitering; just at that time the Indians opened fire upon Lieutenant Conrad; I then ordered my men to commence firing and to kill every Indian they could see; by this time the Indians had possession of the cañon and hills on both sides. I found it would be impossible to enter the cañon without exposing my men greatly. I therefore re-enforced Lieutenant Conrad on the left of the cañon, with orders to take the hill on the left of the cañon at all hazards. About the time the re-enforcements reported to him Chief Bear Hunter made his appearance on a hilltop on the right, with a flag of truce (as I was informed afterwards); I at the time took it to be a war-like demonstration; a citizen who heard his halloing came up to me and told me that the chief said they did not want to fight any more. I then ordered my men to cease firing, and told him to say to the chief if they would surrender and come in I would not kill them, which terms they acceded to. Chief Bear Hunter with 20 or more of his warriors then came in. I took them into the settlement, took Bear Hunter and four others that I thought to be prominent Indians and examined them (through an interpreter) as to the whereabouts of the white boy, and ascertained that he had been sent away some days before.

I told Bear Hunter to send some of his tribe and bring the boy to me; that I should hold the five as hostages until they delivered him to me. He dispatched three of his men and they returned the next day about noon with the boy. I then released Bear Hunter and the four others. I killed three and wounded one Indian in the fight. I was told by Bear Hunter that an Indian known as Woerber Tom, alias Utah Tom, communicated the information of our approach. In relation to the emigrant stock I was ordered to examine into and bring to camp, I could not find any such, and from the information I could gather I am of the opinion all or nearly all of the stock taken by the Indians last summer is now in the Humboldt country. I left Cache Valley on the morning of the 25th, and arrived at this camp on the afternoon of the 27th, without the loss or scratch of man or horse. It affords me great pleasure to report to the colonel commanding the good conduct of the command, and during the fight, which lasted about two hours, the officers and men behaved handsomely.

Very respectfully, your obedient servant,

EDWARD MCGARRY,

*Major, Second Cavalry, California Volunteers.*

Second Lient. THOMAS S. HARRIS,

*Second Cavalry, California Volunteers,*

*Acting Assistant Adjutant-General District of Utah.*

A true copy.

T. S. HARRIS,

*Second Lieutenant, Second Cavalry California Volunteers,*

*Acting Assistant Adjutant-General.*

[Telegram.]

SAN FRANCISCO, December 19, 1862.

To Adjutant-General L. THOMAS:

I request authority to raise four companies of native cavalry in the Los Angeles district, to be commanded by a patriotic gentleman, Don Andreas Picas.

G. WRIGHT,

*Brigadier-General.*

[Telegram.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
Washington, January 20, 1863.

To General WRIGHT,  
*San Francisco, Cal.:*

Secretary of War gives authority to raise four companies native cavalry in Los Angeles district.

THOMAS M. VINCENT,  
*Assistant Adjutant-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, December 23, 1862.*

GENERAL: I have already forwarded estimates and asked for authority to establish a military post at or near Fort Boise, on the Snake River. The great necessity for a strong garrison in that quarter is daily becoming more apparent. In the very heart of the mining districts of the North, and on the route by which the vast emigration from the East approaches that country, a strong military force can afford protection to all against those wandering bands of Indians which infest that section, and maintain peace between the races. In accordance with the authority of the Secretary of War, communicated to me through your office, I suspended the further organization of the regiment of Oregon Cavalry on the completion of the sixth company. It is now deemed important that the regiment should be completed, and I have directed Brigadier-General Alvord to call out six more companies and organize the regiment in accordance with General Order No. 126, C. S.

Inclosed herewith is a slip from a paper published at Lewiston, Wash., relative to the navigation of Snake River, and the probability that steamers will be able to ascend as far as Boise or Salmon Falls.

Hoping that my action in completing the Oregon regiment may be approved, and that the establishment of a post at Fort Boise may be authorized,

I have the honor to be, your most obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

---

WASHINGTON, D. C., *January 14, 1863.*

Brigadier-General WRIGHT,  
*San Francisco, Cal.:*

The Secretary of War authorizes the establishment of military posts at Fort Boise and Klamath Lake, if you deem necessary.

H. W. HALLECK,  
*General-in-Chief.*

---

[Telegram.]

SAN FRANCISCO, CAL., *December 24, 1862.*

Governor LELAND STANFORD,  
*Sacramento, Cal.:*

Have you been advised by the War Department of the call for additional troops in this State?

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*



1863.

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., January 5, 1863.*Hon. A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon:*

GOVERNOR: I have been instructed by General George Wright, commanding the Département of the Pacific, to request that you shall raise the six additional companies required to complete the First Regiment of Cavalry, Oregon Volunteers.

They will be needed for service on the frontiers in the coming spring, and I can not doubt that the patriotic citizens of Oregon, who have always heretofore promptly responded to any demand for their military services, will in like manner respond to this call.

The enlisted men when mounted will be supplied with horses by the United States; it being understood that they will be mounted or not as shall be deemed advisable by the Government.

Propositions to raise a whole company which will furnish their own horses and horse equipments may be entertained. The men are in such cases entitled to 40 cents a day for the use and risk of their horses and horse equipments.

The companies when they reach each 100 enlisted men, will be mustered into the service of the United States to serve for three years unless sooner discharged.

I have the honor to be, with high respect, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., January 8, 1863.*Hon. A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon:*

GOVERNOR: Each company of the First Cavalry, Oregon Volunteers, called for in my communication of the 5th instant will be composed of 1 captain, 1 first lieutenant, 1 second lieutenant, 1 first sergeant, 1 quartermaster sergeant, 1 commissary sergeant, 5 sergeants, 8 corporals; 2 teamsters, 2 farriers or blacksmiths, 1 saddler, 1 wagoner, and 78 privates. The 2 buglers to be taken from the privates, the law not providing for increased pay for the musicians.

The recruits as fast as raised will be sent in small parties to designated military posts, where they will be examined by the medical officers, quartered, subsisted, and drilled, those for each company being kept distinct under non-commissioned officers. When each company reaches 100 enlisted men, it will be mustered into the service of the United States by officers announced by orders from this office. If there is a failure to raise a full company within a period of time satisfactory to you, the men may be attached to some other company.

The companies raised in this vicinity will be mustered in at Fort Vancouver by Maj. Thomas M. Winston, U. S. Army, who has been appointed by General Wright, the superintendent for recruiting and mustering volunteers in this district. He has also been appointed disbursing officer of the fund appropriated "for collecting, drilling, and organizing volunteers," and has accordingly estimated upon the Adjutant-General for funds on account of that appropriation, to be sent to him.

From that fund re-imbursments will be made (*vide* War Department Orders No. 70, of September 3, 1861) for the necessary transportation of volunteers prior to completion of company organization, rent of recruiting offices, advertising, etc. War Department General Orders No. 70, above quoted, also says "actual stage or steamboat fare necessarily incurred by authorized agents in raising or recruiting volunteers will be re-imbursed from the same fund."

War Department General Orders No. 75, of the 8th July last, has already been sent to you. I also inclose herewith to you General Orders Nos. 74 and 126, of 1862.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

[Telegram.]

SACRAMENTO, CAL., *January 12, 1863.* ]

His excellency ABRAHAM LINCOLN:

Thomas W. Vincent telegraphs that Brigadier-General Wright was authorized to raise a regiment of infantry and seven companies of cavalry subject to my approval.

I am ready cheerfully to respond to a call for troops, and do not understand why the call is not made upon me directly as a requisition by telegraph will be obeyed.

LELAND STANFORD,  
Governor.

PORTLAND, OREGON, *January 12, 1863.*

General ALVORD:

DEAR SIR: Yours of the 10th, with circular of the 7th, is before me. I not only assent to your plan of placing men at once at Vancouver and other posts, but am much pleased with it.

As boats will be running to Corvallis for some time, I had thought perhaps men could come down about as well as to go to Fort Moskins in winter. I never was at Fort Hoskins, however, and your decision in the matter will be satisfactory to me.

I have requested Major Winston to muster in D. M. Thompson, John F. Noble, and Mr. Hand as second lieutenants.

Mr. Hand will recruit in Jackson County. He has been one of the publishers of the Sentinel. He is highly recommended by Secretary May and General Reed. I know something of him also. He is now at Salem, but will be down soon.

Mr. Thompson will call on you to-morrow. My Adjutant Reed has gone to The Dalles and will call on you on his way down, probably on Wednesday night.

Very respectfully, your obedient servant,

ADDISON C. GIBBS.

GENERAL HEADQUARTERS, STATE OF OREGON,  
ADJUTANT-GENERAL'S OFFICE,  
*Portland, January 17, 1863.*

Brig. Gen. BENJAMIN ALVORD,  
*Commanding District of Oregon:*

SIR: The order that C. R. Megs, of The Dalles, be mustered into the United States service as second lieutenant Oregon Cavalry is hereby countermanded.

By order of the commander-in-chief.

CYRUS A. REED,  
*Adjutant-General Oregon.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., January 21, 1863.*

His excellency LELAND STANFORD,  
*Governor State of California, Sacramento, Cal.:*

SIR: After a careful consideration of the Indian difficulties in the district of Humboldt, comprising the northwestern counties of this State, and deeming it for the best interest of the Government that volunteer troops raised within the district should be employed against the hostile Indians, I have, by virtue of the authority vested in me by the War Department, respectfully to request that your excellency may be pleased to organize within said district four companies of infantry, to be mustered into the service of the United States.

My design is to retain these companies in service only so long as our difficulties in the district may render necessary. Should your excellency respond favorably to this request, I will designate an officer of the regular Army to muster in the companies at such points as may be convenient for their organization.

Each company will consist of 1 captain, 1 first lieutenant, 1 second lieutenant, 4 sergeants, 8 corporals, 2 musicians, and 64 to 82 privates.

Very respectfully, I have the honor to be your excellency's obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT.  
Sacramento, January 22, 1863.

GENERAL: Your favor of 21st instant is at hand.

It will afford me much gratification to co-operate with you in the raising and organizing of the four companies referred to for service in the districts where Indian hostilities are threatened.

Very respectfully, your obedient servant,

LELAND STANFORD,  
Governor.

Brig. Gen. GEORGE WRIGHT.  
Commanding Department of the Pacific.

PORTLAND, OREGON, January 22, 1863.

Brigadier-General ALVORD:

DEAR SIR: Inclosed you will please find a letter from Governor Pickering and a copy of my reply.

I fear he will not raise a company unless expenses are paid. Can they be paid under Major Winston's instructions? Please confer with him, if necessary, and give a reply at your earliest convenience.

I have some doubt about raising even five full companies in this State. H. C. Small has commenced on the fifth company at Eugene, with the understanding that if he does not raise a full company his men must be attached to another company, and he retain his position as second lieutenant. I have ordered Captain Harding to assist Lieut. D. P. Thompson in recruiting in Marion County and vicinity.

My adjutant, Reed, is unwell and confined to his room.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

[Copy of letter referred to in foregoing.]

PORTLAND, OREGON, January 21, 1863.

Hon. WILLIAM PICKERING,  
Governor of Washington Territory:

SIR: Your letter of the 14th instant is received and contents noted.

I have made provisions for raising five of the six companies required, but will gladly accept the sixth from your Territory. As at present advised the expenses of recruiting will not be paid unless the men are raised in this State. But if Mr. Henry will raise a full company, one hundred men, I will have them mustered into the service, and commission him and Mr. House as you desire. After conferring with General Alvord and Major Winston I will write you again upon the subject of "expenses."

Hoping to hear from you again upon this subject, I remain,

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., January 26, 1863.

Hon. A. C. GIBBS,  
Governor of Oregon, Portland, Oregon:

SIR: Yours of the 22d instant, with two inclosures, is this day received.

In your reply to Governor Pickering's letter of the 14th instant, you say "as at present advised the expenses of recruiting will not be provided unless the men are raised in the State." I think you have been erroneously advised. I am reliably informed that it is quite customary East for a recruiting officer to pass from one State to another to collect men. Thus officers at New York will go to New Jersey or Philadelphia or Boston and *vice versa*, and there is nothing that I am aware of either in the laws or in general orders forbidding this.

I would recommend that you give authority to raise a company on the Sound. The legitimate expenses, as provided in General Orders No. 70 from the War Department, dated September 3, 1861, of raising the company will be paid by Maj. T. M. Winston,

superintendent mustering and recruiting volunteers for the district of Oregon, as in the case of other companies. I will designate Fort Steilacoom as a depot for the Sound.

The recruiting officer selected for the Sound had better report to you and this office before entering on his duties.

I return you herewith Governor Pickering's letter; also a letter from Mr. J. A. Odell.

I have the honor to be, very respectfully, your obedient servant,  
 BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

---

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
 January 25, 1863.

GENERAL: I have the honor to acknowledge the receipt of yours of the 23d instant, inclosing a dispatch of W. Scott Ketchum, brigadier-general and assistant adjutant-general, ordering the mustering into the service of the United States of four companies of cavalry, to be raised in this State, for service in the contingent of the State of Massachusetts.

The proceedings under and by force of which these troops are to be raised are clearly irregular, and in violation of the rights of this State. I know of no authority by which the governor of Massachusetts can raise volunteers in California, either through the orders of the War Department, or the inconsiderate and officious action of citizens of this State.

For reasons that follow I do not feel bound to interfere in the case alluded to at this time, if at any, to prohibit recruiting for the four companies proposed to be raised, yet I must protest against its being accepted as a precedent to bind the authorities of this State in the future. While I am more than willing to discharge every obligation that is incumbent upon me in obeying requisitions for troops properly made, I am not willing that my silence shall be construed into an obligation not to interfere with the raising of the said four companies for Massachusetts, as I may very likely do, should the necessities of this State, or the action of her authorities at any time, in complying with the calls of the General Government, seem to require it.

The considerations that move me at this time not to interfere with the raising of these companies are, in brief, the heavy burdens that have been borne by our loyal sister States in sustaining the Government, and in fighting in a sacred and common cause battles that are ours as well as theirs; and the heretofore comparative exemption of California from calls upon her loyalty and patriotism, and, further, because an opportunity is offered to Californians to seal their loyalty and devotion to their country and to constitutional liberty by offering their bosoms as a bulwark against the surging tides of this unholy rebellion.

And I am anxious that in the future our people may have, in common with the people of other States, their glorious traditions of sacrifices made in behalf of the Union and of gallant efforts to save and perpetuate it.

The great heart of California beats responsive to the mighty throbs that are convulsing the loyal States, and she feels it her duty to do all she can to stay the fratricidal hand that is raised to divide and destroy the nation. It is to be desired that she should be recorded upon the page of history that will reveal the glowing deeds of patriotism and sacrifice now being enacted, and that her people may mingle in the great events that are passing in our country's midst, that there may be created a chain of bright and glorious memories to bind the East and the West in bonds of union and fraternity under a common and perpetual government.

Thus, as a citizen of the United States, with sympathies that embrace every portion of our nationality, and anxious to do all in my power to preserve and strengthen that nationality, I would not deny to the General Government one soldier, and would earnestly and cheerfully obey to the last extent her calls for aid, yet I do not conceive it to be my duty in any manner to permit the rights of the State to be invaded or disregarded without taking means as occasion may seem to require to guard those rights in the present and in the future.

I have the honor to be, general, very respectfully, your obedient servant,  
 LELAND STANFORD,  
*Governor.*

Brig. Gen. GEORGE WRIGHT,  
*Commanding Department of the Pacific, U. S. Army.*

HEADQUARTERS, DEPARTMENT OF THE PACIFIC,  
San Francisco, January 26, 1863.

Adjutant-General U. S. Army, Washington, D. C.:

SIR: I have the honor to report that the troops in this department, although widely dispersed, have preserved their discipline, and performed their duties generally, in a very creditable manner. We have been forced to devolve the duties of the quartermaster's and commissary's departments, very frequently on subalterns of volunteer companies. Many of them have proved to be zealous, capable, and honest in the discharge of their duties; a few have proved recreant to their trust; but the Government has lost but little, as prompt measures were taken for the removal, and in most cases for the dismissal from the Army, of the latter class. The vigilant guardianship exercised by my chiefs of disbursing departments, is highly commendable. The condition of affairs on this coast is satisfactory. With the exception of Indian difficulties, the greatest quiet prevails throughout the length and breadth of the land. From the District of Oregon, I have nothing of importance to report. Under the instructions received from the War Department, arrangements are being made for the establishment of a post, at or near Fort Boise, on the Snake River. The administration of affairs in the district, by Brigadier-General Alvord, has been marked by zeal, ability, and devotion to the best interests of the Government.

The Indian difficulties in the district of Humboldt, I regret to report, still exist. During the past year Colonel Lippitt, of the Second Infantry, California Volunteers, has been in command of the district with his entire regiment, the untiring zeal and activity of the colonel, his officers and men are highly praiseworthy, but the fact is, I doubt much whether we can ever have peace there until all the Indians are removed entirely out of the country; vast numbers have been collected by the troops and placed on the reservations, but it has been found impossible to keep them there. If the Indians in that district can be carried to a reservation in the southern section of the State, or, what would be still better, placed on some island, and supported entirely, peace would be restored and money saved. The troops under Colonel Lippitt have been in the field, and suffered many hardships and privations during the past eighteen months, and I shall withdraw the headquarters and active portion of the regiment early in the spring. The country is densely wooded, and presents many obstacles to the operations of troops unacquainted with the numerous trails; and after consultation with the members of the legislature from that district, and also with his excellency Governor Stanford, it was the unanimous opinion that the best interests of the Government would be subserved by organizing four companies of militia, composed of men residing in the districts, and well acquainted with the country, for special service there. Believing this plan is the best that can be adopted, I have requested the governor to organize the four companies, which with a like number of companies now in service, will, after the withdrawal of Colonel Lippitt, constitute the active force in that quarter, to be under command of an intelligent officer, specially selected. Hoping that my acts may be approved by the General-in-Chief and War Department,

I have the honor to be, your most obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

[Time received, 5:10 p. m. United States Military Telegraph, War Department, Washington, D. C., January 27, 1863.]

SAN FRANCISCO, January 27.

Adjutant-General, U. S. Army:

Will the Department approve of my issuing small-arms to a limited extent to governor of California to arm organized militia companies in certain localities, as indicated in my letter dated December 15?

G. WRIGHT,  
Brigadier-General.

ADJUTANT-GENERAL'S OFFICE, February 3, 1863.

Respectfully submitted.

E. D. TOWNSEND,  
Assistant Adjutant-General.

WAR DEPARTMENT, April 10, 1863.

Referred to the General-in-Chief.  
By order.

P. H. WATSON,  
Assistant Secretary of War.

- Not approved except in cases of extraordinary exigency, when the arms should be merely loaned, to be immediately returned when the exigency has passed.

H. W. HALLECK,  
*General-in-Chief.*

APRIL 13, 1863.

Opinion of general-in-chief approved, and the Adjutant-General will advise General Wright accordingly.

By order of the Secretary of War.

P. H. WATSON,  
*Assistant Secretary of War.*

[Telegram.]

ADJUTANT-GENERAL'S OFFICE,  
*Washington, April 20, 1863.*

The Secretary of War does not approve issue of arms to State.

E. D. TOWNSEND,  
*Assistant Adjutant-General.*

WASHINGTON, D. C., *March 31, 1863.*

Brig. Gen. G. WRIGHT,  
*San Francisco, Cal.:*

GENERAL: Your letter to the Adjutant-General, dated January 23, in regard to supplying arms and equipments to loyal companies organizing in California, etc., is received.

I regret to say that at the present time the demand for arms and military equipments are so great that the Government can barely supply the troops actually mustered into the service of the United States.

In regard to the defenses of the harbor of San Francisco the same difficulty exists so far as heavy ordnance is concerned. Notwithstanding the urgent representations of the War Department, Congress, session after session, has failed to authorize a national foundry, and nearly all private foundries capable of casting large guns are employed in arming naval vessels, so that it is hardly possible to get any guns cast for fortifications. The War Department, however, will do all in its power to increase the armament of the forts at San Francisco, as the importance of that place is fully appreciated. An iron-clad vessel is already on its way to assist in the defense of that coast.

Very respectfully, your obedient servant,

H. W. HALLECK,  
*General-in-Chief.*

WASHINGTON, *January 31, 1863.*

Brig. Gen. G. WRIGHT,  
*San Francisco, Cal.:*

Your plan of sending seven companies of cavalry to New Mexico is approved.

H. W. HALLECK,  
*General-in-Chief.*

[Telegram.—Received in cipher 11 p. m.]

SACRAMENTO, CAL., *January 31, 1863—2 p. m.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army:*

Apprehensions entertained that enemy's steamers may threaten harbor of San Francisco. Troops in forts on the alert. War steamers necessary to co-operate with forts in harbor.

No Government vessels at San Francisco.

G. WRIGHT,  
*Brigadier-General.*



[Telegram.]

SACRAMENTO, CAL., February 2, 1863.

Brig. Gen. L. THOMAS,  
*Adjutant-General:*

Colonel Connor had a severe battle with Indians on Bear River, Utah. Enemy routed and camp destroyed. Our loss fifteen killed and four wounded.

G. WRIGHT,  
*Brigadier-General.*

WASHINGTON, February 3, 1863.

Brig. Gen. G. WRIGHT,  
*San Francisco, Cal.:*

The Secretary of War authorizes the completion of the Oregon Cavalry Regiment.

H. W. HALLECK,  
*General-in-Chief.*HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., February 5, 1863.*His Excellency LELAND STANFORD,  
*Governor State of California, Sacramento, Cal.:*

SIR: In view of the condition of affairs in the District of Humboldt, and the propriety of using all our means to bring the Indian war in that district to speedy termination, I have the honor to request that your excellency may be pleased to call out six companies of infantry, to be commanded by a major, for special service in that quarter.

Very respectfully, your excellency's obedient servant,

G. WRIGHT,  
*Brigadier-General U. S. Army, Commanding.*HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, February 7, 1863.**Adjutant-General U. S. Army, Washington, D. C.:*

SIR: I have the honor to inclose herewith letters addressed to me by G. M. Hanson, esq., superintendent of Indian affairs, northern district of California, to wit:

October 9, 1862; October 10, 1862 (3 inclosures); November 3, 1862 (2 inclosures); November 11, 1862; December 10, 1862 (1 inclosure).

Also letters from Capt. C. D. Douglas, Second Infantry, California Volunteers, commanding Fort Wright, Round Valley Indian Reservation, Mendocino County, to wit: December 12, 1862; December 23, 1862, with copy of the investigation of Indian affairs.

After mature consideration of the state of affairs on the Round Valley Reservation, as reported by the superintendent and his supervisor, I came to the conclusion that the only course left me to protect the Indians and preserve the public property from utter destruction, was to declare martial law and remove all intruders from the reservation. Accordingly on the 15th of October I sent instructions to the officer in command of the District of Humboldt to station a company of troops on the reservation and declare martial law, and when specially called upon by the superintendent or his agent, to remove intruders.

Although I was led to believe that the acts of the settlers in Round Valley had been of the most atrocious character, such, in fact, as to entitle them to very little consideration; yet, in view of the lateness of the season and the inclement weather, I instructed the commander at Round Valley to act with humanity and prudence, as I would not, except in extreme cases, remove settlers with their families until spring. Soon, however, I began to receive petitions from the settlers in Round Valley, averring their innocence of the charges made against them by the superintendent of Indian affairs, and asking for a full investigation. Justice to the settlers, as well as to the United States, demanded a careful investigation of the charges, and accordingly I directed Captain Douglas to procure all the evidence possible, both from the employes of the Government and the settlers, and to make to me a special report on the subject. The investigation was made by Captain Douglas on the 18th and 19th of December, and is contained in the printed inclosure accompanying his communication of the 23d of December. The summing up of Captain Douglas, based upon the facts

elicited from the witnesses, is clear, comprehensive, and conclusive. The charges against the settlers were not proven. The evidence taken and the report of Captain Douglas exhibit a state of affairs on the reservation which requires the attention of the proper department. I have revoked my orders declaring martial law in the Round Valley and restored everything to its original status.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

OFFICE INDIAN AFFAIRS,  
NORTHERN DISTRICT CALIFORNIA,  
San Francisco, October 9, 1862.

Brig. Gen. G. WRIGHT:

SIR: I am just in receipt of two letters from the supervisor of the Indian reservation at Round Valley, and two letters from other persons corroborating his statements, informing me that some of the settlers in that valley have in a clandestine manner from time to time during the growing season opened the fences on the Indian farms and turned in their cattle, hogs, and horses, until the entire crop of corn (over 100 acres) and nearly all the wheat, oats, and barley have been destroyed except about 600 bushels, whereas there should have been more than that many thousand in the aggregate. He informs also that the settlers told the Indians that they had not provisions now to last them through the winter, so that they must steal or starve, and if any of their stock was missing they would kill every Indian; thus alarmed, they induced two entire tribes to leave, the Cow-Cows and Hat Creeks, and went with them part of the way. The supervisor had no troops to assist him, and consequently was compelled to submit, and he now expects every day they will drive away the remainder of the Indians. The settlers now propose furnishing me with supplies for the winter if our Congressmen will guaranty them assurances of payment for them and also for their land claims in the valley, so that they may remove and give up the entire valley for a reservation. Whether they have destroyed our crops in order to sell us their own surplus the facts and circumstances can only determine. I shall endeavor to get either Mr. Phelps or Sergeant to visit the valley and see for themselves what is actually needed, that when in Congress they may govern themselves accordingly.

My policy heretofore recommended to the Indian Commissioner I have again urged in my last report, viz, to abandon and sell the lands of Nome, Lackee, and Mendocino reservations, which are entirely unsuited to the Indian service, and enlarge Round Valley reserve so as to include all the forks of the Eel River, thereby giving the Indians an extent of mountain territory of 25 by 30 miles for hunting and fishing purposes, and pay the white settlers for every legitimate land claim they have in the valley, removing them entirely beyond the line of the reservation. The mountain district included in the enlargement is entirely unsuited to white settlers' use and will give general satisfaction to the Indians. This enlargement would be locating the reservation in the northeast corner of Mendocino County and adjoining Tehama, where the Indians would be protected against the trespasses of white settlers hereafter by interminable mountain barriers, and upon this reservation could be collected and subsisted all the interior Indians of the northern district. The same can be said of Smith River Valley for the use of every coast Indian. Ranges of mountains on its north and east which can never be settled by white men, only suited for Indian hunting grounds, constitute a barrier for the protection and safety of both races, with the Pacific Ocean on the west and south affording an entrance at Crescent City. The troops under Major Curtis at Camp Lincoln, stationed midway between the settlements of whites and Indians.

The settlers' farms of this valley have also to be paid for, and the money arising from the sale of Mendocino and Nome Lackee Reservations will nearly or quite refund the money thus expended, and one-half the expenses of keeping up these reservations thereby reduced. It has been suggested to me by the members of Congress, as well as other officers of Government, both civil and military, if you would write to the Secretary of the Interior, and the Commissioner of Indian Affairs, stating "that you have been made fully acquainted with the policy of the superintendent of Indian affairs in the northern district in securing Smith River Valley for the coast and Round Valley for the interior Indians, and that you fully indorse it good," as set forth in my last reports, it would accomplish much in securing the object desired.

I have the honor to be, very truly, your obedient servant,

GEO. M. HANSON,  
Superintending Agent Indian Affairs, Northern District California.

OFFICE INDIAN AFFAIRS, NORTHERN DISTRICT CALIFORNIA,  
*San Francisco, October 10, 1862.*

Brig. Gen. GEORGE WRIGHT:

SIR: Inclosed please find copies of letters from my supervisor at Round Valley Indian Reservation; also one written, I suppose, by Col. J. T. Henley, who was one of my predecessors, and who has sons owning farms in the valley. The letter had no signature, which I think was simply an omission. In an interview with our Congressman, T. G. Phelps, last evening, he expressed himself thus: "See General Wright; inform him about the annoyances, the Indians that have been killed by the white people in the valley from time to time, the destruction of the Indian crops, their driving away the Indians, and threats to kill the rest of them if they don't leave, etc., and ask him to declare martial law in all the valley, for the whole is now an Indian military reservation." Colonel Henley informed me that before he surveyed the whole valley into a reservation and gave notice that it should not be settled on any further, more than half the settlers that are now in the valley were in it then. The truth is, there are not five good Union men in the valley, except my employés, as the several elections show.

Mr. Phelps thinks, "that when you see the necessity for such a course you will order sufficient troops to at once remove every man from the valley and then take possession of the same, and let them present their claims to Government for the damages sustained, and the Government will pay all loyal men for any such losses." If ever a case of military necessity of the kind existed this is one, and I make the above suggestion to you at the instance of Mr. Phelps. Should all the Indians be driven off, as I fear they will, a war of extermination will inevitably be the result, and it would be too humiliating on the part of the Government to be thus coerced into purchasing farms and provisions (which have been nearly all made by Indian labor) after they have thus killed our Indians and destroyed our crops. I would be pleased to hear from you on this subject at your earliest convenience.

I have the honor to be, your obedient servant,

GEORGE M. HANSON,  
*Superintending Agent Indian Affairs, Northern District California.*

---

OFFICE INDIAN AFFAIRS,  
 NORTHERN DISTRICT CALIFORNIA,  
*Round Valley, August 23, 1862.*

Hon. G. M. HANSON:

DEAR SIR: I should not again have addressed you so soon had it not been for the fact or receipt of a visit from Colonel Lippit. It was agreed upon by the party following Colonel Lippit, Colonel Henley, and myself, that information should be given you that you might come in company with Sargent and meet here, and if possible devise some means to purchase the surplus produce in this valley, which is thought sufficient until the season comes round, and which can be done in case Sargent will agree to use his best endeavors to obtain an appropriation to meet it. But I am fully of opinion it is with the view of Government taking the whole valley, or, in other words, buying them all out. Do not delay this visit.

Truly, yours,

JAMES SHORT,  
*Supervisor Round Valley Reservation.*

---

OFFICE INDIAN AFFAIRS,  
 NORTHERN DISTRICT CALIFORNIA,  
*Round Valley, September 25, 1862.*

Hon. G. M. HANSON:

SIR: It becomes my duty to inform you that the whole of the Concone and Hat Creek tribes of Indians pulled up stakes yesterday evening and left. The settlers have succeeded in destroying a large portion of the crops of small grain and the entire crop of corn (over 100 acres). We have found as high as seven slip gaps of one morning, where they had raised up the corners of the fence, put in chunks, and slipped out the rails, until the largest hogs could walk in. And when they had destroyed the crops, they then told the Indians there was nothing for them to eat, that they would have to starve or steal, and if they did not leave they would kill them. There were quite a number of the settlers came in about the time they left, I suppose, to see that all went off right. I did not attempt to prevent them by force,

for I knew it would be useless, as I could do nothing alone, when every person in the valley was doing all they could to put them off. Old Reese, after my feeding him all the winter, came here and told the Indians "to leave and go back to their homes, that there was no reservation any longer, that it had gone in." Several of the citizens went up and spent the first night with the Indians on Eel River as they journeyed on. On their return, some brought their squaws back with them, etc. Smith told the Pitt River Indians if they did not leave inside of three days they would all be killed. Some talk of leaving, others say they will stay and risk it, etc.

Yours, etc.,

JAMES SHORT,  
*Supervisor.*

OFFICE INDIAN AFFAIRS,  
NORTHERN DISTRICT CALIFORNIA,  
*Round Valley, September 27, 1862.*

Major HANSON,  
*Superintendent Indian Affairs, Northern District California:*

SIR: Since I came into the valley the Hat Creek and Conconé Indians have left the reservation to return to their old home in Butler County. They left in consequence of there being no food here for them. The Pitt River Indians still remain here; these with the Yerkas, belonging to the valley, make the number of about 500 that have to be provided for this coming winter. There are but few cattle here that are in condition to kill. The quantity of grain on the reservation I think does not exceed six or seven hundred bushels. The potato crop is not harvested, but I am told it is short. This makes your supply of food totally inadequate to the number of Indians to be fed. Now, the question is, what is to be done? If these Indians are left in a starving condition they will undoubtedly kill the stock of the settler, and that will naturally result in Indians being killed by the whites; and if a war of this kind begins no one can tell where it will end. It may be very disastrous both to whites and Indians. Colonel Lippit, of the volunteers, is here on a tour of observation; he looks upon this subject precisely as I do, and that is, that prompt and efficient action is necessary to avoid a great calamity.

Now, in answer to the question, "What is to be done?" I will reply that there is surplus grain and cattle enough in the village belonging to the settlers to supply you through the winter, and they will sell it to the Government on credit, provided they can be assured of two things—first, that the money will be appropriated next winter to pay for the supplies thus furnished, and that provision will also be made for the purchase of their claims and improvements, and the appropriation of the entire valley to the purposes of a reservation and the removal of the settlers from it. When I saw you last you informed me that Mr. Sargent had promised to accompany you in a visit to the valley. Now, there is but one way to accomplish these objects, and that is for Mr. Sargent and yourself to come here and give the assurances I have mentioned, and the whole matter can, in my opinion, be arranged in a single day, and this is, I think, the only method by which anything can be done. The settlers are very anxious, and will do anything in their power to assist you in providing for the Indians this winter, provided they can look forward with some hope to a period when their difficulties with the Indians can be terminated. I wish, now, to impress upon you the importance of coming, in company with Mr. Sargent, immediately, while there is yet time to provide for the winter. It will do no good to come unless Mr. Sargent is with you. His presence is necessary to give confidence to the measures proposed. Write to him that it is all important for him to come with you; but I would not undertake to explain to him these plans in writing. It will be better to explain them to him here, where he will have no difficulty in understanding what is necessary to be done. Write to me when you will come, so I can make arrangements to be here at the time.

Very respectfully, your obedient servant,

OFFICE INDIAN AFFAIRS,  
NORTHERN DISTRICT CALIFORNIA,  
*San Francisco, November 3, 1862.*

GEORGE WRIGHT,  
*Brigadier-General, U. S. Army:*

SIR: Since I had the honor of addressing you in regard to the trouble on the Indian reservation at Round Valley, I have received other information which I beg leave to lay before you; also I have just returned from a visit in person, and find the facts are not exaggerated. I inquired into the cause of the late massacre of 21 Indians at one

of the Indian farms, viz: In July last, some 28 whites came armed after night, surrounded the Indian camp, and killed 12 men, 7 women, and 3 children, wounding several others. The reason alleged was, that they killed them because they expected the Indians would leave the reservation and steal their cattle, hogs, or horses. Since then they cut the throat of 1, stabbed and hanged 2 others. They have now destroyed our crops, and driven or frightened away some 400 Indians. Nearly all of this mischief is done after night, and I fear the presence of troops even will not remove the principal trouble. I represented to the Department at Washington that the settlers were entering upon our lands in the valley and giving us much trouble, as they called it "swamp" land, which they had purchased from the State, and requested advice in the premises. They answered, directing me to consult the United States district attorney, but carefully to protect the rights of the Indians, and Government would sustain me. I advised with the United States attorney, and he said: "Take troops and put them out."

While in the valley, I talked with the most interested, and they all admitted that the two races could not remain in peace so near each other, and they would all be willing to leave, if they had any assurance that they would be paid for their improvements on the reservation lands. I then told them that I must apply to you for troops to expel them from the valley, and asked if they intended to resist; they answered they would not. I promised, then, if they left peaceably, I would purchase their surplus produce and some of their stock, and, furthermore, I would go immediately to Washington and urge payment for their improvements. They appeared to be satisfied with this. The fact is, the whole valley was surveyed for a reservation years ago, and as such reserved from sale, and notice to that effect frequently posted by my predecessors, as well as myself, forbidding further improvements and settlements, which has all been disregarded. I can not hazard another crop in the valley while the settlers remain there; they keep immense herds of cattle, hogs, and horses, devouring our grass, as well as our grain. So the crisis is upon us, and I do hope you will come to our relief before the winter sets in and they can not be removed. Indeed, I believe most of them would be glad to be coerced, thinking they would then be paid for their improvements.

I have the honor to be, your obedient servant.

GEO. M. HANSON,

*Superintending Agent Indian Affairs, Northern District California,*

---

ROUND VALLEY, August 28, 1862.

Hon. GEO. M. HANSON:

DEAR SIR: Have been employed by the superintendent of this valley subject to your decision. However, my object in writing to you is merely to state that there will be little or nothing saved of all the crops here, as there seems to be a determination in the inhabitants that there shall be nothing raised; fences are burned; slip-gaps are found made. In short, you must make some other arrangements for keeping these natives. You must not think me officious; but, sir, in my opinion you must remove all the whites—use the whole valley—as you will find it impracticable and impossible to live together.

Respectfully,

J. M. ROBINSON.

---

ROUND VALLEY, October 19, 1862.

Hon. G. M. HANSON:

DEAR SIR: I again call your attention to the aggrievances which I have given you an account of in a former communication, perpetrated by a portion of our white population. In addition to what I have written you, I will briefly state that our supervisor planted 100 acres of corn, 50 or 60 acres of wheat, which has been entirely destroyed by our neighbors' cattle and hogs, and destroyed a part of other grain which has been raised on this reservation; fences have been let down at night and their stock drove in. Now, sir, what language can I make use of to awaken you so that some action may be taken to prevent these outrages? Winter is near at hand and nothing to feed our Indians. There are many other strong reasons I might add why some immediate action should be taken, but forbear with a single remark, that unless some steps are taken in earnest immediately we shall be obliged to leave the reservation.

Very truly, your obedient servant,

W. P. MELENDY.

OFFICE INDIAN AFFAIRS,  
NORTHERN DISTRICT CALIFORNIA,  
San Francisco, November 11, 1862.

General G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding:*

SIR: I am just in receipt of another letter from Round Valley, from Supervisor Short, in which he says: "No troops have yet come and no news of them." "David Jordan has come into the valley with six or eight barrels of whisky, and I know we will have trouble here as long as it lasts." "There was a Peter McWilliams started out of the valley last Monday with a little Indian child about four years old;" (hearing of it) "I got out a writ for him and started a constable after him, who caught him at the McCord camp and brought him and the child back; had a trial and was acquitted. He proved by Mr. Witt he got the child by consent of its parents; Witt done the talking" (interpreted, I suppose). The foregoing paragraphs are taken from the supervisor's letter of the 4th instant, which demonstrates more than ever the importance of martial law in the valley. The reason I quote these facts is, Mr. Short also says in his letter: "The settlers have held a meeting and got up a remonstrance to General Wright against declaring martial law in the valley, or against their removal, setting forth their loyalty and good intentions."

I wrote to the supervisor immediately after I received your letter of the 5th instant in relation to removal of settlers, informing him not to make the requisition until the weather would be favorable, and they could have time to dispose of their produce, stock, etc., for the object was not to injure them, but to protect the rights of the Indians and Government property, etc. "Martial law," I said to him, "was declared over the whole valley, as it was all a regularly surveyed Indian reservation, and reserved from sale or pre-emption, and map filed in the United States office here, all done by orders of United States authorities at Washington." Hence I have instructed him to require troops to arrest these Indian kidnappers, take or destroy the whisky brought in the valley to retail, etc., and for all other necessary purposes protecting the United States in its rights.

I have the honor to be, your obedient servant,

GEORGE M. HANSON,  
*Superintendent, etc.*

P. S.—Please say if I have done right in said instructions.

---

OFFICE INDIAN AFFAIRS,  
NORTHERN DISTRICT CALIFORNIA,  
San Francisco, December 10, 1862.

Brigadier-General WRIGHT:

SIR: Inclosed please find copy of my letter to Hon. William P. Dole, Commissioner of Indian Affairs, at Washington, and his reply by telegraph received this day. I hope the orders you have given declaring martial law in the Round Valley and authorizing the removal of the settlers will not be annulled or revoked. I have directed the supervisor to let the settlers remain and not to make a requisition for their removal until spring, or until the weather is favorable, provided they discontinue their annoyances.

I have the honor to be, your obedient servant,

GEO. M. HANSON,  
*Superintendent Indian Affairs, Northern District California.*

---

OFFICE INDIAN AFFAIRS,  
NORTHERN DISTRICT CALIFORNIA,  
San Francisco, October 15, 1862.

Hon. WILLIAM P. DOLE,

*Commissioner Indian Affairs, Washington, D. C.:*

SIR: A few days since I received several letters from the supervisor and physician on the Round Valley Indian Reservation, giving me the unwelcome news that the white settlers in said valley had clandestinely, after night, during the maturing and harvesting of the grain crops, from time to time thrown open our fences, making as many as seven gaps in one night on the Indian farm, turning in their hogs and cattle, until nearly the entire crop has been destroyed, and then they told the Indians they had nothing to eat through the winter and must steal or starve, and if they stole anything belonging to the settlers they should all be killed. This frightened and induced several hundred Indians to leave the reservation and start back to their old homes in the mountains. I immediately telegraphed to the officer in command of troops at Red Bluff to stop them, which he has done, and they are now at Nome Lackee, in



charge of troops, whither I go to-morrow to make some arrangement for their support. I have laid the whole matter before Brigadiér-General Wright, who has answered me promptly, as you will see by the inclosed letter.

I hope you will now, without delay, have instructions by telegraph given to the general to remove every settler within the limits of the valley immediately, all of which has been surveyed for and declared an Indian reservation, called Nome Cult. Some of the settlers in this valley have just claims for their farms made in the valley before the whole of it was declared an Indian reservation. But it is a military necessity now to remove them in view of securing peace, quiet, and safety to Government property, and afterwards let them bring their claims up against the United States for settlement and payment after having been compelled to remove. I know of no other way to have the constant annoyance we have with the settlers settled, for I feel sure nearly all who thus annoy us are disloyal to the Government of the United States, and will continue these troubles while they remain.

Should they be immediately removed I can buy their surplus grain, which will keep the Indians until in safety we can raise another crop, in 1863. Hoping to hear from you soon on this subject, I have the honor to be,

Your obedient servant,

GEO. M. HANSON,

*Superintendent, Agent Indian Affairs, Northern District of California.*

---

FORT WRIGHT, CAL., December 12, 1862.

SIR: I have the honor to report for the information of the general commanding that all I have met so far of the settlers in Round Valley appeared to be peaceable and law-abiding men. I have only seen about twenty or so, and they tell me that they are entirely willing to live under any law the Government pleases to set over them. There is no doubt that there are some disloyal men here; but so far they have kept very quiet. On my march into the valley yesterday I passed the only whisky shop in this valley. I ordered it closed forthwith. The order was obeyed without a word. I had information that this was the headquarters of the disloyal men of the valley, and to prevent trouble between my men and them just now I thought it was best to close the house. I have had no time to investigate any charges against the settlers of this valley, such as destroying fences on the reservation and running off of the Indians and like misdeeds. The men that it is supposed shot at Mr. Short (the supervisor) were two men named Lamb and Ward, both since dead. I will hold an investigation of all these matters as soon as Mr. Short returns from San Francisco.

Very respectfully, your obedient servant,

C. D. DOUGLAS,

*Captain Second Infantry California Volunteers, Commanding Post.*

Lieut. Col. R. C. DRUM,

*Assistant Adjutant-General, Department of the Pacific, San Francisco, Cal.*

---

HEADQUARTERS, FORT WRIGHT, CAL.,  
December 23, 1862.

SIR: I have the honor to transmit a copy of the testimony taken at a general investigation of Indian affairs, held in Round Valley by myself on the 18th and 19th instant. The examination was conducted with reference to certain charges preferred against the settlers of this valley, such as killing Indians on the reservation, running the Indians out of the valley, destroying Government fences, and turning their cattle and hogs into the fields, and destroying the crop and other Government property. Also that the settlers of Round Valley were a set of lawless men, and that all or nearly all were disloyal to the Government of the United States. The general commanding will see by the testimony given under oath by the employés on the reservation that they entirely fail to prove any of the above charges. They swear positively that they never saw any Indians killed on the reservation, and never heard any of the settlers threatening to kill the Indians if they did not leave the reservation and valley. It is shown that Captain Short, the supervisor, parted with the 400 or 500 Indians that left the valley last October in a "very cordial manner." It is now certain that these Indians did not leave through fear of the settlers, nor on account of any threats they had made. But they did leave to prevent starvation in the winter season, which they knew would overtake them if they remained on the reservation, where they knew there was nothing for them to eat. They knew and said that they would be compelled to kill cattle, if they remained, or starve, and they knew also that if they did kill the settlers' stock that the settlers would kill them; so that nothing but death awaited the poor Indian if he stopped on the reservation. No matter which way the Indian turned, a cruel death stared him in the face.

Now, the question is, which of the two parties is to blame for this wild and disorderly state of Indian affairs, the Government agents or the settlers? Without question, the superintendent, Mr. Hanson, and the supervisor, Mr. Short, are the parties guilty of the whole trouble. Through their misrepresentations they have caused it all. The interests of the Government and of the Indians have been grossly and shamefully neglected in this valley. The entire reservation is in a most ruinous condition, rendered so by neglect. There is no fencing on the reservation that will prevent stock from breaking in anywhere; they try nothing hardly to protect the crops, put in to feed the Indians, from the depredations of large bands of stock belonging to the settlers and the Government. The supervisor testifies on oath that he reported to Superintendent Hanson that the settlers were destroying the fences, and at the same time states positively that he never saw anyone do it, and don't know as anyone did do it. There was no need of anyone taking so much trouble, as any stock could easily get over or through the fencing. A great portion of the field is and was without any fencing at all, and Supervisor Short stated under oath that, if farming on private account, "he should have hated to put in a crop protected by such fences." Yet he seems to consider a Government crop well enough protected by such fences. A faithful servant of the Government, surely!

The supervisor's two sons, employes on the reservation, swear that if farming on private account they would not have trusted their crops to the protection of any such fencing as there is on the reservation. Mr. Robinson (an honest man, I believe, and the best man employed on the reservation), an old farmer, testifies to the same thing, and further states "that it is the worst managed place or concern he ever saw." From my own observation I know that he tells the truth. As per example: The supervisor does not know the number of Indians on the reservation; does not know the amount of provisions, if any, on the reservation; nor does he know the number of cattle, horses, or hogs belonging on the reservation. He knows nothing of what he has or should have. While he was absent for at least ten days the first of the present month at San Francisco, he left the keys of the Government storehouses on the reservation in charge of a squaw. My acting assistant quartermaster, Lieutenant Johnson, could not obtain public letters, that were finally found in the supervisor's room, because said squaw was absent with the keys. These letters were from headquarters of the Department, and addressed to me at this place. I have myself rode around and all over the entire reservation, and have seen enough to convince me that Government interests have been most shamefully neglected. Even had the supervisor saved all of the crop put in last year, there would not have been enough to feed one-third of the Indians then on the reservation. The greater portion of the crop was put in a field full of weeds of all kinds; indeed, the field has not been plowed for two years or more. It could not, therefore, be expected that seed cast on such ground would yield a good crop. And even this poor crop, if it can be called a crop, was lost by carelessness and the utter uselessness of the fences.

There were about 23 Indians killed last August by about 20 or more of the settlers. These Indians were killed on the reservation within a mile of the supervisor's house and about 100 yards from his son's house; yet neither the supervisor nor his son could tell the names of any of the party that killed the Indians at their very doors. The Indians were the Wylackees, a wild and hostile band. The supervisor's two sons were told that the Indians were to be killed that very night, and one of the sons swears that he told his father of it the same night; yet none of them made any efforts to prevent the killing. The testimony shows that one of the supervisor's sons gave his revolver to Martin Corbert, knowing what use Martin Corbert was going to make of it. Another one of the supervisor's sons took his wife and family away from the upper station to his father's house, as he swears himself, to prevent his wife from being frightened during the affray that he knew was to take place between the settlers and the Indians. This same son testifies under oath that all of the whites on the reservation and the Indians and all the settlers in the valley were in fear of this band of Wylackees. From all the testimony taken on this matter I am convinced that the settlers killed the Indians in self-defense. I would not say so much about these Indians, but that it has been reported that they were a peaceful tribe, living on the reservation. But as the whole testimony on the subject is before the department commander he is the proper officer to judge whether or not the Indians were killed by the settlers in self-defense.

It was also charged that the settlers of Round Valley shot at the supervisor in his own house on the reservation. This is not true. It appears that two men, of the name of Lamb and Ward, did this shooting because the supervisor took their squaws away from them. These two men were not at that time or any other time settlers in this valley; neither were they supported in their lawless acts by the actual settlers of the valley. There has been a continued misrepresentation of Indian affairs and settlers off and from this valley to the general commanding and to the public at large during the last year or more, and the superintendent, Major Hanson, can not but know the fact. He has been here several times in the last year, and, in my opinion, no man

could be in this valley twenty-four hours without seeing that the employés were grossly neglecting their duties, or at least those charged with the management of the reservation were doing so. I could and did see it before I was here half the time named, and the superintendent ought to know, and no doubt does know, more about Indian affairs than myself. The supervisor testifies that he never had any difficulty with any of the settlers except with Lamb and Ward, who were not considered by him as settlers.

I will here state that the mismanagement of Indian affairs in this valley has brought the Government into discredit, so much so that the settlers of the valley will not sell a pound of provisions to the Indian Department without the cash in hand. The superintendent and the supervisor's notes or bonds are held worthless, and the settlers justify themselves under the plea that the superintendent has never paid a dollar since he has been in office on any of the reservations, to their best knowledge and belief. He has not paid for anything in this valley since my coming into the valley.

The supervisor bought of Mr. Steven Smith about 2,500 bushels of corn to feed the Indians on, and for this small amount Mr. Smith would not take the notes of the superintendent or supervisor, and to keep the poor Indians from starving a private citizen went security for the payment of the amount. It can not be said with truth that Mr. Smith refused the notes of the Indian agents through any other feeling than that of making sure of his money, for which he is not to blame. I know Mr. Smith to be a truly loyal citizen; being from the State of New York, he could not well be otherwise than loyal.

Very respectfully, your obedient servant,

C. D. DOUGLAS,

*Captain, Second Infantry, California Volunteers; Commanding.*

To Lieut. Col. R. C. DRUM,

*Assistant Adjutant-General, Department of the Pacific.*

---

GENERAL HEADQUARTERS, STATE OF OREGON,

ADJUTANT-GENERAL'S OFFICE,

*Salem, February 10, 1863.*

Brig. Gen. BENJ. ALVORD,

*Commanding District of Oregon:*

GENERAL: Thus far the recruiting business prospers slowly, most especially in Southern Oregon.

The complaint from that quarter is that the soldiers at Camp Baker have not, as yet, been paid off, and it is anticipated that when they are it will be in the legal-tender currency, thus reducing the pay of a private to a very small sum.

Another complaint from the same quarter is that the governor in his proclamation failed to mention the protection of the people of Southern Oregon from Indian depredations.

There is another complaint which seems universal, that the old recruiting service has not yet been paid; then there is a certain class of people that are throwing every obstacle in the way of those inclined to enlist. Is there not some way that these obstacles can be overcome? First, that good pay will be insured to the soldier; second, it will be made promptly; third, that protection will be furnished to Southern Oregon. Then is there no way to punish those who are throwing obstacles in the way of those inclined to enlist!

I have the honor to be, most respectfully, your obedient servant,

CYRUS A. REED,

*Adjutant-General, Oregon.*

---

[Telegram—received February 16, 1863.]

SACRAMENTO, CAL., February 14, 1863.

Adjutant-General L. THOMAS:

Will the Department approve of my letter of the 15th of December in relation to issuing arms to a limited extent to organize militia companies?

G. WRIGHT,

*Brigadier-General.*

[Telegram.]

SACRAMENTO, CAL., February 24, 1863.

Adjutant-General THOMAS:

Can I issue limited number of small arms to organized militia companies, as requested in my letter of December 15.

G. WRIGHT,  
Brigadier-General.

[Telegram.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
Washington, February 28, 1863.

To General WRIGHT,  
San Francisco, Cal.:

Secretary does not deem it advisable to issue arms to militia companies.

L. THOMAS,  
Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, February 21, 1863.

GENERAL: I have the honor to inclose herewith copies of correspondence between myself and the commandant of Mare Island navy-yard and collector of the port of San Francisco on the subject of the defenses of the harbor. The U. S. S. *Cyone* has arrived in port, and will remain on this station; but to make the city perfectly safe, steamships are indispensable. I learn (unofficially) that an iron-clad vessel is on the way to this coast. I hope such is the case. The arrival of such a ship would quiet the apprehensions of the people.

Very respectfully, your most obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

Brig. Gen. L. THOMAS,  
Adjutant-General, U. S. Army, Washington, D. C.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., January 26, 1863.

Capt. THOMAS O. SELFRIDGE, U. S. Navy,  
Commanding Navy-Yard, Mare Island, Cal.:

CAPTAIN: The defenses to guard the city of San Francisco against the attacks of hostile steamers have received my most serious consideration. Under cover of the darkness or a fog I have but little doubt that a steamer might pass the two forts without serious injury; at least the chances are decidedly in her favor. Once within the harbor she can take a position beyond the reach of the guns on Alcatraz Island, and, of course, command the city. We must be prepared to meet such a state of affairs effectually, both by land and water.

Have you any vessels at your disposal suitable for mounting heavy guns on; and, if so, could they not be moored in front of the city?

When I was in this city, a week since, I was waited on by several gentlemen, who expressed much anxiety on this subject, and I assured them that I would communicate with you and ask you to lay the matter before the admiral commanding on this coast. I regret very much that we have not a ship of war in the harbor; with the *Lancaster*, or some other single ship with heavy guns, we should have no apprehensions that a rebel steamer would venture within the Gate.

With great respect, I have the honor to be, your most obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

COMMANDANT'S OFFICE, NAVY-YARD, MARE ISLAND, CALIFORNIA,  
January 29, 1863.

SIR: Your communication of the 26th instant, relating to the defenses of the city of San Francisco, was received this morning.

The necessity of being prepared to meet any aggression, come from what quarter it may, is highly important, but I have no control of any vessels of war beyond the limits of the yard. In cases of emergency I should not, however, hesitate to assume any responsibility necessary for the public welfare. The *Independence* is the only vessel suitable for mounting heavy guns at the yard, and which would be effective as a floating battery, and she is now used as barracks for the marines. It would occupy some time, with our means, to put her in condition for service as a floating battery, and it is doubtful whether I could obtain a crew for her at San Francisco. The only steamer we have here is the *Saginaw*, undergoing repairs, which will be completed in four or six weeks. I would suggest that the State of California, or the city of San Francisco, purchase a steamer, iron-clad, and arm her for harbor defenses. The *Cyone*, sailing ship, is on her way to this place, where she probably will arrive about the 20th of next month. On her arrival, if it is necessary, I will direct the commander to lie in the harbor of San Francisco prepared to co-operate with the fort against any attempt to enter the harbor by a rebel steamer. I shall send the admiral a copy of your letter, and advise him of the necessity of keeping a man-of-war ready for immediate service in these waters.

I have the honor to be, very respectfully, your obedient servant,  
THOMAS O. SELFRIDGE,  
Commandant.

Brigadier-General WRIGHT,  
Commanding Department of the Pacific, San Francisco, Cal.

---

HEADQUARTERS, DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., February 11, 1863.

Hon. IRA P. RANKIN,  
United States Collector, San Francisco, Cal.:

SIR: It being highly important to ascertain the character of all steamers entering the harbor, before being allowed to pass beyond the range of the guns at Fort Point, I would most earnestly recommend that a revenue vessel be stationed in the outer harbor, with instructions to stop and board all incoming steamers. A signal from the revenue vessel would advise the fort of the character of the steamer. Should the steamer refuse to stop, a signal from the revenue vessel would so notify the commanders of the forts.

Very respectfully, your most obedient servant,  
G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

---

CUSTOM-HOUSE, SAN FRANCISCO, COLLECTOR'S OFFICE,  
February 12, 1863.

SIR: I have the honor to acknowledge receipt of your letter of yesterday's date, asking me to station a revenue cutter in the outer harbor for the purpose of boarding all steamers entering the harbor before they pass beyond range of the guns of the fort. Unfortunately, I have at present no vessel at my command. Appreciating, however, the importance of the precaution suggested by you, I am telegraphing to the Secretary of the Treasury for authority to send to Puget Sound for one of the two cutters now on that station. I hope a favorable reply. In the meantime I shall endeavor to induce Captain Rogers of the Coast Survey to employ the *W. L. Marcy* on the service proposed. In due time I will inform you of the result of both applications.

I am, very respectfully, your obedient servant,  
IRA P. RANKIN,  
Collector.

Brig. Gen. GEORGE WRIGHT, U. S. ARMY,  
Commanding Department of the Pacific.

COMMANDANT'S OFFICE, NAVY-YARD, MARE ISLAND, CAL.,  
February 17, 1863.

SIR: I have the honor to inform you that the *Cyane*, soon expected from sea, has been ordered to remain at San Francisco for defensive service beyond the range of the guns of Fort Alcatraz until relieved by some other vessel. I would respectfully suggest for the protection of the city of San Francisco, or that part uncovered by the guns of Alcatraz, that earth-works be thrown up on Yerba Buena Island and a battery of guns planted on Point Rincon. This would bring a cross-fire on any vessel which might get past Alcatraz, on the city side. In connection with this subject, allow me to advise that the collector of the port of San Francisco have all inward-bound steamers boarded under the guns of Fort Point. This would effectually preclude the possibility of any steamer getting in under false colors.

I remain, very respectfully, your obedient servant,

THOMAS O. SELFRIDGE,  
Commandant.

Brig. Gen. G. WRIGHT,  
Commanding Military Department, Headquarters San Francisco, Cal.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, February 23, 1863.

Adjutant-General U. S. Army, Washington, D. C.:

SIR: I have the honor to inclose herewith a communication addressed to me by his excellency Leland Stanford, governor of the State of California, for the consideration of the War Department. In connection with the subject of the governor's letter, I deem it proper to say to the Department that the authority given to individuals to raise troops in this State, independent of the executive authority, and to send them to the theater of war, as a portion of the quota from another State, has not been regarded favorably by the people. This feeling, however, will not prevent the prompt organization of the companies called for. The great anxiety amongst these people is for active service in the field, and if they can not go as California troops they will seek service under any call which will carry them to the battlefield.

The executive, the legislative, and a large majority of the people of California are eminently patriotic and devoted to the Union. Far removed from the scenes of war, yet they manifest a deep interest in the cause; they have exhibited their feelings of sympathy for our suffering soldiers in the East by magnificent contributions of money, and should a requisition be made for men to go East such a call would be most cheerfully and promptly responded to. The subject of military instruction, both theoretical and practical, and the organization of militia companies is at this moment receiving the earnest attention of the executive and State legislature. Isolated as she is from her sister States, California feels the importance, absolute necessity, of making preparation to meet any emergency; she asks through her executive arms for the loyal companies now being organized in every town; she asks that the harbor of San Francisco, her great emporium, shall be made impregnable; and then, relying on the stout hearts of her brave people, she will defy all enemies. Permit me again to ask that at least 10,000 stand of small arms and equipments may be sent to Benicia at an early date.

Very respectfully, your most obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
January 25, 1863.

GENERAL: I have the honor to acknowledge the receipt of yours of the 23d instant, inclosing a dispatch of W. Scott Ketchum, brigadier-general and assistant adjutant-general, ordering the mustering into the service of the United States of four companies of cavalry, to be raised in this State for service in the contingent of the State of Massachusetts. The proceedings under and by force of which these troops are to be raised are clearly irregular, and in violation of the rights of this State. I know of no authority by which the governor of Massachusetts can raise volunteers in California, either through the orders of the War Department or the inconsiderate and officious action of the citizens of this State. For reasons that follow, I do not feel bound to interfere in the case alluded to at this time, if at any, to prohibit recruiting for the four companies proposed to be raised, yet I must protest against its being accepted as a precedent to bind the authorities of this State in the future. While I



am more than willing to discharge every obligation that is incumbent upon me, in obeying requisitions for troops properly made, I am not willing that my silence shall be construed into an obligation not to interfere with the raising of the said four companies for Massachusetts, as I may very likely do, should the necessities of this State or the action of her authorities at any time, in complying with the calls of the General Government, seem to require it.

The considerations that move me at this time not to interfere with the raising of these companies are, in brief, the heavy burdens that have been borne by our loyal sister States in sustaining the Government and in fighting in a sacred and common cause battles that are ours as well as theirs, and the heretofore comparative exemption of California from calls upon her loyalty and patriotism; and further, because an opportunity is offered to Californians to seal their loyalty and devotion to the country and to constitutional liberty by offering their bosoms as a bulwark against the surging tides of this unholy rebellion. And I am anxious that in the future our people may have, in common with the people of other States, their glorious traditions of sacrifices made in behalf of the Union and of gallant efforts to save and perpetuate it. The great heart of California beats responsive to the mighty throbs that are convulsing the loyal States, and she feels it her duty to do all she can to stay the fratricidal hand that is raised to divide and destroy the nation.

It is to be desired that she should be recorded upon the page of history that will reveal the glowing deeds of patriotism and sacrifice now being enacted, and that her people may mingle in the great events that are passing in our country's midst, that there may be created a chain of bright and glorious memories to bind the East and the West in bonds of union and fraternity under a common and perpetual Government. Thus, as a citizen of the United States, with sympathies that embrace every portion of our nationality, and anxious to do all in my power to preserve and strengthen that nationality, I would not deny to the General Government one soldier, and would earnestly and cheerfully obey to the last extent her calls for aid, yet I do not conceive it to be my duty in any manner to permit the rights of the State to be invaded or disregarded, without taking means, as occasion may seem to require, to guard these rights in the present and in the future.

I have the honor to be, general, very respectfully, your obedient servant,  
LELAND STANFORD, Governor.

To Brig. Gen. GEORGE WRIGHT,  
Commanding Department of the Pacific, U. S. Army.

WASHINGTON, D. C., March 31, 1863.

Brig. Gen. G. WRIGHT,  
San Francisco, Cal.:

GENERAL: Your letter to the Adjutant-General dated February 23, in regard to supplying arms and equipments to loyal companies organizing in California, etc., is received. I regret to say that at the present time the demands for arms and military equipments are so great that the Government can barely supply the troops actually mustered into the service of the United States. In regard to the defenses of the harbor of San Francisco the same difficulties exist so far as heavy ordnance is concerned. Notwithstanding the urgent representations of the War Department, Congress, session after session, has failed to authorize a national foundry, and nearly all private foundries capable of casting large guns are employed in arming naval vessels, so that it is hardly possible to get any guns cast for fortifications. The War Department, however, will do all in its power to increase the armament of the forts at San Francisco, as the importance of that place is fully appreciated. An ironclad vessel is already on its way to assist in the defense of that coast.

Very respectfully, your obedient servant,

H. W. HALLECK,  
General-in-Chief.

HEADQUARTERS' DISTRICT OF OREGON,  
Fort Vancouver, Wash., February 25, 1863.

GENERAL: I desire hereby respectfully to call the attention of the General-in-Chief, and through him of the War Department, to the defenseless state of this coast.

I inclose herewith a copy of a letter of the 22d of December which I have received from Brig. Gen. J. W. Ripley, Chief of Ordnance, in which he promises to make arrangements to forward as soon as possible a certain quantity of heavy ordnance for the mouth of the Columbia River. His letter is in response to several letters of mine written since August last on this subject.

I have to request that the Engineer Department may be instructed to take imme-

diate steps to have the necessary works constructed to receive said ordnance. The intervening time which must elapse before they can be ready and make the voyage around Cape Horn should be put to good account in such preparation. Appropriations may have been made for this purpose at the present session of Congress. At all events the fortification bill passed on the 20th February, 1862, provided an appropriation of \$100,000 "for defenses in Oregon and Washington Territory, near the mouth of the Columbia River, if in the judgment of the President the same or any part thereof should be advisable." I respectfully recommend that the President order the commencement of such defenses.

I desire also respectfully to urge that the War Department will request the Navy Department to have an ironclad vessel built for and sent to the Columbia River. In view of the contingencies of foreign war these preparations should be made early; it takes so long to forward anything around Cape Horn. For that reason those portions of the United States most remote should be first provided for. Arrangements made to-day in Washington City will not be efficient for defense here in much less than a twelvemonth. Thus, early and prompt steps should be taken. On the 1st September last I wrote to the honorable Secretary of the Navy on the subject of an ironclad vessel for this river, but have had no response.

By the newspaper slip hereto annexed you will perceive that designs upon our commerce exist across the line in the British possessions north of us. Their projects deserve attention and proper preparation.

The new discoveries of gold in this region, covering such a wide extent of territory, show that we have here a second California. The population of Washington and Oregon was increased 20,000 inhabitants last year. The rush of emigrants and miners will be still larger next summer. The commerce and importance of the country are constantly increasing, justly claiming the attention of the Government.

I have the honor to be, very respectfully, your obedient servant,

BENJAMIN ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

Brig. Gen. L. THOMAS,

*Adjutant-General, U. S. Army, Washington City, D. C.*

---

ORDNANCE OFFICE, WAR DEPARTMENT,  
*Washington, December 22, 1862.*

Brig. Gen. B. ALVORD,  
*Fort Vancouver, Wash.:*

SIR: Your letters in relation to heavy ordnance for armament at the mouth of the Columbia River have received the attention of this, and the Engineer, as also of the War Department. After full consideration of the subject, in connection with our present means of providing armament, and of the want of it in other positions requiring more immediate attention, it has been suggested to, and approved by, the War Department, to supply a portion of that you mention, viz, two 15-inch guns, twenty-three 10-inch and five 8-inch columbiads and fifteen Parrott 200-pounders, with proper ammunition, etc., as soon as possible, consistently with other imperative requirements.

Respectfully, your obedient servant,

JAS. W. RIPLEY,

*Brigadier-General, Chief of Ordnance.*

---

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., March 2, 1863.*

His Excellency A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon:*

GOVERNOR: I have the honor herewith to inclose to you a letter of the 9th ultimo, forwarded through this office from Brig. Gen. George Wright, commanding the Department of the Pacific.

You are aware that by my letter to you of the 5th ultimo, I already anticipated his wishes in making a request that the six additional companies of the First Cavalry, Oregon Volunteers, may be raised. This I did pursuant to his instructions of the 23d December, 1862. I suppose that this new communication from General Wright is due to a recent communication he has received from the Secretary of War.

In the letter of Colonel Drum, assistant adjutant-general, of the 10th ultimo, forwarding the accompanying letter, he says, referring to the original instructions of the War Department, dated 24th September, 1861, to Colonel Cornelius, R. F. Maury

and B. F. Harding, etc., for raising the regiment: "Since the date of the above-named instructions the administration of the State government has fallen into other hands, and the general therefore directs that all appointments to commissions in the regiments will be made by the present governor. The general desires you to confer freely with the governor on this subject urging the importance of speedy action."

In my letter to General Wright of the 8th January, I said that I had conferred with you. I sent him a copy of your proclamation of 6th January, and said that I had no doubt that you would make a strenuous effort to raise the companies. I know well your patriotic sentiments and your desire to comply with the requisition.

I remain, with high respect, your obedient servant,

BENJ. ALVORD,  
Brigadier-General, U. S. Volunteers, Commanding District.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., February 9, 1863.

His Excellency, Governor of Oregon, Salem, Oregon:

SIR: Having received authority from the War Department to complete the organization of the Oregon Regiment of Cavalry, I have the honor to request that your excellency may be pleased to have raised such number of companies and appoint such officers as may be necessary. Brigadier-General Alvord, the commander of the district of Oregon, will communicate with your excellency, and afford every facility in his power for a speedy completion of the regiment.

With great respect, I have the honor to be your excellency's obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., March 2, 1863.

His Excellency LELAND STANFORD,  
Governor State of California, Sacramento City, Cal.:

SIR: Apprehensive that there may be some misunderstanding as regards the raising and organizing the volunteer companies for special service in suppressing Indian hostilities in the military district of Humboldt, I deem it important to say that when I called upon your excellency for those six companies, it was understood that they were to be called out not under the laws calling for volunteers to suppress the rebellion, as for that purpose I had no power, but simply for service in their own neighborhood and for their own safety and protection against the Indians, and when no longer required for that purpose to be discharged.

I am under the impression that these troops, when called out for the purpose above stated, may suppose that they are entitled to be placed on the same footing with the volunteer troops called for by the Government to serve for three years, or during the war, and so they should be by rights; but if they enter the service in this special call, I wish it distinctly understood that I can not guaranty that they will receive all the allowances made to men enlisted for three years or during the war.

To be explicit, if those companies are raised and mustered into the United States service I can provision them and furnish arms and everything necessary to make a campaign, but I have no means of defraying expenses of recruiting such companies, or of paying the officers and men their monthly allowances; all these things would require a special appropriation by Congress. All the moneys in hands of disbursing officers in this department have been furnished to meet the demand under existing laws, and I have no power to divert any portion of such funds to other purposes.

I have said thus much because I did not want to get these companies enrolled and then have dissatisfaction and complaints of not being placed on the same footing as other volunteers.

Under all these circumstances, it is submitted to your excellency whether it would be better to call out these companies at once or wait the action of the War Department.

With great respect, your excellency's obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, March 5, 1863.

General ALVORD:

DEAR SIR: Inclosed you will please find a communication from A. D. Barnard. I have full confidence in your knowledge of the facts to do what is best in the premises.

Very respectfully, your obedient servant,

A. C. GIBBS,  
Governor of Oregon.

CORVALLIS, OREGON, February 27, 1863.

SIR: We of Corvallis and vicinity have received information from the officers of Fort Hoskins that the fort is to be immediately abandoned. That a (few men) soldiers are to be left with the agent on the reserve, and that the change is to be made within three weeks. The time is short in which to prepare and circulate amongst the people petitions against such a policy. Here are 2,500 of the worst Indians on the coast. Indians who have been engaged in war; who have destroyed settlements; burned infants; carried off women captive; surrounded and nearly captured companies of United States troops; who we know have done these things and within eight years; Indians who are posted in the matter of the present troubles of the country; who have been led to believe the Government has failed, gone in; who have recently forced their agent to leave through fear for his life; who are plentifully supplied with powder, having free access to this town; who are thoroughly posted as to their portion of the valley and its means of defense; have knowledge of recent uprisings of the Minnesota Indians, and to whom the promises and pledges of the United States, in treaty, are as naught, never fulfilled. And yet, with the past—yes, present—Minnesota Indian massacres in view, the officer commanding this military department, invites such a disaster.

I feel it to be my duty, as one, to call your attention to this matter, that you may, if you deem it best, cause the order for abandoning the necessary protection of this settlement to be revoked. And allow me to add that Mr. J. B. Congle, of your city, is one well acquainted with this settlement, and of the importance of that post, situated as it is, just at the edge of the settlement, as well as the line of the reserve, and also, that on this day Dr. Carpenter, of Fort Hoskins, is en route to Portland, and can give you full information of the feelings of the Indians. It is a well-known fact that the Indians have had plans long laid to, and how to, cut off the settlements, which though never to be fully realized will, I have no doubt, if this force is removed, be partially successful. Dr. Carpenter, who is a gentleman and man of family, residing "at Garrison," was, with reason, somewhat inclined to remove from the fort to town with his family last summer. The danger is in the summer, when the men are at the mines. There will, doubtless, be petitions presented to you, for you, your influence to be brought to prevent the removal of troops from this post. I hope they may meet with your approval, and having presented the matter in the light I view it, I have only to say,

I am, sir, your obedient servant,

A. D. BARNARD.

To his excellency Governor A. C. GIBBS,  
Portland, Oregon.

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., March 6, 1863.

SIR: I have the honor to acknowledge the reception of your letter of the 5th instant inclosing to me the letter of A. D. Barnard, esq., on the part of certain citizens of Corvallis, urging that Fort Hoskins shall not be abandoned.

It has been decided that a detachment of twenty or thirty men will be left at that post.

If the company of Oregon volunteers now being raised by Lieutenant Small at Eugene City can be completed, I think I am justified in saying it will be stationed at Fort Hoskins. The companies stationed at forts Yamhill and Hoskins since the autumn of 1861 were raised in California. Oregon has furnished seven companies, California seven regiments, since the war began. The population of California is not ten times that of Oregon.

I know well the patriotic sentiments of your excellency and of the masses of the people of Oregon. I know that in former wars the people of Oregon have promptly

and gallantly rallied for the defense of the frontier, and that they would now come forward if they were thoroughly convinced of the necessity.

California has sent troops to Arizona, New Mexico, Utah, and Oregon, and her volunteers have recently achieved a brilliant victory over the Indians on the soil of Washington Territory—the same Snake Indians against whom troops from this quarter will operate.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

His Excellency A. C. GIBBS,

*Governor of Oregon, Portland, Oregon.*

[Telegram.]

SACRAMENTO, *March 9, 1863.*

To Adjutant-General THOMAS:

I request authority for mustering in six companies for special service against Indians in Humboldt district. Specially recommended by the governor.

G. WRIGHT,

*Brigadier-General.*

[Telegram.]

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,

*March 11, 1863.*

Brigadier-General WRIGHT,

*Sacramento Cal.:*

Secretary gives authority to muster in six companies requested in your dispatch yesterday.

L. THOMAS,

*Adjutant-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 14, 1863.*

GENERAL: Within the last ten days affairs in Utah have assumed a threatening aspect. My latest dispatch from Colonel Connor, dated on the 12th, says that Brigham Young hoisted a signal flag that day, and assembled fifteen hundred armed men; they were subsequently dismissed, but Mormon guards patrol the city nightly. Colonel Connor is impressed with the belief that they are courting an attack by his forces; that they do not wish to take the initiative, but will do all in their power to provoke a combat. I have telegraphed to Connor to be prudent and cautious. He has a commanding position, with ample supplies. As soon as the roads are passable I will throw forward the residue of Connor's regiment and such other troops as can be spared.

I have directed Colonel Connor to telegraph direct to you anything very important. We are raising the additional regiment of infantry and the seven companies of cavalry, but the recruiting is slow. The greatest embarrassment is the want of funds. We can not possibly get along on this coast without specie. With Treasury notes fluctuating in value, frequently at a discount of 50 per cent, it is impossible to make contracts, and when purchases are made we pay nearly double price. Arrangements are being made to throw forward troops and supplies in the early spring for the establishment of a post at Fort Boise, on Snake River, under the immediate supervision and orders of Brigadier-General Alvord, commanding the district of Oregon. I am also making preparations to establish a post at the Klamath Lakes in Oregon. With the exception of Indian disturbances in the district of Humboldt and on Owens River, Camp Independence, the country is quiet.

I am advancing the Fifth Infantry, California Volunteers, under Colonel Bowie, into the Territory of Arizona, and the Fourth Infantry, California Volunteers, will occupy the southern portion of California, including Fort Yuma. General Carleton asked for reinforcements, and I deem it important to secure both Arizona and Mesilla from being again overrun by the rebel hordes, that a respectable force should occupy these districts; and another object I have in view is to keep an eye on the neighboring States of the Mexican Republic, where most of the disaffected of this State go.

The legislature of this State is still in session at Sacramento. A bill is now pend-

ing, which will doubtless become a law, appropriating \$600,000 to place the State on a war footing. On the 18th instant I shall review and inspect Major Thompson's battalion of four companies of cavalry; they will sail for New York on the steamer of the 21st.

With great respect, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General, U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, March 16, 1863.*

GENERAL: Inclosed herewith is a communication received at my headquarters from Maj. C. S. Drew, First Cavalry, Oregon Volunteers. Major Drew is in command of Camp Baker, near Jacksonville, State of Oregon, and is the officer whom I design to establish and command the new post at or in the vicinity of the Klamath Lakes. The difficulties and embarrassments enumerated in the major's communication are common to all the troops in this department, and I most respectfully ask the serious consideration of the General-in-Chief and the War Department to this subject. Most of the troops would prefer waiting for their pay to receiving notes worth but little more than half their face; but even at this ruinous discount officers, unless they have private means, are compelled to receive the notes. Knowing the difficulties experienced by the Government in procuring coin to pay the Army I feel great reluctance in submitting any grievances from this remote department, but justice to the officers and soldiers demands that a fair statement should be made to the War Department.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. THOMAS,

*Adjutant-General, U. S. Army, Washington, D. C.*

CAMP BAKER, OREGON, *March 4, 1863.*

COLONEL: I inclose herewith for the consideration of the commanding general the resignation of Asst. Sur. D. S. Holton, First Cavalry, Oregon Volunteers. Dr. Holton is a zealous and faithful officer, and I regret that circumstances, those which he sets forth, render it necessary for him to leave the service. But knowing the facts in the premises I must nevertheless recommend, as I now do, that his resignation be accepted. While upon the subject of resignations I beg to remark that the cause assigned by Dr. Holton for his resignation is valid and sufficient doubtless for its acceptance. But there is another which in its practical workings is almost as potent, and which precludes the possibility for any of the officers at this post to remain much longer in the service; I allude to their nonpayment since they entered the service, as also that of the entire command. This has borne heavily upon the officers, more especially as they have been compelled to hire money, some of them for more than a year past, with which to purchase their horses and equipments, and to defray personal expenses. The act of Congress of June 18, 1862, requiring "that company officers of volunteers," and unjustly applied to the field and staff of regiments also, "shall be paid on the muster and pay rolls," has worked a great injury to the officers here, as it has no doubt in other portions of this department, by inhibiting the use of "pay accounts," which in our case could have been used as collaterals, at or near their face, in obtaining the money for our expenditures. But no such arrangement could be effected under the new regulation, as by its requirements the death of the officer, or his removal to other and distant post, would enhance the probability of a delay in payment of his indebtedness and increase the risk and expense attending its final collection. Hence the greater rate of interest charged.

But this is not all. The money borrowed has been specie, and must be paid in the same currency, while payment to the officers is liable to be made in Treasury notes, worth here not more than 50 to 55 cents per dollar, and very little sale for them even at those low figures, thus, practically, with the interest which has accrued on the amount borrowed, it will require more than \$2 of the money in which the officer is paid to repay \$1 of that which he owes. With this condition of things, too, each officer and soldier of this command is serving for less than half-pay, and have done so, some of them, for more than sixteen months past. Under these circumstances it must be impossible for any of the officers here to serve much longer without becoming



irretrievably bankrupt and bringing upon themselves all the contumely and reproach that such misfortune is always sure to create. But private injury is not all that this delay and final mode of payment inflicts. It is exceedingly detrimental to the public service generally, as without any stated market value to the notes, and no surety as to when payment in them, even, will be made, in every purchase or other expenditure made here, not only the current San Francisco discount on the notes is added to the specie value of the article or service, but, in addition to all this, a large percentage for the risk of a further depreciation in their value, and a vexatious delay in payment.

It is thus that capital protects itself from loss, and perhaps realizes better profits than under the old and better system of payment in coin. But the soldier has not this power, not even that to protect himself against loss, and if paid in notes must necessarily receipt in full for what is equivalent to him of half-pay or less, for the service he has rendered, and must continue to fulfill his part of contract with the Government, for the same reduced rate of pay, until his period of service shall terminate. This, in its practical results, is making a distinction between capital and labor, or personal service, unfriendly and injurious to the latter, that I am sure was never contemplated or designed by the War Department, and its abolishment here at least would be of much advantage to the service, besides meting out but simple justice to long deferred creditors, and at no greater cost to the Government. This delay and uncertainty about the payment of the troops at this post is also working a public injury by preventing enlistments in this part of Oregon, in any considerable number, for the new companies ordered to fill this regiment. Good men will not enlist for \$6 or \$7 a month while \$13 is the regular pay, and, moreover, being realized by every soldier in any other department than the Pacific. Men who would enlist under these circumstances are, as a general rule, entirely worthless for soldiers or anything else, and would be an incubus upon the service if permitted to join it.

I beg to be understood as reporting the condition of things actually existing here, and not as I would have them. Neither would I be understood as casting any censure whatever upon any officer of this department. I am aware that Colonel Ringold would have taken as favorable action in our case with regard to payment as he has at any other post, had it not have been for the unfortunate order of the Secretary of the Treasury that his drafts should be paid in notes, and at a time, too, when there were no notes on hand. I trust that the commanding general will give us a word of encouragement, if in his power, so that it may be imparted to the men of his command, many of whom are becoming somewhat alarmed as to their pay and as to the currency to be used in payment.

I am, colonel, very respectfully, your obedient servant,

C. S. DREW,  
*Major First Cavalry, Oregon Volunteers.*

RICHARD C. DRUM,  
*Assistant Adjutant-General, U. S. Army,  
Headquarters Department of the Pacific, San Francisco, Cal.*

[Telegram.]

WASHINGTON, D. C., *March 19, 1863.*

Brig. Gen. G. WRIGHT,  
*Sacramento, Cal.:*

Prepare to re-inforce Colonel Connor, as early as possible. The Secretary of War authorized you to raise additional troops for that purpose in California and Nevada.

H. W. HALLECK,  
*General-in-Chief.*

[Telegram.]

SAN FRANCISCO, CAL., *March 23, 1863—1 p. m.*

Adjutant-General L. THOMAS:

Orders of Major-General Halleck, dated 19th instant, received. Affairs at Great Salt Lake have somewhat subsided. Re-inforcements will advance. Some infantry and cavalry regiments. Volunteers being raised. This country is quiet, except Indian disturbances.

G. WRIGHT,  
*Commanding General.*

[Telegram.]

WASHINGTON, D. C., March 19, 1863.

Col. P. E. CONNOR,  
*Camp Douglas, Salt Lake City:*

All arms and military munitions intended for use against the authority of the United States are liable to seizure. You will exercise your discretion in regard to making such seizures. You will be cautious and prudent, but when you act, do so with firmness and decision.

H. W. HALLECK,  
*General-in-Chief.*

[Telegram.]

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,  
*Sacramento, March 20, 1863.*

Hon. E. M. STANTON,  
*Secretary of War, Washington, D. C.:*

The following is a copy of a resolution adopted in the senate of California March 19, 1863:

"Resolved, That the governor be requested to telegraph to the War Department immediately to ascertain whether the General Government will furnish to the authorities of this State for its use five complete bronze field batteries, to consist each of two rifled 12-pounders, two smooth-bore 6-pounders, and two 12-pounder howitzers, together with a number of small-arms, accouterments, and equipments for infantry and cavalry, not exceeding the value of 29,000 muskets with accouterments, and also such amount of ammunition as may be deemed necessary, or any less amount of the artillery and arms named above." Adopted in senate March 19, 1863.

An early reply is requested upon which legislative action may be based.

LELAND STANFORD,  
*Governor of California.*

[Telegram.]

WAR DEPARTMENT,  
*Washington City, March 22, 1863.*

His Excellency LELAND STANFORD,  
*Governor of California, Sacramento City:*

Your telegram of the 20th is acknowledged. Fifteen thousand stand of the best Springfield muskets have already been forwarded and are now on their voyage to California. We can send you 15,000 more by the first transport leaving under convoy and also the five complete batteries you desire of the caliber mentioned, 12-pounders. The rifled field-pieces will be of iron, there not being in the service any bronze rifled guns of that caliber, but they will be of the best description used in the service.

EDWARD M. STANTON,  
*Secretary of War.*

WASHINGTON, D. C., March 29, 1863.

Brig. Gen. G. WRIGHT,  
*Commanding Department of the Pacific, San Francisco, Cal.:*

GENERAL: I have this day received your letter of February 20, inclosing Col. P. E. Connor's report of his severe battle and splendid victory on Bear River, Washington Territory. After a forced march of 140 miles in mid-winter, and through deep snows, in which 76 of his men were disabled by frozen feet, he and his gallant band of only 200, attacked 300 Indian warriors in their stronghold, and after a hard-fought battle of four hours destroying the entire band, leaving 224 dead upon the field. Our loss in the battle was 14 killed and 49 wounded. Colonel Connor and the brave Third California Infantry deserve the highest praise for their gallant and heroic conduct.

Very respectfully, your obedient servant,

H. W. HALLECK,  
*General-in-Chief.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 30, 1863.*

GENERAL: I have the honor to transmit herewith, for the consideration of the General-in-Chief and War Department, a communication dated on the 15th instant, and addressed to my headquarters by Col. P. E. Conner, Third Infantry, California Volunteers, commanding at Camp Douglas, Utah Territory, together with the remarks of Brigham Young on the 3d of March, and the replies of Governor Harding and Judges Drake and Waite to the Mormon committee who waited upon those gentlemen and presented the resolutions passed by the mass meeting held on the 3d instant requesting them to resign and leave the Territory.

The astounding developments exhibited in these documents demand serious consideration and prompt action to enforce obedience to our laws, and to sustain and support the officers of the General Government in the proper discharge of their duties. Although the excitement at Great Salt Lake City, brought about by the treasonable acts of Brigham Young and his adherents, has somewhat subsided, yet I am fully satisfied that they only wait for a favorable opportunity to strike a blow against the Union. When Colonel Conner approached Salt Lake City, he submitted to me the question as to the location of his camp.

Brigham Young was exceedingly anxious that the troops should re-occupy Camp Crittenden, or some point remote from the city, but after mature consideration I came to the conclusion that the site of the present camp was the most eligible for the accomplishment of the objects in view. It is a commanding position, looking down on the city, and hence has been dreaded by the Mormon chief. The good order and strict discipline enforced by Colonel Conner have left the people of the city without any cause of complaint, on account of the proximity of the troops; but they have, doubtless, great apprehensions that their odious institutions, so repugnant to civilized society, may receive a check by the presence of a large body of loyal men sworn to maintain the laws and authority of the United States.

Colonel Conner has a strong position and is in no immediate danger, and I shall throw forward re-enforcements as soon as they can be procured; as they advance towards Salt Lake the command will be increased by the addition of such troops as can be spared from the posts east of the Sierra Nevada.

By late telegraphic dispatches, I am advised of attacks on two or three of the overland mail stations, by Indians beyond Ruby Valley. Detachments of cavalry from Salt Lake and Fort Churchill have been ordered along the line to punish the offenders and protect the mail. The cavalry company from Fort Churchill will then unite with other troops en route for Salt Lake. Captain Selfridge, commandant of the navy-yard at Mare Island, having received information that an organization existed in Solano County, composed of rebel sympathizers, with the purpose of seizing the yard and destroying the public property, recalled the steamer *Saginaw*, then lying in the harbor of San Francisco and on the eve of departure on a cruise south, as I reported some days since. A feverish anxiety exists in the public mind that organizations inimical to the Government are prepared and will strike when an opportunity offers a fair prospect of success; I shall take care that no such opportunity is presented.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS CAMP DOUGLAS, UTAH,  
*March 15, 1863.*

COLONEL: I have the honor to communicate, for the information of the general commanding, the following facts in relation to the extraordinary proceedings of the people of the Territory during the last twelve days. On Tuesday, the 3d instant, an excited meeting was held in the Mormon Tabernacle, in Salt Lake City, at which resolutions were passed asking his excellency Governor Harding and associate justices Drake and Waite to resign and leave the Territory.

The reason they give for this action is that those gentlemen caused a bill to be presented before Congress which they say is inimical to their interests; but I have reason to believe that such is not their real cause of grievance, and that because those gentlemen do not choose to become the tools and creatures of Brigham Young, and follow in the footsteps of ex-Governor Cummings, the present Chief Justice Kinney, and the present secretary of state, Frank Fuller, is the real cause of this action against them. The latter officers, Messrs. Kinney and Fuller, disgrace their commissions and the Government they represent, and I unhesitatingly assert, that while the former Chief Justice Kinney, holds his office, no conviction can be had before his court

against a Mormon unless Brigham Young would sanction such conviction. This appears strong language, but the assertions are susceptible of proof and manifest to every resident and loyal citizen of the Territory.

On Tuesday, the 3d, and between the hours of 10 p. m. and 3 a. m. of the 4th instant, Brigham caused to be removed from the Territorial arsenal to his residence all the ordnance and ordnance stores, and placed a large body of armed men in his yard, which is inclosed with a high stone wall. On Monday, the 9th, he raised the national flag over his residence, for the first time, I am told, since his arrival in the Territory, but not however from motives of patriotism or for any loyal purpose, but as a signal to his people to assemble armed, which they immediately did, to the number of about 1,500. The same farce was performed again on the 12th instant, and the only excuse his adherents give for this extraordinary proceeding is that he feared I would arrest him for uttering treasonable language, but, in my opinion, that is not the true cause. as there has been nothing in my conduct or language which could be construed so as to induce that belief, further than what I said when I first entered the Territory, to the effect that "any person, whosoever he might be, who was guilty of using treasonable language, would be arrested and sent to Alcatraz Island." Since my arrival the people of the Territory have been treated kindly and courteously by both my officers and men, who have never given one of them cause for complaint, which the people freely acknowledge. But, notwithstanding this, the courtesy we have given is returned with abuse; they rail at us in their sermons, in which we are also classed with cut-throats, gamblers, our Government cursed and vilified in their public speeches and meetings, and those of their people who supply this camp with vegetables, eggs, butter, and produce are proscribed and shamefully abused for extending such favors. The late armed display was a mere ruse to frighten the proscribed Federal officers from the Territory; or else they desire to have a conflict with the Government, and are endeavoring to provoke me into inaugurating it; the latter I believe to be the real motive, however Brigham Young may try to disguise the fact.

As evidence to substantiate the latter belief, he made use of the following language in a speech delivered at the Tabernacle, on Monday, the 3d instant: "Joseph Smith told me thirty years ago that these prophecies were bound to come true. He hoped they would. He would like to live in heaven with the Government of the United States, but he had no desire to live with a people who had brought ruin and disgrace upon their own heads. He would not live with or have anything to do with the United States. He would have a free and independent government to himself, where he could enjoy his civil and religious liberties." That Smith had told him that the South would rise against the North, and the North against the South, and that they would fight until both parties were destroyed, and for my part I give it God-speed, for they shed the blood of the prophet."

And on Sunday, the 8th instant, he said: "Is there anything we would not do to show our loyalty to the Government? Yes; if the present administration should ask us for 1,000 men, or even 500, to go down there (meaning to fight the rebels) I would see them damned first, and then they could not have them while these soldiers are in our vicinity."

And at the same place and on the same day Heber Kimball, second president of the Mormon Church, said: "We can defy the whole Federal Government," to which the congregation responded, "That's so, we can."

The people are, by order of Brigham Young, busily engaged in preparing ammunition and cannon, and their foundry for some weeks past has been used for casting cannon-balls; they also loudly assert that I shall not be re-enforced, and that if the attempt is made they will cut off the re-enforcements in detail and attack me. The law against polygamy is a dead letter on the statute-books; Brigham has lately violated it, and boasts that he will have as many wives as he desires, and advises his people to pursue the same course. American citizens who are not Mormons can not hold real estate in the Territory, and those who undertake to do so are abused and threatened, their property stolen or confiscated by the Mormon courts upon a charge manufactured for the occasion. I have applications daily from people of the Mormon faith who desire to leave the Territory, and who say they can not do so without protection from me, as they fear they will be arrested, their property taken from them on some trumped-up charge, and probably their lives taken. They have ample grounds for their fears, for such has been the fate of many a poor wretch who dared to apostatize and leave the Mormon Church. Yesterday morning Brigham Young started to the northern settlements with a guard of 150 mounted men. Previous to starting they were drawn up in front of his residence, and as the governor's son, who is also his private secretary, was passing, some of them shouted, "Three cheers for ex-Governor Harding and long life to Jeff. Davis." Companies are drilled daily and exercised in target practice.

I had contemplated and have all preparations made for another expedition against the Indians, this being the best and most favorable season for that service, for the reason that in the summer the Indians scatter so in the mountains that it is impossi-

ble to make a successful campaign against them. But in consequence of the hostile attitude of the Mormons I will be compelled to forego such duty for the season.

This is a plain and brief statement of the facts as they exist here, and, unless re-enforced, as I have requested in a former communication, I would respectfully recommend that my command be withdrawn from the Territory, and the Mormons be left to further preparation of their infamous conduct until such time as the Government can spare the number of troops required to forever put a stop to their outrageous, unnatural, and treasonable institutions. My command is in no immediate danger, but if the present preparations of the Mormons should continue, I will be compelled, for the preservation of my command, to strike at the heads of the church, which I can do with safety, for, they being once in my power, their followers will not dare touch me, but if I remain in my present position (although a strong one) for them to attack me I am lost, as they have about 5,000 men capable of bearing arms and cannon of heavier caliber than mine. In any event, the general commanding can rest assured that I will do nothing rashly or hastily, and my intercourse with them will be, as heretofore, courteous and firm.

I herewith inclose the replies of his excellency Governor Harding and Judges Waite and Drake to the Mormon committee who waited on them the day after the meeting of the 3d instant.

I have the honor to be, very respectfully, your obedient servant,

P. EDWARD CONNOR,

*Colonel Third Infantry, California Volunteers, Commanding Post.*

To Lieut. Col. R. C. DRUM,

*Assistant Adjutant-General, U. S. Army,  
Department of Pacific, San Francisco, Cal.*

*Remarks of Brigham Young, March 3, 1863, not published in Desert News of March 4, 1863.*

Of the Governor, he said:

"Let him go back to his (Governor Harding's) friends, if he have any. He has none, either in heaven or hell or anywhere else.

"This man who is sent here to govern the Territory, man—did I say? thing, I mean; a nigger worshiper, a black-hearted abolitionist is what he is and what he represents, and these two things I do utterly despise—he wants to have the telegraph torn down and the mail stopped and turned by way of Panama. And to the people he said, 'Do you acknowledge this man Harding as your governor?' (Voices) 'No; you are our governor.' 'Yes,' said he (Brigham), 'I am your governor.' Will you allow such a man to remain in the Territory? (Voices) 'No; put him out.' 'Yes,' replied Brigham, 'put him out; Harding and Drake and Waite must leave the Territory. If they will not resign, and if the President will not remove them, the people must attend to it. I will let him (Harding) know who is governor. I am governor. If he attempts to interfere with my affairs, woe, woe, unto him.'"

Of the judges he said:

"Judges Drake and Waite are perfect fools and tools for the governor. If they could get the power, as they want to do, to have the marshal choose juries of cut-throats, blacklegs, soldiers, and desperadoes of California, and if we are to be tried by such men, what would become of us?"

*Reply of his excellency Governor Harding to the Mormon committee who waited upon him, presented the resolutions passed by the mass meeting held on the 3d instant, and requested him to resign and leave the Territory.*

Having stated the object of this visit, the governor replied to them, in substance as follows:

"Gentlemen, I believe that I understand this matter perfectly. You may go back and tell your constituents that I will not resign my office of governor, and that I will not leave this Territory until it shall please the President to send me away. I came here a messenger of peace and good-will to your people; but I confess that my opinions about many things have changed. But I came also, sir, to discharge my duties honestly and faithfully to my Government, and I will do it to the last. It is in your power to do me personal violence, to shed my blood, but this will not deter me from my purpose. If the President can be made to believe that I have acted wrongfully, that I have been unfaithful to the trust that he has confided to me, he will doubtless remove me; then I shall be glad to return to my family and home in the States, and

will do so carrying with me no unjust resentments towards you or anybody else. But I will not be driven away. I will not cowardly desert my post. I may be in danger by staying, but my mind is fixed.

"I desire to have no trouble; I am anxious to live and again meet my family, but if necessary an administrator can settle my affairs. Let me now say to you, sir, in conclusion, and as this is said to be a band of prophets, I too will prophesy: If one drop of my blood is shed by your ministers of vengeance while I am in the discharge of my duty, it will be avenged, and not one stone or adobe in your city will remain upon another. Your allegations in this paper are false, without the shadow of truth. You condemn my message as an insult to you, and yet you dare not publish it for fear that your judgment will not be sustained by the people themselves. That I have done you wrong in representing you to the Government as disloyal is simply preposterous. Your people, public teachers, and bishops have, time and time again, admitted the fact. I am now done, sir, and you understand me."

—

*Reply of his honor Judge Drake on the same occasion.*

He said: "The communications you have made are of some importance, as they are intended to affect me. I desire to say something before you go. It is no small thing to request a citizen to leave a country. Are you aware of the magnitude of the business you have undertaken? I deny that you have any cause for such conduct towards me. I am an American citizen, have a right to go to any part of the Republic. I have a right to petition or ask this Government to amend the laws or pass laws. You, Taylor and Pratt, are men of experience and reputed to be men of learning, and ought to know better than to insult a man by such means. That it is mean and contemptible. That on your part, Taylor, a foreigner, it is impudence unequalled, and Pratt, a citizen, ought to know better than to trample on the rights of a citizen by performing such a dirty enterprise." Judge Drake said: "Your resolutions are false, and the man that drafted them knew it to be so, and I further understand that Brigham Young in the meeting at the tabernacle, called me a fool and a tool of the governor!" Here Taylor admitted that Young did so say. The judge then said: "Go back to Brigham Young, your master, that embodiment of sin and shame and disgust, and tell him that I neither fear him nor love him nor hate him, but that I utterly despise. Tell him whose tools and tricksters you are that I did not come here by his permission, and that I will not go away at his desire or by his directions. I have given no cause of offense to any one, I have not entered a Mormon house since I came here, your wives and daughters have not been disturbed by me, and I have not even looked upon your concubines or lewd women. I am no skulk from the punishment of crimes.

"I tell you, if you or this man you so faithfully serve attempt to interfere with my lawful business you will meet with trouble of a character you do not expect. A horse thief or a murderer has, when arrested, a right to speak in court, and unless in such a capacity and such circumstances don't you ever dare to speak to me again."

—

*Reply of Judge Waite to the committee on the same occasion.*

"To comply with your wishes, gentlemen, under such circumstances, would be to admit impliedly, at least, one of two things: Either that I was sensible of having done something wrong, or that I was afraid to remain at my post and perform my duty. I am not conscious either of guilt or fear. I am therefore obliged respectfully to decline acceding to your request."

—

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., April 2, 1863.

His Excellency O. CLEMENS,  
Governor of Nevada Territory, Carson City, Nev.:

SIR: I have been authorized by the War Department to raise volunteer companies in Nevada Territory for the purpose of moving east on the overland mail route in the direction of Great Salt Lake City. If it is possible to raise three or four companies in the Territory for this service, I have to request your excellency may be pleased to have them organized. I should be glad to get two companies of cavalry and two of



infantry. The mounted troops to furnish their own horses and equipments; arms, ammunition, etc., will be furnished by the United States.

Should your excellency consider it probable that this volunteer force can be raised even one company will be accepted. I will send you a plan of organization and an officer with the necessary instructions for mustering them into the service,

With great respect, I have the honor to be, your most obedient servant.

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., April 8, 1863.*

COLONEL: In anticipation of the possibility of hostile vessels passing the forts, I think it would be well to establish small batteries on Yerba Buena Island and also on Rincon Point; will you please to have the island and point examined for this purpose? Captain Selfridge, commandant at the navy-yard at Mare Island, wishes to establish batteries at important points, and asks that Lieutenant Elliott be permitted to go there for the purpose of indicating the best location.

With great respect, I am, colonel, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Lieut. Col. REVE E. DE RUSSY,

*Chief Engineer on Pacific Coast, San Francisco, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 14, 1863.*

GENERAL: I have the honor to inclose herewith the report of Col. P. E. Connor, Third Infantry, California Volunteers, of his inspection of the troops, buildings; and property at Camp Douglas, near Great Salt Lake City, Utah Territory.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General, U. S. Army, Washington, D. C.*

HEADQUARTERS CAMP DOUGLAS, UTAH,  
*February 26, 1863.*

COLONEL: I have the honor to submit the following inspection report of the troops, public property, and buildings at this post, as required by Special Orders No. 15, Department of the Pacific, January 17, 1863.

In compliance with the above I have carefully inspected and examined into each department. This post is garrisoned by the headquarters and Companies A, H, K, and M, Second Cavalry, California Volunteers, and the headquarters and Companies E, G, H, and K, Third Infantry, California Volunteers, both of which regiments have conformed to the organization prescribed in General Orders No. 126, War Department.

The discipline of the troops is excellent, but their instruction in military exercises is not as good as I would like, which is however attributable to the time consumed in the march from California to this post, the time consumed in the construction of cantonments and on detached service, and the inclemency of the season, which has allowed of but few drills in the last eight months. They are however well instructed in their other duties; the clothing, arms, equipments, and accouterments of the infantry are in good condition, kept clean, and in good order, their clothing is well preserved, is kept very neat and is warm and comfortable, though the supply of some articles nearly exhausted. The kitchen, mess furniture, etc., of the companies in good order, cleanly and carefully kept, the food well cooked, wholesome and plentiful in quantity. The books, papers, and files neatly kept, and the company fund properly and judiciously expended in the purchase of necessities for the men.

The quarters or cantonments are thirty-two in number, and are temporary shelters of tents placed over excavations 4 feet deep, with good stone and adobe fire-place;

they are warm and comfortable, capable of accommodating 12 men each, are all dry, well ventilated, and convenient to good water; they are kept clean and in good order.

The quarters occupied by the cavalry companies are constructed in the same manner and are equal in every respect to the infantry in comfort and conveniences. The mess, kitchen, and company furniture is also well preserved, is in good order; the company books, papers, files, etc., kept with system, and the funds fairly and judiciously expended in the purchase of such articles as are needed by the men.

Their clothing is, however, scanty, old, and badly out of repair, much of it quite worn out, having been worn a long time; many of the men are quite ragged, and before a new supply of clothing can be had will be quite destitute.

Their arms, accoutrements, and equipments of all kinds need repairs, and some of them are totally unfit for service; their belts are much worn and are nearly worthless; many of the carbines broken and unfit for service and others useless and wanting repairs. Two companies are armed with Whitney rifles, a very unwieldy arm and quite unsuited to cavalry service, being difficult to load or carry on horseback. Many of these are also out of repair, and some of them unfit for use by reason of long service; a large number of the pistols used are also out of repair; and some totally unserviceable, never having been repaired since they have been in use. I also find quite a large number of the Conbien cartridges are too short for those pieces, and some entirely useless.

The horse equipments, excepting the saddles, are also in very bad order, having been worn a long time and badly wanting repairs, particularly the bridles and bits; the latter are made of cold iron, are very narrow, chafe the horse's mouth, and are easily broken. The horses are in very good condition as to appearance and keeping, but are generally light and rather small for efficient field service; a few of them are worn out and unfit for use.

The officers' quarters consist of thirteen small buildings, constructed of logs and adobes over ground excavations of from 3 to 4 feet deep, and covered with boards, straw, and earth. They have good fire places, and average four rooms each. The building occupied by the commanding officer is above ground, constructed of adobes, contains five rooms, two of which are occupied as adjutants' offices. The above are all temporary structures and only adapted for shelter this winter.

The guard-house contains three rooms and a cell; the bake-house one room and a large oven. These are also above ground, and are built of stone and adobes; they are substantial structures, and well adapted to the wants of the command.

The commissaries and quartermasters' offices and stores are all under one cover, constructed of paulins stretched over a substantial frame 200 feet long.

The hospital consists of a small log structure and three hospital tents, rendered warm and comfortable by boards and earth; is in excellent condition, and well arranged for the comfort and convenience of the sick this winter; has good fire-places, and it is well supplied with all the medical stores necessary. The sick and wounded receive every attention and all the luxuries the country affords. But little sickness has prevailed at the post.

At this date, owing to wounds and injuries received on the march to and at the battle of Bear River, the morning report shows 70 sick in quarters and 22 in hospital, 1 officer and 6 men have died of their wounds, all being shot in a vital part; 4 men have had their toes amputated and 2 have lost a finger each.

The inmates of the hospital are now doing well, and with one exception will all probably recover.

There are four cavalry stables, two quartermaster's stables, and one blacksmith's shop, all of which are constructed of willows bound together by uprights, and well lined, and covered with straw and earth. The stables are very warm, well drained, and convenient to good water.

The buildings combine comfort with economy, and the materials used in their construction will answer every purpose in the erection of more permanent quarters. The post treasurer's books are well and neatly kept. The fund is divided among the companies at the post.

The capacity of the officers conducting the administrative and staff departments good. Their books and papers are in good order, and their respective duties discharged with fidelity and economy to the Government and credit to themselves. There is \$403.25 in United States Treasury notes on hand in quartermaster's department. The condition of all the public property, with the exception of a few wagons (which need repair), is good, having been well taken care of and carefully used. There is no post school, but several moral and religious societies exercise a healthful influence in the command. Divine service is well attended.

There are but two desertions to record during the last two months. Courts-martial are rare, have been seldom for grave offenses, and very few offenders requiring punishment. The officers of the post are with two exceptions gentlemen of sound health, good moral character, and temperate habits and attentive and efficient in the discharge of their duties.

Inclosed herewith I have the honor to transmit rolls of officers and men who have been mustered into the service since the organization of the companies and regiments  
Very respectfully, your obedient servant,

P. EDW. CONNOR,

*Colonel Third Infantry, California Volunteers, Inspecting Officer.*

To Lieut. Col. R. C. DRUM,

*Assistant Adjutant-General, U. S. Army,  
Department of Pacific, San Francisco.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 14, 1863.*

GENERAL: The apprehensions of a disturbance of the peace in this State by persons sympathizing with the rebellion, which created much alarm in the public mind, have in a great measure subsided. I have lately made a thorough inspection of the forts and defenses of the harbor of this city, and find that the arrangements to meet any emergency, as far as practicable, are perfect. I have also placed such a force at Benicia Barracks as will safely guard that post and the arsenal against any attempts to seize them. Captain Selfridge still retains the United States steamer *Saginaw* at the navy-yard, and says to me that it is possible he may deem it necessary to withdraw the United States steamer *Cyone* to the same point. The *Cyone* is the only United States vessel now in the harbor of San Francisco. I deem it of the greatest importance that ships of war (iron-clads, if possible) should be sent to this harbor at the earliest moment practicable.

It is not beyond the range of possibility that an enemy's vessel might pass the forts in the night or in a fog without serious injury from our batteries; and should such be the case, the vessel could take a position beyond the reach of the guns of Aleatraz Island, masked by the projecting point of Telegraph Hill, and thus command the city. In view of guarding against such an occurrence, I have requested Lieutenant-Colonel De Russy, the chief engineer on this station, to make a reconnoissance in order to establish batteries on Yerba Buena Island and also on Rincon Point. The recruiting for the new regiments and battalions is progressing. We have been greatly embarrassed for want of funds; but the State legislature has just made an appropriation to assist in raising these troops, giving about \$1,000 to each company; this will be of the greatest service.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

[Telegram.]

U. S. MILITARY TELEGRAPH,  
*Washington, D. C., April 15, 1863:*

Brig. Gen. G. WRIGHT,  
*San Francisco, Cal.:*

The Secretary of War authorizes you to raise additional regiments in California and Nevada to re-enforce General Connor and protect the Overland route. Can not companies be raised in Nevada and pushed forward immediately? General Connor may be able to raise some companies in Utah or out of emigrant trains.

H. W. HALLECK,  
*General-in-Chief.*

Same telegram sent to General Connor, Salt Lake City.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 20, 1863.*

GENERAL: I have received Major-General Halleck's dispatch of the 15th instant. I had previously called upon the acting governor of Nevada Territory for troops to operate on the overland mail route in the direction of Salt Lake, and from his reply I think we can raise in that Territory 200 mounted men, and possibly two companies of infantry. I have urged upon the governor the necessity of promptly enrolling the companies. Although the line is comparatively quiet just now, yet it is liable to interruption at any moment by predatory bands of Indians. The two companies of the Third Infantry, California Volunteers, now at Camp Union, Sacramento, will be put on

the march for Utah as soon as practicable; at this moment it is impossible to forage our animals east of Carson City. The cavalry company stationed at Fort Churchill was under orders to move along the mail line, but I was compelled to send it first to aid in quelling the Indian disturbances in Owens River Valley; when this is accomplished the company will be advanced promptly towards Salt Lake. We have had many affairs with the Indians lately in the district of Humboldt, in the Owens River Valley, on the overland mail line, and south of Camp Douglas, in all of which our troops have been victorious; a large number of Indians have been killed and their property, with their women and children, captured. The California troops have behaved most gallantly, and deserve the highest credit. General Alvord has commenced his movement towards Fort Boise, on Snake River, to establish a post at that place in accordance with the instructions from the War Department.

Lieutenant-Colonel Drew, with two companies of Oregon cavalry, is making preparations to move from his camp near Jacksonville east to the neighborhood of the Klamath lakes, to establish a post in that vicinity for the protection of the emigrant route. A few weeks since the public mind on this coast was roused to the highest pitch; apprehensions were entertained that sympathizers with the rebellion were secretly organizing and preparing to raise the rebel flag in our midst. I am satisfied that these apprehensions were not groundless, although much exaggerated. I have been prepared to meet any emergency, keeping my troops well in hand and myself well posted as to the state of affairs in the most disaffected districts. This alarm, lest this State should be thrown into the vortex of civil war, has been productive of the greatest good. It has aroused the whole of the loyal population of the State to a sense of their duty and to be prepared to crush out any attempt to disturb the peace of the State. Great mass meetings of loyal and true men are being held in every city, town, and county in the State. Great Union leagues are everywhere forming, composed of men sworn to uphold the Government and maintain the Union. This is real strength. The governor of the State and all of the high officers and leading citizens are united as one man to promote the organization of these leagues. As commander of this department I have most cordially approved and aided this union of the loyal element. This upheaving of the patriotic masses of California will have a happy effect in quieting the apprehensions of the people, as well as in striking terror into the hearts of the traitors.

With great respect, your most obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General, U. S. Army, Washington, D. C.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Salem, April 14, 1863.*

DEAR SIR: Inclosed you will please find a commission for Dr. Horace Carpenter. If he has passed the proper examination, please give it to him; if not, please return it to me. I have no doubt but that he passed the examination; but out of abundant caution, send it in this way. I shall not return to Portland under a week.

Two persons of energy and means here wish to raise a company after Captain Noble's is filled, to be stationed at Fort Hoskins. I have referred them to what you said in your letter to me in relation to the stationing of a company at that post. I think they will be able to raise a company if the men can be sent to Fort Hoskins as fast as enlisted. I merely wish to call your attention to the subject now, and will see you again before Captain Noble's company is filled. I do not think another company can be filled in time to join the expedition to Boise.

Lieutenant Hand, of Jacksonville, writes me that his prospects are more flattering, and that he thinks he will raise a company.

Very respectfully, your obedient servant,

A. C. GIBBS.

Brig. Gen. BENJ. ALVORD.

OFFICE U. S. MILITARY TELEGRAPH,  
WAR DEPARTMENT.

The following telegram received at Washington, April 15, 1863, from San Francisco, dated April 14, 1863:

Adjutant-General THOMAS:

When the arms arrive from the East can I let Governor Stanford have some of them for organized military companies?

G. WRIGHT,  
*Brigadier-General.*

[Telegram.]

APRIL 15, 1863.

W. C. KIBBÈ,  
San Francisco, Cal.:

Arms shipped to California are subject to the orders of General Wright, who has instructions in regard to their disposition.

H. W. HALLECK,  
General-in-Chief.

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., April 15, 1863.

His Excellency A. C. GIBBS,  
Governor of Oregon, Portland, Oregon:

GOVERNOR: I write respectfully to suggest that you write to the Governor of California, Governor Leland Stanford, stating that you desire to raise more volunteers and that you will be glad to send recruiting officers into California for that purpose, and that you trust that such a course would not be objected to by his excellency. I think he would have no objections. This course is frequently taken at the East.

If one of your recruiting officers was sent to San Francisco he might meet with decided success. If only one company was raised there it would be very desirable. Also you might authorize Lieutenant Hand to have a recruiting rendezvous opened at Yreka.

I have the honor to be, very respectfully, your obedient servant,  
BENJ. ALVORD,  
Brigadier-General, U. S. Volunteers, Commanding District.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., April 16, 1863.

His Excellency O. CLEMENS,  
Governor of Nevada Territory, Carson City, Nev.:

SIR: I have the honor to acknowledge the receipt of your excellency's communication of the 9th instant.

The Indian disturbances along the line of the overland mail-route east of Carson City threaten the entire suspension of our mail facilities, as well as preventing any portion of the vast immigration approaching from the East reaching Nevada. The interest and prosperity of your Territory depend much upon maintaining free and safe access to it from all directions. My force immediately available for operation on that line is small. A company of cavalry stationed at Fort Churchill and under orders to move towards Ruby Valley, I was compelled to divert for temporary service to assist in quelling an Indian outbreak in the Owens Lake district; as soon as the services of this company can be dispensed with there, it will operate on the mail and emigrant line.

Some infantry companies will also be thrown forward from this side of the mountains as soon as transportation can be prepared and the roads are in order. In the meantime it is of such importance to keep the mail and emigrant route east of you open that I would earnestly recommend that one or two companies of cavalry be promptly organized and prepared for muster into the service of the United States. It is impossible at this moment for us to purchase horses and equipments; each man would have to furnish his own. I can furnish arms, ammunition, forage, clothing, provisions, etc.; in fact everything except horses and equipments.

The organization of a company or troop of cavalry is: 1 captain, 1 first lieutenant, 1 second lieutenant, 1 first sergeant, 1 quartermaster sergeant, 1 commissary sergeant, 5 sergeants, 8 corporals, 2 teamsters, 2 farriers or blacksmiths, 1 saddler, 1 wagoner, 78 privates.

This is the first appeal that has been made to Nevada Territory, a Territory soon to add another star to that glorious galaxy which adorns our beautiful banner, and I doubt not this call will be nobly responded to by the loyal and patriotic citizens of the Territory.

With great respect, your excellency's most obedient servant,  
G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, April 25, 1863.

GENERAL: I have the honor to report to you—

(1) That I have appointed Lieut. W. V. Rinehart regimental adjutant, vice Caldwell, promoted.

(2) That I have appointed Second Lieut. James L. Steel first lieutenant, vice Rinehart, appointed regimental adjutant.

(3) That I propose to appoint Quartermaster-Sergeant John Bowen second lieutenant, vice Steel promoted, after he shall have been examined.

Commissions will be immediately forwarded to them and bear date of to-day.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. BENJ. ALVORD,  
Commanding District of Oregon.

EXECUTIVE DEPARTMENT, STATE OF OREGON,  
April 29, 1863.

GENERAL: I have appointed Sergeant James L. Currey second lieutenant First Regiment Cavalry, Oregon Volunteers, vice Lieutenant Capps, resigned.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. BENJ. ALVORD,  
Commanding District Oregon.

Oregon, governor of.  
Special Orders, No. 31, April 29, 1863, notifying Lieut. D. P. Thompson of the acceptance of his resignation.  
(Paper not on file.)

EXECUTIVE DEPARTMENT, NEVADA TERRITORY,  
Carson City, April 27, 1863.

Brig. Gen. GEORGE WRIGHT, U. S. Army,  
Commanding Department of the Pacific, San Francisco:

GENERAL: I have the honor to acknowledge the receipt of your letter of the 16th instant, and to inclose you a copy of my proclamation published in yesterday morning's Virginia Daily Territorial Enterprise and Virginia Daily Union, calling for two companies of cavalry and two companies of infantry, to serve three years or during the war.

I have the pleasure to state that so soon as the army board is organized applicants for commissions as captain, first lieutenant, and second lieutenant of the first company of cavalry will present themselves for examination. They are men that I think will pass examination, and prove themselves excellent officers, as well as surely loyal. To be sure of the latter I require appointees to be Union men, supporters of the administration, including the emancipation proclamation. While at Fort Churchill I took the liberty of requesting Lieutenant Runyon, who was writing the questions, to provide for examination on this by the board, and make the interrogatory pointed on the emancipation proclamation.

Very respectfully, your obedient servant,

ORION CLEMENS,  
Acting Governor of Nevada Territory.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, April 30, 1863.

GENERAL: I have the honor to acknowledge the receipt of two communications from Major-General Halleck, dated respectively on the 29th and 31st of March. A copy of the first has been sent to Brigadier-General Connor, commanding the district of Utah. The information contained in the second letter of the General in Chief, that an iron-clad vessel is already on its way to this coast, will produce the most happy effect in allaying the apprehensions which have for some time past existed in the public mind in regard to the defenses of San Francisco.



At this moment everything is quiet on the overland mail route and also in the Territory of Utah; but I shall not be lulled into a false security, but use every effort to throw forward reinforcements as soon as possible. We are, however, laboring in this country under the greatest difficulties and embarrassments, both in the procurement of men and means. One cause is the high price of labor and the wonderful developments constantly being made in the mining districts in this State and in the adjoining Territory of Nevada; and a still greater and controlling cause is the depreciation of our currency. Gold being the basis of our circulation, coin only is used in all business transactions, and Treasury notes can only be used at a discount of at least 35 cents on the dollar. This operates with peculiar hardship on all persons in the service of the Government whose compensation is fixed by law.

My latest advices from Brigadier-General Alvord represent everything as quiet in the district of Oregon. A council will be held early in May with the Nez Percé Indians, whither General Alvord had ordered Colonel Steinberger and Major Lugenbeel with a suitable force; and then the expedition to chastise the Snake Indians will be pressed forward, in connection with the establishment of Fort Boisé.

I have directed General Alvord to send Major P. Lugenbeel as commander, and Capt. W. B. Hughes as quartermaster, to build the new post at Boisé. Major Lugenbeel and Captain Hughes are very industrious, active, and economical, with much experience in planning and building, and peculiarly adapted to this duty. It is quite probable that Major Lugenbeel has been already promoted; should such be the case, I hope you will authorize me to keep both him and Captain Hughes for this important duty.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco Cal., May 4, 1863.*

His Excellency I. CLEMENS,

*Governor of Nevada Territory, Carson City, Nev.:*

SIR: The examination of David McGowan, E. B. Zabriskie, John H. Dalton, Almond B. Wells, and William H. Dodds before the board instituted for that purpose is satisfactory to the general commanding the department.

The general desires you to report by telegraph as soon as the companies are in readiness to be mustered in, when an officer will be sent to Fort Churchill for that purpose. Inclosed you will receive the order prescribing the organization of cavalry and infantry, which you will see differs from that stated in your proclamation.

Very respectfully, your obedient servant,

R. C. DRUM,

*Assistant Adjutant-General.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*May 3, 1863.*

GENERAL: With your approbation I would be pleased to have John F. Noble, second lieutenant Cavalry, Oregon Volunteers, assigned to the command of the volunteers for Company G, Cavalry, Oregon Volunteers, now at Fort Vancouver, and H. C. Small, second lieutenant Cavalry, Oregon Volunteers, sent to Portland on recruiting service.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,

*Governor of Oregon.*

Brig. Gen. BENJ. ALVORD,

*Commanding, District of Oregon.*

PORTLAND, OREGON, *May 7, 1863.*

DEAR GENERAL: Inclosed you will please find a letter from Colonel Kilgore (Oregon militia), which, taken in connection with the letter from General Applegate which I sent you, gives reliable information as to matters in southern Oregon. I think Colonel Drew has not returned yet.

Would it not be well to have a few men left at Camp Baker with the men enlisted by Lieutenant Hand?

Our independent militia companies are filling up rapidly. I think we will get a thousand men in them in a short time. The company in this county now numbers more than sixty good and true men.

I think I shall call on you for arms in a few days. General Wright told Secretary May that I could get all I needed. Mr. May returned on the last steamer. He says the vigilance committee and five companies have arms and are drilling in San Francisco.

Yours, truly,

A. C. GIBBS.

P. S.—Please return Mr. Kilgore's letter.

A. C. G.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, May 10, 1863.

Brig. Gen. BENJ. ALVORD:

SIR: I have been disappointed in calling in arms belonging to this State once in the possession of the governor, but now scattered. There are some arms due this State from the General Government, but by a recent letter I learn that none can be had very soon. There are now independent companies organized in this State and others forming under our recent militia law, but I have no arms to equip them. Your knowledge of the condition of things in this State renders it unnecessary for me to call your attention minutely to the importance of placing arms in the hands of Union men. I hope you will comply with the accompanying requisition for arms. I will see that they are placed in the hands of Union men commanded by patriotic officers.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

*Copy of indorsement on special requisition for arms for the Oregon State militia. Copy furnished May 21, 1863, to the governor of Oregon.*

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., May 13, 1863.

The Governor of Oregon in a letter dated the 10th instant, having reported that the state of the country required it, the general commanding the district directs that Military Storekeeper T. J. Eckerson, in charge of Vancouver Arsenal, will ship to Salem, Oregon, directed to Col. C. A. Reed, adjutant-general of Oregon, 400 muskets, percussion altered to Maynard primers, with appendages and accouterments, and 16,000 ball cartridges.

The above arms will be receipted for by the governor of Oregon, or his authorized agent, and be considered as an issue on account of quota due or to become due to the State of Oregon, under the laws for arming the militia.

By order of Brigadier-General Alvord:

J. W. HOPKINS,  
First Lieutenant, First Oregon Cavalry,  
Acting Assistant Adjutant-General.

[Telegram.]

SACRAMENTO, CAL., May 11, 1863—11 a. m.

L. THOMAS,  
Adjutant-General, U. S. Army:

Volunteer troops from California can not cross the mountains and reach Salt Lake before the latter part of July. In the meantime, if practicable, I would recommend that reinforcements be thrown forward immediately from the Missouri frontier.

G. WRIGHT,  
Brigadier-General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., May 18, 1863.*

His Excellency ADDISON C. GIBBS,  
*Governor State of Oregon, Salem, Oregon :*

SIR: I have the honor to acknowledge the receipt of your excellency's communication of the 7th instant, together with the letter addressed to you by Col. James Kilgore, of Jacksonville, on the 27th ultimo.

I am happy to inform your excellency that the propriety of retaining a small force at or near Jacksonville for some time to come had received my consideration some time since, and instructions so given to Lieut. Col. C. S. Drew.

With great respect, I have the honor to be your excellency's obedient servant,  
G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

EXECUTIVE DEPARTMENT, NEVADA TERRITORY,  
*Carson City, May 19, 1863.*

SIR: Your letter of the 4th instant, informing me of the decision of the general commanding the department, on the examination of David McGowen, E. B. Zabriskie, John H. Dalton, Almand B. Wells, and William H. Dodds, is received. Mr. Dodds has not made any application to me for a commission; but I have commissioned Zabriskie captain, Wells first lieutenant, and McGowen second lieutenant, Company A, cavalry, and Dalton second lieutenant, Company B, cavalry. The officers are now recruiting for these companies, and as soon as any company is in readiness to be mustered in I will report by telegraph.

I received the inclosed order prescribing the organization of cavalry and infantry, and corrected my proclamation as per inclosed slip.

Very respectfully, your obedient servant,

ORION CLEMENS,  
*Acting Governor.*

Col. RICHARD C. DRUM,  
*Assistant Adjutant-General, San Francisco, Cal.*

PORTLAND, OREGON, *May 25, 1863.*

GENERAL: Lieutenant Darrough is here. Mr. Hedrick does not wish to go to Bois . I will send Darrough. His men at The Dalles (5) will be ordered to join Captain Noble's company,

I wish to withdraw my application requesting the mustering in of Mr. Hedrick. Captain Noble can recruit at The Dalles after Darrough leaves. In haste.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brigadier-General ALVORD.

STATE OF OREGON, *May 25, 1863.*

GENERAL: I desire to have Hedrick, of Wasco County, Oregon, mustered into the service of the United States as second lieutenant, cavalry, Oregon Volunteers, preparatory to engaging in the recruiting service.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

To Brig. Gen. BENJAMIN ALVORD,  
*Commanding District of Oregon.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, May 26, 1863.*

GENERAL: Quiet prevails throughout this department. The loyal masses of patriotic citizens on this coast have banded together, and pledged themselves to sustain the Government in any effort to crush the rebellion and maintain the Union.

Recruiting for the new forces in this State has not progressed very rapidly, owing to various local causes; but we are getting a very superior class of men, and should

danger come a vast number of patriotic men would rush to our standard. In sending the Fourth Infantry California Volunteers, to the district of southern California, I retained two of the companies at Benecia Barracks for temporary duty, until the Sixth Infantry, under Colonel Black, should be so far advanced in its organization as to be able to protect the United States arsenal and depot.

I have now ordered those companies of the Fourth Infantry to the southern district, where the disloyal element far exceeds that in any other section of this State. During the last year I had occasion to request the postal agent on this coast to forbid the transmission through the United States mails and express offices of certain newspapers—traitorous and disloyal sheets, constantly denouncing the Government and all its acts, and tending to discourage enlistments, and give aid and comfort to rebels. The result was beneficial, and not long since I desired the agent to remove the restrictions imposed on the circulation of those papers.

At the suggestion of the postmaster of this city, I have desired him to exclude from mail and express facilities a paper styled the "New York Weekly Caucasian," of the same character as those above-mentioned.

Very respectfully, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, Oregon, May 26, 1863.*

GENERAL: Not long since I wrote you requesting that you order a few men left at Camp Baker, Oregon, at which point I might order recruits. Owing to a change of circumstance, I now withdraw that request so far as the recruiting service is concerned. I have ordered the recruiting office closed in that vicinity and the enlisted men there to join a company now nearly full at Fort Vancouver.

I have the honor to be, very respectfully, your obedient servant,

ADDISON C. GIBBS,

*Governor of Oregon.*

Brig. Gen. GEORGE WRIGHT,

*San Francisco, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., June 1, 1863.*

His Excellency ADDISON C. GIBBS,

*Governor of Oregon, Salem:*

SIR: I have the honor to acknowledge the receipt of your excellency's communication of the 26th of May.

For some time past I have been making arrangements for the establishment of a post at the Klamath Lakes. Everything is in readiness, and Lieutenant-Colonel Drew will move as soon as he can return to Jacksonville. It is indispensably necessary that we have two companies for the new post and the detachment to be left at Jacksonville. Under these circumstances I have directed that the recruits enlisted at Jacksonville be retained there to form a part of the new company. I regret that I did not before inform your excellency of my design to station another company in southern Oregon. I believe the balance of the company can be raised in that section of the State if your excellency will be pleased to appoint the officers.

With great respect, I have the honor to be your excellency's obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., June 4, 1863.*

His Excellency A. C. GIBBS,

*Governor of Oregon, Portland, Oregon:*

GOVERNOR: I have this morning received a telegram dated 30th May, from the headquarters Department of the Pacific, as follows: "Copy of your indorsement and requisition for arms received. No arms or equipments will be issued to State militia."

Say to governor that detachments of recruits at Camp Baker must not be removed. (Signed) R. C. Drum, A. A. General."

I have just telegraphed General Wright in reply, "Shall I request the governor of Oregon to return the arms? I hope not."

Accordingly I have to request that you will please direct your adjutant-general to delay issuing the arms forwarded on the 13th May until I get a reply to my telegram.

I have also to withdraw any assent I have verbally given to the order for the recruits to be sent from Camp Baker to this place, to fill up Noble's company. I understand the above telegram simply on the part of General Wright to refuse his consent, for certainly by War Department General Orders No. 75, of the 8th July, 1862, you are intrusted with the entire question of the consolidation of incomplete companies, and by Paragraph III the "exclusive control" is indicated to be placed in your hands prior to the companies being mustered into the service of the United States.

I do not know whether it is in your power to countermand your orders in reference to the detachment at Camp Baker; if so, I desire that you will do so, as I feel bound to conform in good faith implicitly to the orders of the general commanding the department.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,  
Brigadier-General, U. S. Volunteers, Commanding District.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, June 5, 1863.

GENERAL: I have the honor to transmit herewith a copy of my letter to Capt. Lyman Bissell, Ninth Infantry, commanding Camp Pickett, San Juan Island, Washington Territory, dated on the 9th of March, 1863, and also Captain Bissell's reply under date of April 16, 1863. So long as the question of ownership of the island remains unsettled, the arrangements made between Lieutenant-General Scott and Governor Douglass will be enforced. I have directed that the civil authorities be permitted to exercise their appropriate functions over that portion of the island under military jurisdiction, and that all persons violating any of the arrangements agreed to by Lieutenant-General Scott for a joint occupation of the island be forthwith removed. I am happy to say that the most cordial feeling and good understanding exist between the American and British commanders on the island.

Very respectfully, your most obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

Brig. Gen. L. THOMAS,  
Adjutant-General, U. S. Army, Washington City, D. C.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., March 9, 1863.

CAPTAIN: I have received from Mr. J. E. Higgins, the postmaster at San Juan Island, a copy of the proceedings of a meeting of the citizens of the island, held on the 1st of February, 1863. I do not understand the real object of the meeting. The resolutions are somewhat enigmatical, particularly the second. However, to settle this business for the present, you can say to the American settlers in the portion of the island under the jurisdiction of the United States that they will not be interfered with by the military authorities in any manner whatever. The civil authorities, if duly appointed or elected under the laws governing the Territory of Washington, will be permitted to exercise their usual functions. But it will be borne in mind that the question which arose between the commissioners of the two Governments (United States and Great Britain) as to the ownership of the island is still in abeyance, and until finally settled we are bound in good faith to adhere rigidly to the arrangements entered into between Lieutenant-General Scott and his excellency Governor Douglass.

The joint occupation then agreed upon and approved by our Government will be maintained. For this purpose the United States troops are posted on the island to afford protection to our citizens; but to entitle them to such protection they must settle and remain within the portion of the island under our jurisdiction. However strong may be my conviction that our claim to the island is just and that it will ultimately be so acknowledged by the British authorities, yet, having agreed to this joint occupation pending the negotiations; I will not permit that arrangement to be

interfered with. Communicate to the residents within our limits on the island my views on this subject.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

Capt. LYMAN BISSELL,  
Ninth Infantry, Commanding Camp Pickett, San Juan Island, Wash.

CAMP PICKETT,  
San Juan Island, Wash., April 16, 1863.

MAJOR: I have the honor to acknowledge the receipt of General Wright's letter of instruction of March 9, with the resolutions purporting to come from the citizens of San Juan Island. With reference to the meeting and the object of the call I have no knowledge, except what I have learned from citizens that were present. They state that they were informed by Mr. Higgins and others that the meeting was for the purpose of regulating their land claims until the question of title to the island should be settled by the two Governments; but when they arrived at the place of meeting and the meeting called to order and a chairman appointed, the chairman had not taken his seat before he announced a committee on resolutions, and as soon as their names were made known to the meeting Mr. Higgins stepped promptly forward, took the resolutions from his pocket, and handed them to the secretary; as soon as the resolutions were read they saw that the meeting was for an entirely different object from what they had supposed it to be, and a large majority of the citizens withdrew, declining to have anything to do with the meeting; the meeting was in session about ten or fifteen minutes.

I recognize the names of three individuals on the above committee, and for the information of the general commanding I would very respectfully state the position that they occupy on the island. Mr. Higgins is postmaster, but lives by dealing out his poisonous liquor to my men, thereby destroying them for usefulness. Mr. O'fut, the secretary of the meeting, at one time kept a low whisky ranch in the town and dealt out his vile stuff to soldiers and Indians; but, being detected in selling liquor to the Indians last fall, he left the island, and was not a resident of the island at the time of the meeting, neither has he been since. Mr. Hibbard has a limekiln on the island and keeps liquor for sale, but he claims that he only sells it to his men, but his men sell it to Indians and to the soldiers of the British camp. Last fall he tried to create a disturbance between the officers of the two camps by writing a dictatorial letter to Captain Bazalgatte, because Captain Bazalgatte ordered two of his men out of his camp that went there for the purpose of selling liquor to his men. I would further state for the information of the general that when I assumed command of this camp in February, 1862, I found the island infested with thieves and vagabonds of no particular nationality, or of any, as it may serve to suit their purposes. I had many complaints from the bona fide settlers against this class of persons for killing cattle, sheep, and hogs, but I declined to act in the matter and referred them to the civil authorities. Invariably they would reply they could not get conviction before a civil magistrate. Jurors will find verdict for the offenders, implying independence of Whatcom County jurisdiction. There have been but two cases tried on the island since I have been in command, and they were for debt. In both instances the constable was obliged to apply to me for assistance to serve the writ.

On the 15th of August, 1862, Captain Bazalgatte made an official complaint against a man by the name of Andrews; he has a claim about 1 mile from the English camp. The Indians reported to him that Andrews had disposed of a large amount of liquor to the Indians the evening before and that one Indian had been murdered. I took a noncommissioned officer and proceeded to the Indian camp, and found the facts as above stated. The Indian chief ordered three Indians that could identify the man that sold the whisky to go with me to find the man Bill, known to the Indians by that name. I started in pursuit of Andrews, and Lieutenant Cooper, of the Royal Marines, went with me, and we found him at the limekiln with Mr. Hibbard; as soon as we came in sight of Andrews the Indians recognized him as the man that sold the whisky. I was satisfied in my own mind if Andrews was prosecuted before a civil magistrate that it would be impossible to get a conviction. I was determined that the authors of mischief should not go on with impunity and that I would make an example of them, and I ordered Andrews to leave the island forthwith and notified the thieves, gamblers, and liquor-sellers that had been selling to the Indians that they would have twenty-four hours to leave the island, and if they were found on the island at the expiration of that time they would be placed in charge of the guard. They availed themselves of the notice and left the island. I then established a police, with instructions not to allow any canoe or boat to land that had whisky



on board, and I am happy to state that I have not been troubled with drunken Indians since.

On the 3d of March, 1863, Mr. Hamblet, the justice of the peace, issued a warrant against Mr. Roberts, a British subject, summoning him to appear before him and show cause by what authority he held his claim. Mr. Roberts wrote a very polite note to Mr. Hamblet stating that he could not acknowledge his authority, as he was a British subject. In view of the above fact, Mr. Hamblet proceeded and tried the case and found a verdict against Mr. Roberts. The court was held in the night season, and in a bar-room in the town, where the men were allowed to drink, smoke, and play cards at the same time. About the time that Mr. Hamblet was prepared to eject Mr. Roberts by force and place a man by the name of Tripp, whom he had brought from Victoria for that purpose, in possession, that matter was officially brought to my notice. I immediately gave instructions to a non-commissioned officer and three men to prevent Mr. Hamblet from interfering with Mr. Roberts, and issued an order suspending him as a functionary of Washington Territory for violating the statutes established by Lieutenant-General Scott.

In conclusion, I would state that the British authorities claim that General Scott's letter and project of a temporary settlement, etc., to Governor Douglas, dated November 2, 1859, to be the treaty. In that letter General Scott says: "You submit for (my) consideration that for the protection of the small British and American population settled on the island there should be a joint civil occupation, composed of the present resident stipendiary's magistrates, with such assistants as may be necessary, and that the military and naval forces on both sides be wholly withdrawn. It strikes me as a decisive objection to this basis, that if a magistrate (judge or justice of the peace) could be legally (except by treaty between sovereign powers) established on neutral territory, such functionary could not be subjected to the orders of any officer of the United States Army, nor even to the direct control of the President of the United States; though appointed by an American territorial governor claiming jurisdiction over the disputed territory, and therefore not to be considered a fit person to be intrusted with matters affecting the peace of two great nations." If the above letter of General Scott's is the recognized treaty between the two governments in accordance with the sixth article of the Constitution of the United States, I can not understand how Washington Territory can have jurisdiction over this island.

I inclose herewith a copy of the communication of Rear-Admiral Baynes, accompanied by an extract from the orders furnished Captain Bazalgette, commanding the detachment. I beg to call the attention of the commanding general to the fact that whilst the British commanding officer has full power, plain and defined instructions, by which any complaint to him of British subjects would be promptly acted upon, I am without such instructions as regards his complaints, and liquor dealing will be certain to produce them. Under all the circumstances of the case, and as the best solution of the future difficulties, I respectfully request that the commanding general would furnish me with instructions analogous to those possessed by Captain Bazalgette. I congratulate myself upon having won the confidence and best wishes of all the respectable inhabitants of the island, and I hope that the general will approve of my course.

I have the honor to be, sir, very respectfully, your obedient servant,

LYMAN BISSELL,

*Captain Ninth Infantry, Commanding.*

Maj. R. C. DRUM,

*Assistant Adjutant-General U. S. Army, San Francisco, Cal.*

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,

*Portland, June 6, 1863.*

GENERAL: On my return from Salem last night I received your letter of the 4th instant. From it I learned that General Wright will not allow arms to be issued to our State militia and "that detachments of recruits at Camp Baker must not be removed." I regret the former very much and am surprised at the latter. Our State militia can not be organized unless arms are so furnished. I have traveled over a considerable portion of the State lately and signs of danger gather around us. A few more reverses east will involve us in war here. I wish to prepare for the worst, as far as it is in my power, and as there are arms at Fort Vancouver not likely to be used otherwise, I was in hopes of getting them, to be placed in the hands of organized Union men, until danger is past.

As to removal of "recruits" from Camp Baker, I understood that under General Orders No. 75, "men may be transferred to some other company" by me, and that "until regiments are organized and their muster-rolls completed they will be under the exclusive control of the governors of the States." Accordingly on the 25th ulti

mo, being satisfied that Lieutenant Hand could not recruit a full company in southern Oregon, I ordered him with his recruits to Fort Vancouver, to join Lieut. John F. Noble's company of unorganized recruits (now nearly full).

Last night I received a letter from Lieutenant Hand, dated Jacksonville, June 2, 1863, stating that on the 3d he will start from Camp Baker with his men for Fort Vancouver, in accordance with my order of the 25th ultimo. It is now too late to countermand that order, as he is now doubtless on his way. Had I received General Wright's telegram in time, I would have suspended the order until I could confer fully with him.

If you think best you can send a copy of this letter to General Wright.

I have the honor to be, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, June 6, 1863.

GENERAL: I desire to appoint Dr. J. B. Lee assistant surgeon First Regiment Cavalry, Oregon Volunteers. If his appointment will interfere with your arrangements, please let me know; if not, I will appoint him at once.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. BENJAMIN ALVORD,  
Vancouver, Wash.

---

SAN FRANCISCO, June 8, 1863.

Maj. Gen. H. W. HALLECK,  
Washington, D. C.:

MY DEAR SIR: In behalf of the militia of this State, I wish you to intercede with the President and Secretary of War to have authority given to General Wright to issue arms and equipments to the organized militia. Our legislature at its last session would have made an appropriation for this purpose if the governor had not been notified that the General Government would furnish the arms necessary for our defense. The arms are here, but can not be issued without further authority from Washington. The delay has caused great disappointment, and especially among those who were on the military committees of the legislature, some of whom were members of our late camp of instruction and are fully conscious of the importance of a well-organized militia in this distant portion of our country. You are aware that we have here a large number of rebellion sympathizers, and that we have a large foreign population ready to give allegiance to the strongest party, whatever that may be, and there is also a large immigration of at least doubtful character coming to this country across the plains, and to hold these elements in check the Union party must be organized. Last month I encamped ten days with over 700 of the officers and non-commissioned officers of the organized militia of the State, some of whom traveled eight days to reach the camp, and all of whom showed a degree of zeal which if properly encouraged will produce a well-drilled and effective militia force in this State.

Union leagues are forming throughout the State, and from these leagues I anticipate that we shall obtain the greater portion of our organized militia. I do not wish to have arms given to any company until both the governor of the State and General Wright have positive proof of the unconditional loyalty of every man in the company.

And as a further safeguard each man will be required to take his gun and equipments home with him, as is the case now in this brigade, the armories being deemed unsafe.

I have stated these facts that you may be enabled to answer any objections to this application, which is made at the request of several prominent persons who join with me in hoping to obtain the means of preserving peace in California.

With kind regards to yourself and family, I am ever sincerely yours,

L. H. ALLEN,  
Major General, California.

---

Maj. Gen. L. H. ALLEN,  
San Francisco, Cal.:

WASHINGTON, July 9, 1863.

GENERAL: Your letter of June 18 is received.

General Wright has full authority to issue arms to the militia where he deems it proper, but such issues are not to be considered as a quota distribution, but as liable

to be recalled whenever found necessary for arming volunteers or militia called into the service of the United States.

The exigencies of the public service at present are such as to prevent quota distribution. All arms that can be purchased or manufactured must be held available for the use of troops mustered into service.

Very respectfully, your obedient servant,

H. W. HALLECK,  
*General-in-Chief.*

WASHINGTON, D. C., July 9, 1863.

Brig. Gen. G. WRIGHT,  
*San Francisco, Cal.:*

GENERAL: You have the authority of the War Department to issue any arms you may deem necessary to the organized militia of your department; but such issues must be regarded not as quota distributions, but liable to be called back whenever you deem it necessary for arming volunteers or other purposes. This arrangement will serve the double purpose of supplying the militia and having arms disposable for other purposes on the Pacific coast.

Very respectfully, your obedient servant,

H. W. HALLECK,  
*General-in-Chief.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 8, 1863.*

GENERAL: Under the requirements General Orders No. 86, of April 2, from the War Department, I have sent instructions to the regimental commanders in this department to forward to my headquarters copies of their latest regimental returns and hereafter to send to department headquarters copies at the same time such returns are sent to your office. When the returns are received I shall proceed at once to make the required consolidation. It is probable that most, if not all, of the infantry regiments are now reduced below the minimum and some of them to one-half the maximum number prescribed by law. It will be recollected that when these volunteer regiments were called out the greatest expedition was used, and the companies and officers were mustered in with a minimum organization, and hurried off to remote stations to relieve the regular troops then under orders for the East; and thus far, although numerically small, they have done good service. If regiments or even battalions could be brought together, a consolidation and reduction of the number of companies would be highly beneficial; but in this country, where we have so many remote points to occupy with one or two companies each, it is necessary to maintain as many organized companies as possible.

It has been extremely difficult, with the small force in this country, to meet all the calls for troops and to meet emergencies. I have been forced to muster in officers and men without waiting for complete organizations. This of course will, I hope, receive the approval of the General-in-Chief and the War Department. It was absolutely necessary in this country and has had the most happy results in maintaining peace and quiet within our borders, by giving me promptly a small, but reliable force, ably commanded and ready for any service. I am happy to say that this country is generally very quiet. Rumors are rife of secret organizations of disloyal persons, but no open demonstrations, except by individuals, have occurred. In southern California the secession sympathizers are more numerous than in any other portion of the State, and I have deemed it prudent to send to that district the two companies of the Fourth Infantry, California Volunteers, temporarily held at Benicia Barracks, and also one of the newly raised companies of the First Cavalry, California Volunteers.

With great respect, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., June 10, 1863.*

His Excellency A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon:*

Governor: I received your letter of the 6th instant, stating that you desired to appoint Dr. John B. Lee assistant surgeon First Cavalry, Oregon Volunteers. He declines to go before a medical board, which I informed him would be necessary. He is going to Fort Steilacoom. If he changed his mind he said he would write me.

I think you had better write to Lieut. Col. C. S. Drew, asking him to select some one who, after examination in San Francisco, could be appointed.

I have sent a copy of your letter of the 6th instant concerning the recruits at Camp Baker and the arms furnished you recently by my order to the general commanding the Department of the Pacific at San Francisco.

I return herewith the letter of General Wright of the 1st instant.

I am, with high respect, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

---

[Telegram.]

HEADQUARTERS DEPARTMENT OF UTAH,  
*Camp Douglas, Salt Lake, June 12, 1863.*

Maj. Gen. H. W. HALLECK,  
*General-in-Chief:*

A powerful tribe, the Southern Utes, are threatening the overland stage, east and west. My forces are inadequate to its protection. Have received no reinforcements from California. Could a regiment of cavalry be sent from Denver?

J. EDWARD CONNOR,  
*Brigadier-General, Commanding.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 13, 1863.*

GENERAL: I have the honor to transmit herewith a communication addressed to my headquarters by Brig. Gen. B. Alvord, commanding the district of Oregon, dated on the 28th of May, 1863, with four additional inclosures, to-wit:

- (1) Brigadier-General Alvord to Department headquarters, May 7, 1863.
- (2) Governor of Oregon to Brigadier-General Alvord, May 10, 1863.
- (3) Brigadier-General Alvord's orders to military storekeeper, May 13, 1863.
- (4) Brigadier-General Alvord to Department headquarters, May 26, 1863.

As soon as I was advised that the governor of Oregon had made a requisition on General Alvord for arms for the Oregon militia, I ordered my adjutant-general to write to him on the 20th of May and subsequently, on the 25th of May, to telegraph that arms could not be supplied to Oregon militia. It appears, however, that previous to the receipt of my instructions General Alvord, deeming that the exigencies of the case demanded it, had ordered the military storekeeper at the Vancouver Arsenal to issue the arms. The communications from General Alvord will fully explain his reasons for his action in the case without waiting for my decision. Under the condition of affairs in Oregon, as represented by the governor and General Alvord, I have not ordered the arms to be returned, and would most respectfully ask the approval of the Secretary of War. With regard to General Alvord's letter of May 7th, referring to the conversation between Mr. Mays, the secretary of state, and myself, I can only say that Mr. Mays entirely misapprehended me.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

---

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., May 7, 1863.*

COLONEL: The governor of Oregon inquired of me six weeks since if he could be supplied with arms for militia companies being organized in the State. I referred him to the general commanding the department, but he has probably not written. To-day I got a letter from him saying that Mr. Samuel E. Mays, secretary of state, has just returned from San Francisco and says that "General Wright told him that the governor could get all the arms he needed." Governor Gibbs adds: "I think I shall call on you for arms in a few days." Although not strictly conformable to paragraph

1384 of the Regulations, I shall probably order the issue of such as the governer wants, in which course I trust I shall have the approval of the general commanding the department.

I am, colonel, very respectfully, your obedient servant,

BENJAMIN ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

Lieut. Col. R. C. DRUM,

*Assistant Adjutant-General,*

*Headquarters Department of the Pacific, San Francisco, Cal.*

*Copy of indorsement on special requisition for arms for the Oregon State militia.*

HEADQUARTERS DISTRICT OF OREGON,

*Fort Vancouver, Wash., May 13, 1863.*

The governor of Oregon, in a letter dated the 10th inst., having reported that the state of the country required it, the general commanding the district directs that Military Storekeeper T. J. Eckerson, in charge of Vancouver Arsenal, will ship to Salem, Oregon, directed to Col. C. A. Reed, adjutant-general of Oregon, 400 muskets, percussion altered to Maynard primers, with appendages and accouterments, and 16,000 ball cartridges. The above arms will be receipted for by the governor of Oregon or his authorized agent and be considered as an issue on account of quotas due or to become due to the State of Oregon under the laws for arming the militia.

By order of Brigadier-General Alvord:

J. W. HOPKINS,

*First Lieutenant, Oregon Cavalry, Acting Assistant Adjutant-General.*

STATE OF OREGON, EXECUTIVE DEPARTMENT.

*Portland, May 10, 1863.*

Brig. Gen. BENJAMIN ALVORD:

SIR: I have been disappointed in calling in arms belonging to this State once in the possession of the governor, but now scattered. There are some arms due this State by the General Government, but by a recent letter I learn that none can be had very soon. There are now independent companies organized in this State and others forming under our recent militia law, but I have no arms to equip them. Your knowledge of the condition of things in this State renders it unnecessary for me to call your attention minutely to the importance of placing arms in the hands of Union men. I hope you will comply with the accompanying requisition for arms. I will see that they are placed in the hands of Union men, commanded by patriotic officers.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,

*Governor of Oregon.*

HEADQUARTERS DISTRICT OF OREGON.

*Fort Vancouver, Wash., May 21, 1863.*

COLONEL: I have the honor to acknowledge the reception of your communication of the 20th ultimo, saying that "the general gives you full powers to call on the governors of Oregon and Washington for such troops as you may deem necessary to preserve the peace and quiet of the district." I esteem the authority thus given important to the public service. I trust that the emergency will not arise, but it may become desirable to make a call for troops to serve for a limited period. If imperatively demanded by the circumstances, I shall not hesitate to take that course. The ramifications of the revolutionary plot developed by the fortunate seizure, on the 15th March, in San Francisco, of the piratical schooner *J. M. Chapman*, did not fail to extend to Oregon. I am sure of it from all that I can learn. But the exposure disconcerted their machinations. Vigilance is still necessary. The great majority of the people are opposed to them, and are unalterably for the Union. In Idaho Territory there are some secessionists, and the emigration of next fall will bring still more. But secluded as they are (the boundaries of the new Territory extending as far east as beyond Fort Laramie to the meridian 27 west longitude from Washington), they can do but little mischief. Three companies (G, D, and I) First Washington Territory Infantry are here ready to march to Fort Boisé under Major Lugenbeel, pursuant to your instructions of the 26th March. To garrison this post and guard Vancouver Arsenal,

there will remain Company A Ninth Infantry, under command of First Lieut. Frederick Mears, Ninth Infantry, and Noble's company of First Oregon Cavalry, not yet quite full. Late in the summer another company may be raised. Though I should prefer a larger force here, I shall, however, start the command for Fort Bois .

The wagon train leaves for Fort Dalles to-morrow, under escort, as far as Fort Walla Walla, of twenty-five cavalry. In about ten days the infantry will go by water to Wallula. One company of First Washington Territory Infantry joins Major Lugenbeel's command from Fort Walla Walla, making four companies in all. Six companies are at Fort Lapwai, pending the gathering of Indians at the Nez Perce treaty ground. Accounts are favorable from that quarter. Colonel Steinberger and one company of cavalry will some time next month return to Fort Walla Walla. Colonel Maury, with three companies of First Oregon Cavalry, will, about the 10th proximo, keep on from there to Fort Bois . There he will be joined by two companies of infantry, and with the five companies he will proceed on an expedition to Fort Hall against the Snake Indians. This was the programme indicated in my letter of the 10th February, which I now think I shall be able to carry out. Fort Steilacoom is left with only one company. By permission of the governor of Washington Territory an attempt is being made to raise a company of dismounted Oregon cavalry on the sound. It may take all summer and fall to raise it. I shall probably leave it at Fort Steilacoom if it is raised. Major Lugenbeel will take with him a 6-pounder and two mountain howitzers.

Very respectfully, your obedient servant,

BENJAMIN ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

Lieut. Col. R. C. DRUM,

*Assistant Adjutant-General,*

*Headquarters Department of the Pacific, San Francisco, Cal.*

P. S.—Herewith I inclose to you a copy of my orders directing arms and ammunition to be sent to the governor of Oregon, as I indicated that I should in my letter of the 7th instant. These arms will go into the hands of Union men, much enthusiasm beginning to exhibit itself in raising volunteer militia companies.

B. A.

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., May 28, 1863.*

COLONEL: I have to acknowledge the reception on the 25th instant of the telegram, and this morning of your letter of the 20th instant, saying that "arms can not be supplied to Oregon militia." With my dispatch of the 21st instant I inclose to you a copy of my instructions of the 13th instant to the military storekeeper of the Vancouver Arsenal, directing the issue of arms to the governor of Oregon. The drift of that dispatch and my letter of the 7th instant have already explained the reasons which induce me to comply with his request. I also herewith inclose to you a copy of his letter of the 10th instant, urging the importance of complying with his request. You will notice that in my instructions of the 13th instant, above referred to, I was careful to say that this should be "considered as an issue on account of quotas due or to become due to the State of Oregon under the laws for arming the militia." As I wrote you on the 7th instant, I felt persuaded that Samuel E. May, secretary of state of Oregon, who had seen General Wright, must have ascertained correctly his views. I so judged, as Mr. May is to command the volunteer militia company being raised in Salem, the capital of Oregon, and was well posted as to the condition of the State which renders this step a wise precaution.

I desire respectfully to call the attention of the general commanding the department to my letter of the 21st instant. The language of that letter will explain why I did not await a response to my letter of the 7th. I was making arrangements to enable me to put the troops in the field. I therein stated what I am sure is true, that the revolutionary plot exposed by the opportune seizure of the *J. M. Chapman* had its ramifications in Oregon. Though defeated and disconcerted, vigilance and caution on our part are still necessary. On the 1st June the three companies leave here for Fort Bois , leaving behind not quite two companies at this post. Though reluctant to thus reduce this command, I have concluded to do so, as the state of the frontier demands the carrying out of our plans for the establishment of Fort Bois  and the protection of incoming emigration. Armed with the authority given me in your letter of the 29th ultimo, and with these arms being placed in the hands of Union men of the State or ready at the seat of government to be used, I think that I am justified in sending off Major Lugenbeel's command, and they will start on the 1st proximo. When I saw named in connection with the *Chapman* affair Mr. R. Greathouse, of Yreka (whom I had met in 1855), I felt satisfied that the plot extended to Oregon. Yreka was well situated for schemes looking in this direction, as well as to California.



My conjectures have been since fully confirmed by accounts from middle and southern Oregon.

The issue of arms was made by me not as a measure in time of peace, but as a necessary measure in time of war, and I shall hope that the general and the War Department will approve of my course. In this connection I embrace this opportunity to say that I was gratified to learn from the papers that it was proposed to purchase four or five steam-ships in California and fit them up as war vessels. I trust that this intelligence will be confirmed as true, and that one of the vessels will be placed in the Columbia River. This river and all of its valuable commerce (constantly increasing) are at the mercy of any privateer. There is not even a revenue-cutter at the mouth of the river. The *Joseph Lane* was once here, but is now at Port Angeles on Puget Sound. The *Shubrick* should be sent back from San Francisco to the sound or to this river.

I am, very respectfully, your obedient servant,

BENJAMIN ALVORD,

*Brigadier-General U. S. Volunteers, Commanding District.*

The ASSISTANT ADJUTANT-GENERAL,

*Headquarters Department of the Pacific, San Francisco, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., June 13, 1863.*

His Excellency ADDISON C. GIBBS,  
*Governor State of Oregon, Salem, Oregon :*

SIR: Under the act of Congress approved March 3, 1863, I have to request that no more officers be appointed in the regiments of Oregon volunteers serving in this department until I shall inform your excellency of the necessity.

“SECTION 20. *And be it further enacted,* That whenever a regiment is reduced below the minimum number allowed by law, no officers shall be appointed in such regiments beyond those necessary for the command of such reduced number.”

Very respectfully, your excellency's obedient servant,

G. WRIGHT,

*Brigadier-General U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 14, 1863.*

GENERAL: I have to report the departure from Camp Union, Sacramento, on the 10th instant, of two companies of Third Infantry, California Volunteers, and a detachment of the Second Cavalry, California Volunteers, for Salt Lake, Utah, the whole under command of Lieut. Col. J. B. Moore, Third Infantry. I sent with this command two brass 6-pounder guns, one 12-pounder howitzer, and one 12-pounder mountain howitzer. I inspected the command previous to its marching and found it in admirable order, and well prepared to move rapidly along the overland mail line to its destination. The Indian hostilities in the Owens River Valley, Tulare County, Cal., have terminated. All the Indians in that quarter—probably about 1,000—I have ordered taken to the Tejon Reservation, where the superintendent of Indian affairs will take charge of them.

The company of the Second Cavalry lately with the troops in Owens River Valley has returned to Fort Churchill, and will immediately be put on the march for Salt Lake. One of the companies called for from Nevada Territory is ready to be mustered in, and will be promptly advanced on the mail line. The command for Fort Boisé, left Vancouver, Wash., on the 1st instant, under the command of Maj. P. Lugenbeel, U. S. Army, proceeding as far as Old Fort Walla Walla by steam, which point would be reached on the 3d, and thence by land to Boisé. The command at Jacksonville, Oregon, is nearly ready to move, under Lieutenant-Colonel Drew, of the Oregon cavalry, to establish a post at the Klamath Lakes. I have ordered the post to be built for two companies of cavalry

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,

*Adjutant-General U. S. Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., June 16, 1863.*

His Excellency ADDISON C. GIBBS,  
*Governor State of Oregon, Salem, Oregon:*

GOVERNOR: When I addressed you on the 1st instant, I was under the impression that the recruits at Jacksonville had been enlisted by an officer of Colonel Drew's command, and hence, with a view to complete the organization of one of the companies of the Oregon cavalry at that place, I wished to keep these recruits there. In the original instructions from the War Department the appointment of the officers and organization of the regiment of Oregon cavalry was not confided to your predecessor in office, but when it was determined to complete the regiment to twelve companies, I deemed it proper to make the call upon your excellency in the usual way. Owing to the difficulties we have had in raising volunteers on this coast, I have afforded the governors all the aid in my power in organizing the companies, whereas in the East we should have had nothing to do with them until they were mustered in. I beg that your excellency will not for a moment suppose that I desire to interfere with your appropriate duties. It is of great importance that another company should be stationed in southern Oregon, and I trust that your excellency may be pleased to designate the officers suitable for raising it.

General Alvord has submitted to me his reasons for issuing to your excellency a certain quantity of small-arms for the militia of the State of Oregon. I had previously received instructions from the Secretary of War not to issue arms to the militia, and I caused General Alvord to be so written to as soon as I learned that a requisition had been made on him, but it appears that for reasons deemed sufficient General Alvord has issued the arms without waiting for my answer.

I have now submitted the letters both of your excellency and General Alvord to the Secretary of War, with the request that the issue be approved, as I deemed it very proper under the circumstances of the case.

Very respectfully, your excellency's obedient servant,

G. WRIGHT,  
*Brigadier-General, Commanding.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 27, 1863.*

GENERAL: The command of infantry and cavalry under Lieutenant-Colonel Moore, reported in my communication to you under date of 14th instant, reached Fort Churchill on the 25th, and after a brief halt will advance towards Salt Lake. The cavalry company recently stationed at Fort Churchill will be thrown in advance of Moore's command to Salt Lake, affording protection to the overland mail. One full company of Nevada Territory cavalry has been mustered into service at Fort Churchill, and another company will complete its organization at an early day. Brigadier-General Connor went to Fort Bridger in the early part of this month and was met by a large band of Shoshone Indians, with whom he made a treaty of peace and friendship; they surrendered a large number of horses and other property stolen or captured from white people. Notwithstanding the oft-repeated attacks on the overland stages by the Indians, yet it is believed that no serious interruption can take place. It requires great vigilance and activity to afford protection on a line of 600 or 800 miles in length, but it must be done, and the mail shall pass safely, even if I have to send a cavalry escort with every stage.

My advices from Brigadier-General Alvord are as late as the 14th instant; everything was progressing well in the district of Oregon. A satisfactory treaty has been made with the great Nez Percés tribe of Indians, and the troops under Colonel Maury, of the Oregon cavalry, had left Fort Lapwai for the summer campaign on the Upper Snake River, to afford protection to the emigrants. The command under Major Lugenbeel left Fort Walla Walla on the 8th instant for Fort Boisé, to establish a permanent post in that quarter.

Inclosed herewith is the report of Brigadier-General Connor of his expedition to Soda Springs, Idaho Territory, and the establishment of a post for the protection of emigrants and mail. The report contains much valuable information as to the character and resources of the country traversed.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

CARSON CITY, June 28, 1863.

SIR: I find it an impossibility to recruit an infantry company in this Territory. I have now tried it for four weeks, at a personal expense of over \$200, and as yet have to get a man. Parties that I am acquainted with are willing to join my company and furnish their own horses, and, if need be, to furnish one or two extra for others that can not furnish one for themselves, and I am confident that if my company was changed from an infantry to a cavalry one that I could be mustered into service inside of thirty days. I am well liked by the community at large, and a great many men are willing to give up good claims, or place them in the hand of other parties, to go with me as a cavalry captain. If it is possible for you to change my company from an infantry to a cavalry one, you will, I think, confer a favor upon our mutual cause. By taking some immediate action upon this matter you will greatly oblige.

Yours, respectfully,

J. J. CLOSE,

*Captain, Company A, First Infantry, Nevada Territory Volunteers,*To his excellency Governor ORION CLEMENS,  
*Nevada Territory.*TERRITORY OF NEVADA, EXECUTIVE DEPARTMENT,  
*Carson City, June 29, 1863.*Brig. Gen. GEORGE WRIGHT,  
*Commanding Department of the Pacific:*

GENERAL: May I ask you to station a company at Reese River? From the number and boldness of the secessionists there I fear trouble unless they are overawed.

I inclose a letter received from Captain Close. I should be pleased to have the desired change made if consistent with your views.

With great respect, your obedient servant,

ORION CLEMENS,  
*Acting Governor.*HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., July 2, 1863.*His excellency ORION CLEMENS,  
*Acting Governor of Nevada Territory, Carson City, Nev.:*

GOVERNOR: I have the honor to acknowledge the receipt of your excellency's communication of the 29th ultimo. At this moment it is impossible to station a company at Reese River. Troops will, however, be passing and repassing that place very frequently during the summer.

As it appears to be somewhat difficult to raise infantry companies in Nevada, I shall be very glad to accept two more cavalry companies under the same conditions as those already asked for; that is, the men to furnish their own horses and horse equipments.

With great respect, your excellency's obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, July 2, 1863.*

Brig. Gen. GEORGE WRIGHT:

DEAR SIR: Your letters of the 13th and 16th ultimo were received night before last, and contents noted.

I am pleased with the spirit and contents of them. Allow me to say that the people of Oregon have reason to be grateful to you and General Alvord for the co-operation extended to me in raising volunteers; many thousand dollars have thereby been saved to the State. Recruiting here has been a very slow and difficult matter. We have had to contend against the secession element here and a combination of circumstances rendering it next to impossible to get men. The last legislature passed a usury law, and capital has been seeking investments in public improvements of different kinds under incorporated companies. Two railroads and three turnpike roads have been under way. When we posted our notices offering the rates of pay to the cavalry the proprietors of these roads would post notices alongside of them offering \$40 and \$50 a month for men, in coin. Of course loose men would go and work on the roads. Again, the northern mines are very rich and extensive. Advertisements

have been in some of the papers, and posters up, for three months past, offering \$5 a day for men to work at different places in the mines.

I have appointed as good and true men as I could find for recruiting officers, and from my extensive acquaintance in Oregon have succeeded pretty well in that respect. Jackson County responded so well to the first call that I had great hope of getting a company in southern Oregon. Lieutenant Hand thought he could raise a company in the vicinity of Jacksonville; he enlisted twelve men, but four of them gave themselves up as deserters. Still he did not despair, hoping that when the soldiers were paid at Camp Baker and the water failed in the mines of Jackson County (as it always does in the spring) that he could fill his company. The troops were paid mostly in "greenbacks;" the water failed as usual, but the miners started for the new mines and to work on a new road to them, and no more troops were got.

Lieutenant Hand then wrote me that he could not fill his company, in which opinion I then and now fully concurred.

Lieut. John F. Noble had been recruiting at this the best point in the State; Lieut. John Donough at The Dalles; Capt Hading (on detailed service) at Salem, and Lieut. H. C. Small at Eugene City. It became apparent to me that no one would get a full company, and the men were of little use not mustered in, and that, too, when men were much needed for the expedition to Snake River and to protect property and preserve order in this vicinity. Hence I considered it policy and my duty to consolidate the men enlisted, which would make one company that could be mustered in and be of service at once. Lieut. John F. Noble had the greatest number of men. Accordingly I ordered all the recruits to join his (Noble's) detachment at Vancouver, expecting to have them mustered into service at once, under John F. Noble as captain, H. C. Small as first lieutenant, and W. H. Hand as second lieutenant. This was done with the assent of Messrs. Small and Hand, as they, too, were fully satisfied they could not fill their companies.

All the enlisted men have joined Lieutenant Noble's detachment, excepting those detained by your order at Camp Baker.

Lieut. John Donough, who had been recruiting at The Dalles, after his men had been turned over to Noble, I ordered to go to Auburn and Bois  mines with the expedition, and there to engage in the recruiting service, hoping there might be a reaction there favorable to recruiting.

In obedience to my order Lieutenant Hand started for Vancouver, and got one-fourth of the way, when your dispatch reached him and he turned back. Since that I have given him no orders. Had he come on to Vancouver, Noble's company would now be mustered in. I still think it the better policy to have Lieutenant Hand with his men join Noble's detachment.

Under all the circumstances, therefore, I respectfully but urgently request that you by telegraph to Camp Baker countermand your order under which Lieutenant Hand turned back, and that at your earliest convenience you advise me of your decision in the matter.

This consolidation need not stop recruiting in the State, as other officers can take the place of those on recruiting service. But it will be of little use unless something happens to encourage recruiting.

I hope our provost-marshal will come soon.

Five independent companies are now organized under our militia law, and more will be formed if arms can be furnished. They are all Union men, and will be of great service in case of trouble here.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., July 14, 1863.*

His Excellency ADDISON C. GIBBS,  
*Governor State of Oregon, Portland, Oregon:*

GOVERNOR: I have the honor to acknowledge the receipt of your excellency's letter of the 2d instant. At your earnest request I have directed my adjutant-general to telegraph to Lieutenant-Colonel Drew to order Lieutenant Hand to proceed with his recruits without delay to Fort Vancouver. Although we have to encounter great embarrassments in raising volunteers, yet I think it probable that a company might be raised in southern Oregon if it was understood they were to be posted in that quarter.

With many thanks for your kind expressions, I beg leave to assure your excellency, as well as the people of Oregon, that I shall ever esteem it a pleasure, as it is my duty, to afford them every protection in my power.

With great respect, your excellency's obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., July 5, 1863.*His Excellency LELAND STANFORD,  
*Governor, State of California, Sacramento City, Cal.:*

SIR: Inclosed herewith I have the honor to lay before your excellency a resolution to authorize the Secretary of War to accept moneys appropriated by any State for the payment of its volunteers, and to apply the same as directed by such State, approved March 19, 1862.

Under the provisions of this resolution, Lieut. Col. George H. Ringgold, deputy paymaster-general at my headquarters, will accept any moneys which have been or may be appropriated for the purpose set forth, and cause it to be applied to the payments designated by the legislative acts.

With great respect, I have the honor to be, your excellency's obedient servant,  
G. WRIGHT,  
*Brigadier-General, Commanding.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., July 15, 1863.*His Excellency A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon:*

GOVERNOR: I have to acknowledge the reception of your letter of the 14th instant, respecting the recruits at Fort Steilacoom.

I have directed the commanding officer at that post to obey any order or request you may send as to the disposition of those recruits. I should advise that an order for their transportation be sent on Winsor & Co., mail contractors and livery-stable establishment at Olympia, Wash.

But I confess that I shall regret to give up the idea of raising a company on the sound. In the fall Lieutenant Henry must succeed if he perseveres. I reduced Lieutenant-Colonel English's command to one company and am very desirous to have another company raised for that post. Therefore I would recommend to your excellency the postponement of the order for those two men to come hither until you shall find it necessary to complete Noble's company.

I have the honor to be, very respectfully, your obedient servant,  
BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
*Sacramento, July 16, 1863.*To General GEORGE WRIGHT,  
*Commanding Department of the Pacific:*

SIR: Your favor of the 5th instant, with resolution relative to appropriations for the relief of volunteers in the several States, is at hand.

By reference to sections 3 and 4 of the act of the legislature approved April 27, 1863 (Statutes of 1863, folio 662), you will observe that the requirements of the law are such as to preclude our State officers from departing from its provisions, and would therefore be impossible to pay out the appropriation in the manner indicated by the resolution of Congress.

I am, general, very respectfully, your obedient servant,  
LELAND STANFORD,  
*Governor of California.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco; July 20, 1863.*

To Adjutant-General U. S. Army, Washington City, D. C.:

SIR: I have the honor to inclose herewith, for the consideration of the General-in-Chief and War Department, a copy of my communication to Col. R. E. De Russy, U. S. Corps of Engineers, dated April 8, 1863; also the colonel's reply, dated June-10, 1863, with two sheets of drawings, one exhibiting three points selected for batteries, with the trace of the batteries thereon, the other a general map of the harbor of San Francisco, showing the relative position of the defenses. The batteries on Yerba Buena Island and Rincon Point would complete the defenses for the inner harbor and prevent any hostile vessel from taking a position to command the city should she pass Fort Point and Alcatraz Island without serious damage. I would most earnestly recommend that the batteries be immediately constructed by the Engineer Department of the United States on this coast.

No money has been appropriated by the State of California for this purpose, and if the work is to be done it must be by the United States. Should circumstances arise rendering prompt action necessary, of course I should not hesitate about using any means the Government have to protect the city; but, as the appropriations for the Engineer Department are made for specific objects, I can not presume to divert them to other purposes without authority, unless to meet an emergency. The General-in-Chief is so well acquainted with the harbor of San Francisco and its defenses that it is not necessary for me to say anything further on the subject.

Very respectfully, your most obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

SAN FRANCISCO, FORT POINT, June 10, 1863.

Brig. Gen. G. WRIGHT,  
Commanding Department of the Pacific:

GENERAL: In compliance with the request contained in your department letter of the 8th of April last, I have examined and caused to be surveyed the sites on Yerba Buena Island and Rincon Point, which appeared to me to be the best adapted for the defenses of the inner harbor of the city. They consist of two positions on the island and the termination of Beal street on Rincon Point. Could the grounds upon which the United States Marine Hospital is constructed be disposed of for a battery, it would decidedly be the most efficient one on or near Rincon Point, on account of its field of fire, but unfortunately the building would be too much exposed to the shots aimed at the battery. In case, however, of real necessity, a battery could be constructed on two sides of that building to co-operate with the battery proposed on Rincon Point. The battery on Rincon Point could be constructed from the center of Harrison street on Beal street to the precipitous bank on the bay, as is shown in the accompanying drawings, leaving a roadway of over 20 feet in its rear. Twelve guns can be placed in position there, leaving sufficient room for a magazine; 32-pounder guns are recommended for this battery. Its construction would involve but little expense; the breast height would only require a wooden structure of boards and scantling to sustain the earthen embankments, and the platforms would answer made of lumber. As it is supposed that the city or State will at its own expense erect these defenses, it is presumed that the civil engineers will make the necessary estimates. With regard to Yerba Buena Island, two sites have been selected, the first at the position marked "B" on the plan, and the second at the position marked "C."

The position "D" is looked upon as essential for a temporary redoubt or block-house, to protect the rear of the two batteries. The battery at "B" is so arranged as to have a field of fire that covers all the deep water within 2 miles of the island from north to south. The rear of the island in the direction of San Antonio is impassable for sailing vessels, in consequence of shoals that extend from the island to the main, and it therefore is unnecessary to plant guns in that direction against shipping. It is proposed to mount ten heavy guns in this battery. On the point "C" it is proposed to erect a second battery, mounting eight 32-pounder guns. The excavations at this point will cost probably more than those at point "B," in consequence of the nature of the position, which is rocky and will require some blasting. The island, by the by, is very much of the same character, particularly on the side facing the city, which is composed of high, rocky bluffs. The distance between Rincon Point and the island is about  $1\frac{1}{2}$  miles. Should heavy guns or rifled ones be selected for the two batteries on the island and the one on Rincon Point, the cross fire would extend from shore to shore and command the anchorage within the reach of the batteries. Supposing that it would be agreeable to you to have a general map of the whole harbor, with the several positions selected for its defense traced thereon and the field of fire from each indicated by circles drawn every half of a mile to a distance of 2 miles, including the number of guns bearing in each direction, I have caused to be compiled from drawings in this office a map of that kind for your headquarters.

Should the time come when it is probable that the temporary defenses herein recommended will be needed, I will take pleasure in giving my aid, if desired, to the civil engineers engaged in their construction. Accompanying this you will receive two sheets of drawings, the one exhibiting the three points selected for the batteries with the trace of the batteries thereon, the other a general map of the harbor of San Francisco, showing the relative position of the defenses in said harbor.

With the highest respect, I have the honor to be, general, your obedient servant,

R. E. DE RUSSY.  
Colonel, U. S. Corps of Engineers.



[Telegram.]

SAN FRANCISCO, CAL., July 30, 1863—3 p. m.

E. D. TOWNSEND,  
*Assistant Adjutant-General, Washington:*

I have ordered the erection of earth-work fortifications for inner harbor of San Francisco. Full report in my letter of 20th July. I most earnestly request that \$100,000 may be placed to my order in New York or San Francisco.

G. WRIGHT,  
*Brigadier-General.*

OFFICE U. S. MILITARY TELEGRAPH,  
 WAR DEPARTMENT.

The following telegram received at Washington 6:30 a. m., August 4, 1863, from San Francisco, m., dated August 3, 1863:

Col. E. D. TOWNSEND:

General Connor made treaty with remaining bands Snake Indians on 31st July.

G. WRIGHT,  
*Brigadier-General.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., August 10, 1863.*

His Excellency A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon:*

GOVERNOR: I have the honor to inform you that the board of officers having reported adversely in his case, Second Lieut. John F. Noble, recruiting officer, First Cavalry, Oregon Volunteers, will not be mustered in, but he is this day discharged from the service of the United States.

I have also to inform you that Company G, First Cavalry Oregon Volunteers, was this day mustered into the service of the United States by Maj. T. M. Winston, assistant commissary of musters. Agreeably to the authority given by you the following officers of said company were mustered into rank from to-day: As captain, H. C. Small; as first lieutenant, W. M. Hand, and as second lieutenant, Patrick Maguire.

I am, very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco August 14, 1863.*

*Adjutant-General U. S. Army, Washington, D. C.:*

In reply to the request I made to you in my telegraphic dispatch of July 30, I have been advised by the Engineer Department that the sum of \$100,000 has been appropriated for the erection of fortifications to protect the inner harbor of San Francisco.

My letter to you, dated on the 20 of July, with accompanying maps, will fully explain the whole subject. Colonel De Russey and his assistant, Captain Elliott, are both now on the Columbia River; and I have directed Major Williamson, of the Engineer Corps, to commence the work at once, and prosecute it with vigor. The prompt action of the Department in setting apart \$100,000 for the erection of these batteries has been highly gratifying to the loyal citizens of this city, more especially as previous to the receipt of the answer to my dispatch I had determined to commence work at once, and the leading men of the city, with a noble patriotism, placed \$20,000 at my disposal, and had it been necessary any additional amount could have been obtained.

Very respectfully, your obedient servant.

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, August, 14, 1863.

GENERAL: Inclosed you will please find a petition from the citizens of Auburn. I have no power to grant their request. I know that a number of the persons signing are reliable men, but they may not be fully advised in the premises.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

General BENJ. ALVORD,  
Commanding District of Oregon.

AUBURN, BAKER COUNTY, OREGON, August 1, 1863.

His Excellency ADDISON C. GIBBS,  
Governor of Oregon:

The undersigned, your memorialists, would represent to your excellency that during the past year many depredations have been committed by the Bannock or Snake Indians upon the property of the citizens of this State. Much stock, to the amount of thousands, has been stolen and lives destroyed; that these Indians harbor in a large valley in southeastern Oregon, and have lately driven back several large parties who have endeavored to prospect this region of our State, endangering their lives and stealing their horses to their damage many thousands of dollars; and we would further represent that the valley inhabited by these hostile tribes is one of the most beautiful and valuable portions of our State, in extent apparently larger than the Willamette Valley, fertile and well watered, and surrounded by rich mineral districts, which some of your petitioners have been prevented from prospecting by the hostility of these savages.

We would further represent that one hundred and fifty men are willing to enlist for a sufficient space of time to subdue the Indians thus alluded to, and would ask your excellency to take the necessary steps to procure the presence of a company of mounted troops to aid us, and we desire supplies and transportation for one hundred and fifty men, who will mount themselves, and serve free of charge, if such Government aid can be afforded.

J. A. Lytle, W. R. Park, S. A. Clarke, B. M. Bonham, John Britain, J. W. Clark, Wm. F. McCrary, W. H. Prosser, John Furman, Wm. H. Packwood, Wm. L. Secrest, Vernon Downs, S. S. Smith, V. Blachinger, L. M. Ludkins, Chas. A. Cerley, J. Anderson, W. B. Weaver, H. Wimpf, W. A. Foster, S. P. Higbee, J. W. Dwinell, R. A. Pierce, J. M. Kirkpatrick, E. C. Brainard, J. J. Ellmore, G. H. Loss, Jacob Zimmerman, A. Quaid, J. Lovell, N. Peterson, A. M. Smith, Henry Zeller, E. S. McComas, G. Fatzer, Robert Hall, John Papch, David P. Poote, Charles Graves, Kierson Moore, F. C. Pierce, B. F. Suckenburg, W. B. Craine, W. W. Boone, W. J. Van Schuyven, C. F. Schoppe, M. McDonald, Seth Green, W. J. Woorley, A. C. Swarts, J. B. Scholes, T. C. Allinson, John Barron, L. Anderson, C. C. Rech, John Auried.

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., August 15, 1863.

His Excellency A. C. GIBBS,  
Governor of Oregon, Portland, Oregon:

GOVERNOR: I have the honor to acknowledge the reception of your letter of the 14th instant, inclosing a memorial from the citizens of Auburn, Baker County, Oregon, asking that "supplies and transportation may be furnished for one hundred and fifty men who will mount themselves and serve free of charge" for an expedition against the Snake Indians on the Malhuer River, who "harbor in a large valley in southeastern Oregon," and have committed depredations and fired upon the miners in that region.

I desire that you will please say in reply that I am authorized to issue supplies only to those mustered into the service of the United States. I regret exceedingly that I have not troops at my command sufficient to make such an expedition. If all the six companies of cavalry called for on January 6 by the proclamation of your excellency had been raised I should now have been able to comply with this proposition. As I am now situated I have not sufficient troops to enable me to send such an expedition.

The body of troops in this district are now in the field under Colonel Maury towards Fort Hall for the protection of the incoming emigration. I shall endeavor next season to send an expedition into the region of country described.

I have the honor to be, very respectfully, your obedient servant,  
 BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

[Telegram.]

AUGUST 17, 1863.

Brig. Gen. G. WRIGHT,  
*San Francisco, Cal.:*

The first batteries to be constructed will be on Point José, say ten guns, and on Angel Island, say from ten to twenty guns. Works on Rincon Point and Yerba Buena Island will not be constructed at present. Full report of Board of Engineers will be sent by mail.

H. W. HALLECK,  
*General-in-Chief.*

[Telegram.]

SAN FRANCISCO, August 19, 1863.

Maj. Gen. H. W. HALLECK,  
*General-in-Chief:*

I have received your dispatch of August 17.

GEO. WRIGHT,  
*Brigadier-General.*

Brigadier-General WRIGHT,  
*San Francisco, Cal.:*

WASHINGTON, August 18, 1863.

GENERAL: As the plans for additional batteries in the harbor of San Francisco, forwarded with your letter of July 20, differed very essentially from those agreed upon by the Board of Engineers for the Pacific coast, and also from the defensive points recommended by General Totten, Chief Engineer, the Secretary of War directed that the matter be referred to a new board of engineers. This board reports Lime Point, Point San José, and Angel Island as the best places for batteries. It is believed, however, that a battery can not be constructed on Lime Point without great expense on account of the character of the ground. Moreover, the Government has never been able to get any title to the land. The same objection arises to occupation of Telegraph Hill. Yerba Buena Island and Rincon Point are deemed too far within the bay. A vessel coming within the reach of their guns could fire upon the city and anchorage. It is not probable that the Ordnance Department will be able to supply additional guns at present. It, however, will be directed to send you a rifling-machine and rifled ammunition, so that the range of some of the guns may be increased.

Very respectfully,

H. W. HALLECK,  
*General-in-Chief.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., August 21, 1863.*

His Excellency, A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon:*

GOVERNOR: The resignation of Capt. T. S. Harris, First Oregon Cavalry, was forwarded by me to department headquarters August 8, and I requested its acceptance. The senior first lieutenant is W. V. Rineheart, a most excellent officer. When in San Francisco I advised you to recommend to General Wright his appointment. The vacancy should be filled as I stated in my letter, as that company was the largest in the regiment, has lost least by desertion, and is now 83 strong.

I am, very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, August 28, 1863.

*Adjutant-General U. S. Army, Washington, D. C.:*

SIR: For the information of the General-in-Chief, I have the honor to inclose herewith a communication addressed to my headquarters by Brig. Gen. B. Alvord, commanding district of Oregon, dated 18th August, 1863, reporting the location of the new military post of Fort Boisé. The work of building Fort Boisé I have intrusted to Maj. P. Lugenbeel, Nineteenth Infantry, with Capt. W. B. Hughes, assistant quartermaster. Both of these officers have had much experience, and their services are of very great importance. If Major Lugenbeel can be permitted to remain in this department for the present, I desire to keep him in command of Fort Boisé until the post is entirely completed.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., August 18, 1863.

COLONEL: I have the honor to report for the information of the general commanding the department that Maj. P. Lugenbeel, Nineteenth U. S. Infantry, commanding expedition to Boisé, has located the new military post at Fort Boisé. The site selected is on a small creek  $1\frac{1}{2}$  miles from Boisé River, on the north side, 43 miles from its confluence with the Snake River, and 250 miles from Fort Walla Walla. Many of the roads through that country run near it, those from the Eastern States, Salt Lake, and Washington Territory being in sight. Some difficulty is experienced in building the post, in consequence of the low rates of legal-tender notes. In that country they bear merely nominal value. The depreciation of the Government currency not only embarrasses the quartermaster's department, but also tends greatly to disaffect the men. The differences between their pay and the promises held out by the richest mines perhaps on the coast, the proximity of which makes them all the more tempting, is so great that many desertions occur. At last dates about 50 desertions had occurred in the four companies with which he left Fort Walla Walla.

Three reservations besides the garrison have been selected, for hay, wood, and saw-mill, maps of which Major Lugenbeel promises as soon as surveyed. He has established a saw-mill run by mule power, 7 miles from the post. By cutting a road to Grimes Creek 5 miles further he expects finally to establish the saw-mill run by water. On account of the great number of desertions he has been compelled to hire more citizen employes than he had intended. He has found lime, marl, material for adobes, and sandstone near the post, and hay on an island in the river. He contemplates building a large share of the houses of stone. I have no doubt he will accomplish the work in hand, notwithstanding the difficulties of the situation.

I am, very respectfully, your obedient servant,

BENJAMIN ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

The ASSISTANT ADJUTANT-GENERAL,  
*Headquarters Department of the Pacific, San Francisco, Cal.*

SAN FRANCISCO, CAL., August 29, 1863—10 a. m.

E. D. TOWNSEND,  
*Assistant Adjutant-General:*

Chief of Engineers requires for fortifications authorized at San Francisco ten 42-pounder guns, eight 8-inch columbiads, and eight 10-inch columbiads and carriages, supply of projectiles, and iron fixtures for large shot-furnace.

GEO. WRIGHT,  
*Brigadier-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, August 29, 1863.

*Adjutant-General U. S. Army, Washington, D. C.:*

SIR: I have the honor to inclose herewith a communication addressed to me by Capt. J. McAllister, Ordnance Department, commanding Benicia Arsenal, together

with a letter, dated August 25, from Col. R. E. De Russy, U. S. Engineers, to whom I referred Capt. McAllister's communication, respectfully and earnestly recommending that the guns, projectiles, and iron fixtures for a large sized shot furnace may be sent to this place as soon as possible.

I have the honor to be, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

FORT POINT, August 25, 1863.

Col. R. C. DRUM,

*Assistant Adjutant-General, U. S. Army, Headquarters San Francisco:*

COLONEL: I have just received the letter addressed to General Wright by Captain McAllister, of the Ordnance Department, upon the subject of heavy guns, carriages, and projectiles for the batteries to be erected for the defense of San Francisco Harbor, which is referred to me by you for such information as I can give as to the probable size and character of the guns required for the batteries ordered to be erected on Point San José and Angel Island. In the absence of the report of the Board of Engineers for these works, as promised by General Halleck in his telegram, of the 17th instant to General Wright, I am not prepared to say what caliber will be recommended by the Board for the points to be occupied. In a harbor like this one, where the defensive positions are at a considerable distance from each other, it is evident that rifled guns, if they can be procured, would be preferred, but it is doubtful whether such can be obtained in proper time; if not, we must resort to 42-pounders and to 8 and 10 inch columbiads.

A battery of ten 42-pounders at Point San José with a hot-shot furnace would, in connection with the batteries at Alcatraz Island, be a formidable barrier against any approach on the city by that channel way. The two other channels west and east of Angel Island should be protected by a battery of eight or ten guns each, the one on the west point of the island with 10-inch columbiads and the one on the east point with 8-inch columbiads. I would therefore recommend that an application be made for ten 42-pounder guns and eight 10-inch columbiads and carriages, also eight 8-inch columbiads and carriages with a proper supply of projectiles for each caliber and the iron fixtures for one large size shot furnace.

Very respectfully, I am, colonel, your obedient servant,

R. E. DE RUSSY,  
*Colonel, U. S. Engineers.*

BENICIA ARSENAL,  
August 21, 1863.

DEAR GENERAL: I take the liberty of suggesting the propriety of telegraphing the Commander-in-Chief for heavy guns, carriages, and a supply of projectiles for the batteries to be established for the defense of San Francisco Harbor. The guns which I am going to mount are very old, and the carriages were made in 1846. They were sent out for Colonel Stevenson's command and are only fit for temporary use. Please excuse the liberty I have taken, but knowing the condition of the material I am repairing I thought it proper to submit the above.

I am, sir, very respectfully, your obedient servant,

J. McALLISTER,  
*Captain Ordnance, Commanding.*

General GEORGE WRIGHT,  
*Commanding Department, Sacramento, Cal.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, August 31, 1863.

*Adjutant-General U. S. Army, Washington, D. C.:*

SIR: After receiving the dispatch of the General-in-Chief, directing that batteries be erected on Point San José and on Angel Island, instead of Rincon Point and Yerba Buena Island, and stating that the report of the Board of Engineers would be sent by mail, I had a conversation with Colonel De Russy. The colonel suggested that nothing be done until the receipt of the report of Board of Engineers. My object was to throw up temporary fieldworks at the most exposed points, and with the greatest dispatch, to protect the city against the assaults of any hostile vessel. I asked that \$100,000 might be placed to my orders for this purpose, and at the same time I directed Captain Williamson, of the Engineers, on duty at my headquarters, to commence the

work at once. If the batteries at the points designated are to be erected by the Engineer Department, under special control of that Bureau, I presume that no further responsibility will fall on me if they are not ready when wanted.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

SAN FRANCISCO, August 31.

DEAR SIR: I fear greatly that the masterly inactivity system, and the time consumed in planning and deliberating as to the best points for our batteries, and then going to work with permanent fortifications, slowness may be fatal. While we are meditating, some morning, the first thing we shall know will be the enemy's guns thundering against the city. I have an engineer (Williamson), and if the money the department granted for these batteries could be subject to my order and expended by him, we could have the batteries completed in a very short time. But under the direction of the Engineer Bureau, months will elapse before the profiles are drawn. Prompt and energetic action are necessary, or we may suffer terribly.

Yours, very truly,

G. WRIGHT.

Col. E. D. TOWNSEND.

[Telegram.]

SEPTEMBER 25, 1863.

Brig. Gen. G. WRIGHT,  
*San Francisco, Cal.:*

I have seen your note to Colonel Townsend. It was not intended that there should be any delay whatever in erecting batteries in the localities designated in my telegram, to wait for any further instructions from here.

H. W. HALLECK,  
*General-in-Chief.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, September 1, 1863.*

GENERAL: Inclosed you will please find a copy of the letter referred to by me in my last letter to you. I see General Wright ignores Colonel Maury in the matter of recommendation. Perhaps it is because he knows Maury is in the interior. On the whole, I think I had better not appoint at present. In fact, from your letter I don't see how I can appoint until an adjutant is appointed in place of Rinehart.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. B. ALVORD,  
*Commanding District Oregon.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., September 12, 1863.*

His Excellency A. C. GIBBS,  
*Governor of Oregon, Salem, Oregon:*

Governor: I have to request that you will please inform me, first, whether you considered your appointment on 7th ultimo of Capt. H. C. Small, First Lieut. W. M. Hand, and Second Lieut. Patrick Maguire as officers of G Company, First Oregon Cavalry, and after the rejection of John F. Noble by the board of officers, as a virtual revocation of your appointment of him as a second lieutenant and recruiting officer First Oregon Cavalry.

Second. Whether you do now revoke said appointment.

Third. If you do not revoke his appointment, where shall he be stationed.

Brigadier-General Wright, commanding the Department of the Pacific, decides, under date of the 3d instant, that after his rejection by the board he still remains in the service as second lieutenant and recruiting officer First Oregon Cavalry until discharged by competent authority, and that his appointment has not yet been revoked by you under the second clause of War Department General Orders, No. 75, of the 8th July, 1862.



General Wright desires me to forward charges and specifications against him, so that he may order an investigation.

I consider your appointment, dated 7th August, a full revocation of his appointment, and so informed Mr. Noble.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General U. S. Volunteers, Commanding District.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, September 26, 1863.*

GENERAL: In reply to your letter of the 12th instant, I have to say that when I requested that John F. Noble be mustered into the service of the United States as captain of Company G, First Regiment Cavalry, Oregon Volunteers, and thus presented him, that thereafter I had nothing to do with him and no power over him. If received, he would be mustered into the service; if not received he would be discharged.

After a second lieutenant has been examined and rejected by a military board it seems to me improper for a governor to keep such lieutenant, if he could, in a position to be presented to a board again. If the governor may thus present him more than once, he may any number of times, which would be an abuse of power and offensive to the officers of the Army.

I intended my letter of the 7th ultimo, which stated in substance that if Noble did not pass I appointed H. C. Small in his place, to mean that so far as I was concerned I discharged him, and that he would have to go out of the service, unless there was some rule, unknown to me, whereby he might take an appeal and reverse the decision of the examining board. But as General Wright, commanding the Department of the Pacific, decides that he is still in the service and invites charges from you, in order that he may direct an investigation, I wish it to be considered that I revoke his appointment, to take effect when he has stood said trial or investigation.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. B. ALVORD,  
*Commanding District of Oregon.*

Telegram.

SAN FRANCISCO, CAL., *September 18, 1863.*

Governor STANFORD:

Orders have been sent Colonel Whipple to give necessary protection; also to Captain Mellen to send a detachment from Fort Crook. I can not reach Whipple by telegraph.

R. C. DRUM,  
*Assistant Adjutant-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, September 28, 1863.*

COLONEL: I have been highly gratified with the condition of affairs in the eastern part of this State as well as in the Territory of Nevada. I was absent about three weeks, and, traveling on horseback, I had an excellent opportunity for making an examination of the country and the character of the inhabitants. On the road over the mountains I found the way thronged with wagons of the largest size transporting goods to Washoe and Reese River. The almost fabulous reports of the richness of the Reese River mines have drawn to that place a large number of people from this side, as well as arrested the tide of emigration from the East, and it is probable that the population of that district in the course of the next year will rival that of Virginia City and its surroundings. The truly loyal and intense love for the Union, which pervades the great masses of the people in the Territory of Nevada has been made manifest in their late election; from the highest to the lowest every office has been filled by the election of sound Union men. I visited Carson City, the seat of government of Nevada, as well as Silver City, Gold Hill, and Virginia City, located in the rich mining districts, and everywhere I found a prosperous and happy people. From Virginia City I proceeded to Fort Churchill, situated on the Carson River. The

post is commanded by Maj. Charles McDermit, of the Second Cavalry, California Volunteers, an officer of great merit, irreproachable in his habits, industrious, and careful of the interests of the Government.

At Fort Churchill I found three companies of cavalry, Nevada Territory Volunteers, also a detachment of a fourth company in process of organization. A finer body of men I never saw; orderly, well-behaved, and undergoing a thorough course of instruction and discipline. Two of these companies are under orders for the district of Utah, and will march early in the next month. The post of Fort Churchill I found in admirable order. I critically inspected all the departments, and found the Government property well taken care of and economically used, and the officers zealous and attentive to their duties. After my inspection at Fort Churchill, I hastened back to my headquarters, finding everything quiet in this quarter. I am greatly pained at an accident which happened to Maj. R. W. Kirkham, quartermaster, who accompanied me on my tour. At Carson City he unfortunately walked out of an open doorway at the end of a hall where there was no balcony, and falling some 14 feet bruised himself much and fractured his thigh-bone. I brought him back with me, but he will probably be laid up eight or ten weeks.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Col. E. D. TOWNSEND,

*Assistant Adjutant-General, Headquarters of the Army, Washington, D. C.*

OCTOBER 2, 1863.

Brig. Gen. G. WRIGHT,  
*San Francisco, Cal.:*

The Secretary of War directs that you take military possession of Point San José, and erect the battery proposed for its defense. The question of ownership will be determined hereafter.

H. W. HALLECK,  
*General-in-Chief.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, October 8, 1863.*

COLONEL: I beg leave most respectfully to ask the attention of the General-in-Chief and the honorable Secretary of War to the practicability of locating a good wagon road between Fort Dalles, Oregon, in a southeasterly direction via Cañon City to Fort Boise, Idaho Territory, and thence to the navigable waters of the Yellowstone, near the mouth of the Big Horn. The feasibility of opening a route on this parallel was discussed when I was in command of the Department of Oregon, and I had determined to make a thorough examination of the country in an expedition which had been planned against the Snake Indians for the summer of 1861; but my removal from that country, together with all the regular troops, caused a temporary suspension of remote operations, but the subject was not lost sight of. I am now in receipt of a communication from Maj. P. Lugenbeel, Nineteenth Infantry, commanding Fort Boise, referring to the same subject. The major is an officer of great experience and sound judgment, and although no critical survey of the route has been made, yet I am disposed to rely with great confidence on the conclusions which he draws from the information he has gathered from the most reliable sources.

The route proposed, intermediate between that of the Missouri, via Fort Benton on the north, and that by the South Pass and Fort Hall on the south, will be the shortest and most direct. The distance from Fort Boise to the navigable waters of the eastern slope is said not to exceed 400 miles. In view of the mineral development in Oregon east of Fort Dalles, and more particularly in the Territory of Idaho, the construction of a road over the route proposed would be of great benefit in a military point, enabling us to move troops with facility in case of any difficulties arising between the miners and Indians. The opening of this route would necessarily compel us to establish a military post in the valley of the Yellowstone, as the country is filled with Indians and mineral wealth.

Very respectfully, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Col. E. D. TOWNSEND,

*Assistant Adjutant-General, Headquarters of the Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, October 10, 1863.

COLONEL: The condition of affairs in this department remains unchanged. Peace and quiet prevail; since the election, the hitherto malevolents are silent. I have sent Lieutenant-Colonel Drum, my adjutant-general, on a tour of inspection through the southern part of this State, his place being supplied in the mean time by Captain Purdy.

Very respectfully, your most obedient servant,

G. WRIGHT,

Brigadier-General, U. S. Army, Commanding.

Col. E. D. TOWNSEND,

Assistant Adjutant-General,

Headquarters of the Army, Washington, D. C.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, October 19, 1863.

COLONEL: By my direction, two companies of cavalry, Nevada Territory Volunteers, marched from Fort Churchill on the 10th instant for Salt Lake. This is the last command I propose to send on that line this fall. Everything is perfectly quiet on the route, Indians peaceable, and no indications of any disturbance on the mail route. I have two more companies of Nevada cavalry organizing at Fort Churchill (one already filled), which will constitute the garrison of that post, detaching a command of 25 men and 1 officer as an outpost at "Smoke Creek," about 100 miles to the north. The troops in the department are healthy, and independent of occasional Indian raids on the white settlements, everything is quiet.

Very respectfully, your obedient servant,

G. WRIGHT,

Brigadier-General, U. S. Army, Commanding.

Col. E. D. TOWNSEND,

Assistant Adjutant-General,

Headquarters of the Army, Washington, D. C.

EXECUTIVE DEPARTMENT,  
Carson City, Nev., November 5, 1863.

SIR: The loyal citizens of Storey County, of this Territory, have formed a military company under the militia laws of this Territory, and have in all respects complied with the law to entitle them to arms and accouterments. The name of the company is the Washoe Guards, Capt. Thomas G. Murphy, who resides at Virginia City, Nev. I desire that they should have 60 stands of arms issued to them, together with all the accouterments pertaining to a perfect equipment.

Yours, with great respect,

JAMES W. NYE,

Governor and Commander-in-Chief of the Militia of the Territory of Nevada.

Brig. Gen. G. WRIGHT,

Commanding Department of Pacific.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, November 10, 1863.

His Excellency JAMES W. NYE,

Governor of Nevada Territory, Carson City, Nev.:

SIR: I have the honor to acknowledge the receipt of your excellency's communication of the 5th instant, and to assure your excellency that it will afford me great pleasure to comply with your request. I will give the necessary instructions to the officer in command of Fort Churchill to issue the arms and equipments to the officer commanding the Washoe Guards on his requisition approved by you.

I shall require not only receipts, but bonds and security for the safe-keeping of the arms and equipments, and, besides, a special agreement under bonds to deliver the arms and equipments on the orders of the commanding officer of this department whenever they may be called for.

With great respect, your excellency's obedient servant,

G. WRIGHT,

Brigadier-General, U. S. Army, Commanding.

## HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, November 9, 1863.*

COLONEL: I have the honor to inclose herewith a copy of a communication addressed to my headquarters by Brig. Gen. P. E. Connor, commanding the district of Utah, dated October 27, 1862, conveying the pleasant intelligence that treaties of peace have finally been concluded with all the different bands of Indians within that district.

Hoping that this happy state of affairs in the district of Utah, brought about by the distinguished bravery and good conduct of the California column, may continue without interruption,

I have the honor to be, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Col. E. D. TOWNSEND,

*Assistant Adjutant-General,**Headquarters of the Army, Washington, D. C.*

## HEADQUARTERS DISTRICT OF UTAH,

*Great Salt Lake City, October 27, 1863.*

COLONEL: I have the honor to inform the department commander that I have just returned from Camp Connor, Idaho, where, in connection with Governor Doty, acting superintendent of Indian affairs, a final treaty of peace was concluded with the last remaining band of Shoshone Indians, and that on the 12th instant another treaty was made in Tooele Valley by the deputy superintendent and an officer of my staff, acting for Governor Doty and myself, with some 250 of the Goshute tribe, lately hostile. With the satisfactory conclusion of these treaties I have the honor to report the settlement of terms of peace with all the Indians within this military district from the Snake River on the north to the lower settlements of Utah, and from the Rocky Mountains on the east to Reese River on the west; a region heretofore constantly infested by roving bands of savages, and desolated by their horrid barbarities on passing emigrants for a long series of years.

For the first time in the history of the country it may now be truly announced that the great emigrant roads through the Territory may be safely traversed by single persons without danger to life or property or fear of molestation by Indians.

In my recent trip to the North, I met single persons traveling to and from the Banock and Bois  mines through a region of country never before traversed except in strong parties of from fifteen to twenty-five well-armed, and in constant danger of massacre. I have the pleasure therefore to report that through the indomitable bravery, activity, and willingly endured hardships of the California column under my command the Indian country within this district is freed from hostile savages, and travel through it by unarmed persons, emigrants, miners, or others is perfectly safe and exempt from the dangers heretofore besetting them on every hand. That this happy state of affairs will continue I have every reason to believe, as the Indians, one and all, with whom I have come in contact, are evidently seriously inclined to peace in the future, and after the severe experiences of last winter, spring, and summer, will hesitate long ere they again provoke hostilities.

I have the honor to remain, very respectfully, your obedient servant,

P. EDWARD CONNOR,

*Brigadier-General, Commanding District.*

Lieut. Col. R. C. DRUM,

*Assistant Adjutant-General, U. S. Army, San Francisco, Cal.*

## HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, November 10, 1863.*

COLONEL: For the information of the General-in-Chief and honorable Secretary of War, I have the honor to submit the inclosed communication, addressed to my headquarters by Brig. Gen. P. E. Connor, commanding the district of Utah. When I sent General Connor to establish posts in Utah and take command of that district I impressed upon him the necessity of pursuing a conservative policy with those people, and on several occasions subsequently it has only been with forbearance and sound judgment that a collision has been avoided. The late discovery of valuable mines in the Territory will, it is believed, draw thither a large population in the

course of a year or two, and if so, it will exercise a powerful influence to wipe out that damning stain upon the Christian morality of the American people.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Col. E. D. TOWNSEND,

*Assistant Adjutant-General, Headquarters of the Army, Washington, D. C.*

---

HEADQUARTERS DISTRICT OF UTAH,  
Great Salt Lake City, Utah, October 26, 1863.

COLONEL: In former communications I have had the honor to fully set forth my views to the department commander relative to the condition of the Mormon people and the sentiments of their leaders, and have endeavored to present my opinions as to the settlement of the Mormon question, so far, as it has necessarily thrust itself upon me in the performance of strictly military duties. I need hardly repeat that it has been my constant endeavor to maintain amicable relations with the people and avoid conflict, so far as compatible with the strict and proper fulfillment of the obligations resting upon me. Fully understanding that it was no part of my business to interfere with the religious tenets or even the illegal practices of this peculiar people, except when called upon by the civil authorities, the open declaration of hostility to the Government on the part of their public men, and their bold, continued, and unceasing teachings of disloyalty, have time and again tended to produce excitements leading to collusion, which have only been avoided by the most temperate and moderate course of the officers and men of my command. Until such time, therefore, as the Government, in the interest of humanity and the vindication of its offended dignity and laws, shall deem it advisable to inaugurate by force an observance of its recorded laws, and come to the relief of a people oppressed and downtrodden by a most galling church tyranny, my own course has been plainly marked by the dictates of policy and the manifest necessity of the case.

Entertaining the opinion that Mormonism as preached and practiced in this Territory is not only subversive of morals, in conflict with the civilization of the present age and oppressive on the people, but also deeply and boldly in contravention of the laws and best interests of the nation, I have sought by every proper means in my power to arrest its progress and prevent its spread. As a question for the civilian, I can conceive of but two ways of striking at its root and annihilating its baneful influence. The one by an adequate military force acting under martial law and punishing with a strong hand every infraction of law or loyalty; the other, by inviting into the Territory large numbers of Gentiles to live among and dwell with the people. The former, I am aware, is at the present time impracticable, even though it were deemed advisable. The latter, if practicable, is perhaps, in any event, the wiser course. With these remarks I desire to inform the department commander that I have considered the discovery of gold, silver, and other valuable minerals in the Territory of the highest importance and as presenting the only prospect of bringing hither such a population as is desirable or possible. The discovery of such mines would unquestionably induce an immigration to the Territory of a hardy, industrious, and enterprising population as could not but result in the happiest effects, and, in my opinion, presents the only sure means of settling peaceably the "Mormon question." Their presence and intercourse with the people already here would greatly tend to disabuse the minds of the latter of the false, frivolous, yet dangerous and constant, teachings of the leaders that the Government is their enemy and persecutor for opinion's sake.

As I have said, these doctrines are continually being preached to them, until the mass of the people believe that the Government, instead of desiring their welfare, seeks their destruction. To the end, then, that the inducements to come hither may be presented to the teeming populations of the East and West, seeking new fields of exploration and prosperity, I have looked upon the discovery of mines in this Territory as in the highest degree important; first to this people, and secondly to the Government, for the reasons stated. Having reason to believe that the Territory is full of mineral wealth, I have instructed commanders of posts and detachments to permit the men of their commands to prospect the country in the vicinity of their respective posts whenever such course would not interfere with their military duties, and to furnish every proper facility for the discovery and opening of mines of gold, silver, and other minerals. The results so far have exceeded my most sanguine expectations. Already reliable reports reach me of the discovery of rich gold, silver, and copper mines in almost every direction, and that by spring one of the largest and most hopeful fields for mining operations will be opened to the hardy and adventurous of our people. Both gold quartz and silver leads have been discovered at Egan Cañon, about 200 miles

west of this place, also in Ruby Valley, and at points along the mail route. The Goose Creek Mountains, 150 miles northwest of this city, are believed to contain rich mines of precious metals. The mountains in the immediate vicinity of this place are being explored and prospected, and I have reason to believe with successful results. Already within a distance of from 25 to 50 miles of this city, in the east and west mountains, mines have been discovered yielding, with imperfect tests, rich indications of silver, and largely charged with lead and copper ores. The work is still going on, and I have little doubt that rich veins of silver, and probably gold, will be discovered in almost every direction, and still nearer to Great Salt Lake City. I may also mention that near Camp Connor, 150 miles north of this place, large deposits of salt, sulphur, and extensive beds of coal have been found, while the springs adjoining the camp yield immense deposits of the carbonate of soda; which will one day, I have no doubt, be of very considerable commercial value. If I be not mistaken in these anticipations, I have no reason to doubt that the "Mormon question" will at an early day be finally settled by peaceable means without the increased expenditure of a dollar by Government, or still more important, without the loss of a single soldier in conflict. I have every confidence, therefore, in being able to accomplish this desirable result without the aid of another soldier in addition to those already under my command, notwithstanding the obstacles sought to be thrown in my way by the Mormon leaders, who see in the present policy the sure downfall of their most odious church system of tyranny. I have no fear for the future, and believe the dawn is breaking upon this deluded people, even though their elders and bishops and chief priests may escape the personal punishment their sins against law and crimes against humanity and the Government so richly merit.

I have the honor to remain, very respectfully, your obedient servant,

P. EDWARD CONNOR,

*Brigadier-General, U. S. Volunteers, Commanding District.*

Lieut. Col. R. C. DRUM,

*Assistant Adjutant-General U. S. Army, San Francisco, Cal.*

---

CALIFORNIA STATE TELEGRAPH COMPANY,

*Carson, November 12, 1863—3.49 p. m.*

Brigadier-General BENJ. WRIGHT,

*Commanding Pacific Department:*

How many more volunteer companies will you accept? Secretary of War telegraphs he will accept troops for this coast.

JAMES W. NYE.

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,

*Portland, November 19, 1863.*

GENERAL: In reply to part of your letter of yesterday, allow me to inquire (1) What I shall do with Second Lieut. John Darrough, who has returned from his trip to Boise, where he went on recruiting service. (2) Can he be assigned as second lieutenant to Captain Kelly's company?

I ask this under the impression that it is not best to keep open recruiting offices any longer under my proclamation, and that you so consider it. I am sorry I did not see you longer when you were over to talk more about these matters.

Mr. Darrough has worked hard and made some sacrifice and desires a place, I think. He will take this letter to you and desires some conversation on the subject.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,

*Governor of Oregon.*

Brig. Gen. BENJ. ALVORD,

*Commanding District of Oregon.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, November 20, 1863.*

COLONEL: I have the honor to inclose herewith a copy of my General Orders No. 40, C. S.

I have heretofore frequently reported to the Department the difficulties and embarrassments we labored under in this department in raising and organizing volunteers. In consequence of the sparse population over a vast extent of country, it was found impracticable for the governors of States and Territories to conduct the recruiting



service without the aid of the military authorities. Anxious as I have been for some time past to make the experiment of relying solely upon the governor, I have prepared and issued the order above referred to.

In recruiting for the new organizations, under the superintendency of the commissary of musters, the greatest economy has been enjoined and enforced, and I feel sure that the best interests of the Government have been subserved.

My letter addressed to Adjutant-General Thomas on the 8th of June last I beg leave to call your attention to, as well as your answer to, that communication, dated on the 7th of July, in which you say that the general-in-chief approves the course pursued by me.

To you, who served so long in this department, I need not recapitulate the delays and difficulties I have encountered in my efforts to comply with the orders and regulations from the War Department. One thing is certain, the peace and quiet of a country extending from the British possessions on the north to the Republic of Mexico on the south, and from the Pacific Ocean on the west to the farthest limits of the Territory of Utah in the east, have been preserved; and besides that, the troops which I organized and sent forth from California reconquered the Territory of Arizona and New Mexico, at one time overrun by the rebel forces, and have held undisturbed possession of that country since the summer of 1862. I can also speak with pride of the gallant conduct of the troops I organized and sent forth from this State for the protection of the overland mail route and occupation of the Territory of Utah.

In the execution of all the varied duties and responsibilities in this remote department it has frequently been necessary for me to act promptly and assume responsibilities which, in time of peace, I should have deferred for the decision of the General-in-Chief and War Department.

I am not aware that during my command of this department a single charge has ever been made against me of malfeasance in office, or of a disregard of the best interests of the Government, and I have no apprehension that any charges of that kind will be made. I have done, and shall do, what seems to be my duty, acknowledging my responsibility to the General-in-Chief, the Secretary of War, and to the President of the United States, under the concluding paragraph of his letter to the Missouri delegation of 5th October.

I beg leave most respectfully to ask of the Secretary of War an approval of all I have done in the matter of raising, organizing, and appointing officers for volunteer organizations in this department. I ask for this because we may experience some objections by the accounting officers, in cases where the regulations of the Department have not been strictly followed.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Col. E. D. TOWNSEND,

*Assistant Adjutant-General, Headquarters of the Army, Washington, D. C.*

GENERAL ORDERS, }  
No. 40. }

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., November 14, 1863.*

In order that the instructions of the War Department, respecting new organizations and their muster into service may be complied with, the control exercised over the same by the commissary of musters and superintendent of recruiting service is hereby transferred to the governors of States and Territories, respectively, that the recruiting may be conducted as directed in General Orders, No. 75, July 8, 1862, from the War Department.

All officers recruiting for new organizations will report for instructions to the governors of their respective States and Territories.

II. In paragraph I, General Order, No. 75, of 1862, from War Department, the term "muster in" is used by mistake for "enlist."

III. In accordance with revised regulations for the Army, leaves of absence can only be granted by the Secretary of War, except in cases where "a change of location is immediately demanded to save life or prevent permanent disability," when the commander of the department or district can grant, not exceeding twenty days.

IV. The telegraph will only be resorted to by officers in case of urgent and imperative necessity; and in all cases the charges will be prepaid by the officers sending the message, which amount will be refunded to the officer on his certificate to the account, and the necessity of the communication approved by the department commander.

By order of Brigadier-General Wright.

E. SPARROW PURDY,  
*Assistant Adjutant-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, November 23, 1863.*

COLONEL: When I first received instructions to establish a military post near the Klamath Lakes, in Oregon, I directed Lieutenant-Colonel Drew, of the Oregon Cavalry, then commanding at Camp Baker, near Jacksonville, to make an exploration of the country, and report the result to my headquarters. After receiving the colonel's report, it was referred to Captain Williamson, of the Engineer Corps, who had been over the whole country, and was well qualified to give an opinion as to the best point to locate the post. Many sound reasons were advanced by Captain Williamson in favor of the site where the fort is now being built, and I approved of the selection. But it now appears that the location of the post did not suit, the conflicting interests of all the people in southern Oregon, and an effort was made by certain persons at and near Jacksonville, prominently aided by Mr. Rogers, the subagent of Indian affairs, to cast odium upon Colonel Drew for his management of affairs in that quarter.

The superintendent of Indian affairs for Oregon sent me a communication which he had received from Subagent Rogers in which he (Rogers) undertakes to point out the place where the post should have been; but he was given to understand very plainly that his opinion had not been asked, and he quietly subsided, and has, I believe, resigned. With the view of having on record a report of the position of Fort Klamath as well as to inquire into certain allegations against Lieutenant-Colonel Drew, I ordered Capt. James Van Voast, of the Ninth Infantry, to proceed to Jacksonville and Fort Klamath and make a critical examination of everything pertaining to the military in that quarter. His report, which is herewith inclosed, meets with my full approval. The sketch which is attached to the report shows the location of Fort Klamath. I believe it is the best position we could occupy in that country.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Col. E. D. TOWNSEND,

*Assistant Adjutant-General, Headquarters of the Army, Washington, D. C.*

SAN FRANCISCO, CAL., *November 7, 1863.*

CAPTAIN: I have the honor to submit, for the information of the general commanding, the following report of an inspection made in compliance with S. O., No. 232, dated headquarters Department of the Pacific, October 10, 1863. I was directed by this order to make a critical examination of everything which pertained to the military in vicinity of Camp Baker and the new fort at Klamath Lake, Oregon, and also to inquire into certain reports adverse to the conduct of Lieut. Col. C. S. Drew, Oregon Cavalry, who is now the commanding officer at Fort Klamath. The reports adverse to the conduct of Colonel Drew, to which my attention was especially directed, emanated from Amos E. Rogers, United States sub-Indian agent, and are very voluminously set forth in copious extracts from his official letters to Mr. Huntington, superintendent of Indian affairs in Oregon. The gist of these complaints is contained in the following propositions:

First. Colonel Drew has located the new fort in the Klamath Lake Valley, at a place where it can be of little or no service to the Indian Department in controlling the Indians, and of no utility to the military in protecting the citizens and emigrants from the hostile tribes that live in that section of the country.

Second. That Colonel Drew has openly declared himself inimical to the policy of the Indian Department, and has taken every opportunity to insult its dignity, weaken its power, lessen its influence, and to destroy its authority.

In giving my opinion with regard to the first proposition, it is proper for me to state that the lateness of the season prevented me from making a personal examination of the country which surrounds the Klamath Lake Valley. The information which I obtained concerning this region was collected verbally from many individuals who have partly surveyed it, and from the official reports of those officers who have partly surveyed it. I have conversed with some twenty persons living in and about Jacksonville and Yreka, all of whom seemed to have more or less personal knowledge of this country, and although I found some difference with regard to their statements, the conclusion at which I have arrived is based upon that which I considered the best and most reliable information offered. There can be no question as to the fitness of the place selected for this new fort, if the only considerations are the health of the troops and economy in their support. It also appears equally clear that as a strategic position, taken for the purpose of holding in subjection Indians that are considered hostile; it offers very many advantages. Indeed, with the limited means at Colonel Drew's disposal for the construction of a new fort in that section of the country, it is hardly possible that one could have been located which would have afforded greater advantages and have secured like protection to emigrants and to citizens.

With regard to the second proposition I have only to say, that Colonel Drew pronounces as wholly untrue the language which Subagent Rogers has imputed to him. Colonel Drew claims that he has ever been willing and ready to co-operate with the sub-Indian agent, whenever such co-operation would have added to the public safety or have reflected credit upon either department. I am of the opinion that no case can be cited—at least I have heard of none—where co-operation was refused, which, if closely examined, will draw censure upon Colonel Drew's conduct or reflect indiscretion upon his judgment. I have listened to many complaints against Colonel Drew made by respectable citizens in Jacksonville. These complaints have reference to the manner in which the troops in that vicinity have been supplied and to the persons who have supplied them. After giving the subject that careful consideration which the case demanded, I could only arrive at the conclusion that the cause for complaint was more apparent than real. The citizens understand but little with regard to the mode of supplying troops; therefore transactions which in themselves are strictly proper, and which save the Government much unnecessary expense, excite their suspicion, and call forth from them remarks which have not the slightest foundation in reason or fact; and this is more especially the case when a person whose political faith is a question with a portion of the community is in any way engaged in supplying troops. I find in this case but one person, a Mr. Glenn, who is known in any contract against whom objection is made, and that on account of sympathies which it is said he has with the rebellion. This person, however, has taken the oath of allegiance, and is in partnership with one whose Union sentiments none dare asperse. With regard to Mr. Glenn's loyalty Colonel Drew has been the judge, and I have had no proofs offered to me which were sufficient to induce me to believe him disloyal.

Before closing these remarks with regard to the complaints of the sub-Indian agent and citizens against Colonel Drew it is becoming upon me to state that I have not considered it necessary to mention in this report all the facts and all the statements which have induced me to the conclusions I have formed. I trust I have given the matter a careful, thorough, and impartial investigation. That there exists in the minds of a few a strong feeling, and in some cases honestly, but nevertheless erroneously, entertained against Colonel Drew there can be no question. That petty jealousies, personal interests, and party prejudice have had more or less to do with its formation it would be folly for any one to deny. I have therefore endeavored to be guided by facts, and from these alone have I formed my conclusions.

#### CAMP BAKER.

Camp Baker, situated about 8 miles from Jacksonville, consists of a few old log buildings now of no importance to the Government. I would recommend that everything which is of any value, such as locks, windows, and doors, be removed, and that the rest be abandoned or left in charge of any person who will take care of it for the privilege of living in some of the houses and of using the remainder for any purposes he may desire.

#### FORT KLAMATH.

Fort Klamath, Oregon, is situated 8 miles north of the waters of the Upper Klamath Lake. It is about 86 miles from Jacksonville by the new wagon road leading to it, about 20 miles south of the Rogue River, and John Day Turnpike, which runs from Jacksonville to the Boisé mines, and about 50 miles north of the present southern emigrant road leading into Oregon. Near to where the post is located run all the trails leading from Yreka northward. The fort is placed in the most beautiful and pleasant part of the valley. It has a southern exposure, and is surrounded by wood and water in the greatest abundance. The soil appears of a peculiar nature, but the luxuriance of the grass would seem to indicate that it was capable of producing grain and many of the vegetables in great profusion. It is my opinion that within a year or two cavalry will be as cheaply sustained at this place as they are now in the Rogue River Valley. It is claimed by many that there are at least six townships of good land in close proximity to the fort which hold out great inducements for settlers. That it is quite cold in this vicinity during the winter, is certain; its elevation being about 4,000 feet above the sea. Still the Indians say that the lake is seldom frozen over for more than a few weeks, and it is quite certain that they winter their stock but a few miles farther south.

#### ROADS.

The road from Jacksonville to the fort was made in about one month by Company C, First Oregon Cavalry, commanded by Capt. William Kelly. The lieutenants belonging to this company are First Lieut. F. B. White, who has been all the time on duty with the company, and Second Lieut. D. C. Underwood, who has performed the

duties of quartermaster and commissary. The road runs near Mount McLaughlin and is as good as could be expected. The work expended upon it shows that the men must have labored with more than ordinary industry to have finished it in so short a time. It is anticipated that soon a wagon road will be opened from the fort to the John Day turnpike north, and also to the Yreka wagon road south. It is my opinion that the fort can be supplied much more cheaply by the way of Yreka than it is now through Jacksonville. Again, the present location of the fort is on the old Nez Percés Indian trail, leading from California to Snake River; and it is near the road from Yreka to the emigrant road leading from Fort Boise to the middle fork of the Willamette River, and it is also in the vicinity of the new wagon road leading up the Rogue River to the Boise mines. It is more than probable that three times the amount of travel will pass these trails and this road than will pass over the old emigrant road through the Modoc country.

(The above is taken from a petition addressed to the governor of Oregon, praying that he will use his influence that the new fort may not be removed.) There can be little reason to doubt that soon cavalry stationed at this fort will find roads in all directions, by which they can operate and hold in subjection the Indians in all the surrounding country.

#### BUILDINGS AT FORT KLAMATH.

The buildings now in process of erection are being constructed under estimates and plans made by Colonel Drew and approved at department headquarters. Colonel Drew appears to be exercising the best of judgment in their location and the greatest economy in their plans. In the original plan the store-house was found to be too small to answer the purposes of the quartermaster and commissary. It has accordingly been built 80 by 30, which is quite small enough for a two-company post. There is no estimate or plan yet made for a stable, and I would recommend that the stables be at once built. The carpenters are now at the fort, and they will work quite as cheaply, if not cheaper, during the winter than they will in the spring. An office building for the commanding officer, and also for the office of the quartermaster and commissary, should also be added to the original estimates.

#### QUARTERMASTER AND COMMISSARY DEPARTMENT.

Lieutenant Underwood is the acting quartermaster and commissary. He up to this time has done the duties at both Camp Baker and Fort Klamath. This has to some extent made him responsible for property beyond his immediate control. Inasmuch as the horses are this winter to be kept in Rogue River Valley and a sufficient number of men to care for them, I recommend that the responsibility be divided between two officers, one with the horses and the other at Fort Klamath, which Colonel Drew has decided to order. The business in these departments has been conducted with economy. It is true that in all cases the usual mode of advertising for contracts has not been resorted to, but in every case, before supplies have been bought, authority for the purchase has been received from the headquarters of the department. The dispatch necessary in building and supplying the new post would hardly allow the usual method of advertising in all cases, and it is very questionable, had this method been followed, if the Government would have profited by it. I therefore believe that although the course pursued has promoted some jealousy among the citizens, nevertheless the Government has not been the loser. The papers in these departments seem to be well kept and very well understood.

#### COMPANY C, FIRST OREGON CAVALRY.

Company C numbers 79 rank and file, 76 of this number are present. The men appeared in good health, only 3 being sick at the time I inspected. The arms and accouterments were good, the clothing apparently new, and the company dismounted made a fine appearance. The horses are nearly all American and Oregon raised, in fine condition, and serviceable for any duty. These horses I inspected at Fort Klamath and in Rogue River Valley. The company books are well kept, as well as all the company property accounts. The officers and men were in camp at the time I inspected, and just having moved and not yet being settled, there were allowances to be made for many things relating to official papers and records.

#### INDIANS.

Colonel Drew thinks that about 10 miles south of the fort, there is a good place for an Indian reservation, and which, if selected, will place all the surrounding Indians directly under the command of the fort. La Lakes tribe now live in this

vicinity. The Indians have already given up to the troops several stolen horses and one mule, showing that their presence is already felt and appreciated. I have little fears of murders on the emigrant road, where they are said usually to have occurred, if Fort Klamath is occupied by cavalry; during the winter the troops at Fort Klamath will hold completely at their mercy all the tribes in the vicinity of the Klamath Lake Valley.

I have the honor to be, captain, your obedient servant,

JAMES VAN VOAST,

*Captain, Ninth Infantry, Inspecting Officer.*

Capt. E. S. PURDY,

*Assistant Adjutant-General, Department of the Pacific.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*San Francisco, November 27, 1863.*

COLONEL: I have the honor to submit herewith copies of communications addressed to me on the 10th and 14th of the present month, by Maj. M. B. Duffield, United States marshal for the Territory of Arizona, together with my replies, dated respectively on the 11th and 17th instant. Major Duffield goes to-day on the steamer to San Pedro, southern California, and at the same time I send down a company of the First Cavalry, California Volunteers, numbering 100 well-mounted men. The organization of the 7 companies of the First Cavalry, California Volunteers, is nearly completed; the last company will be mustered early in December. I have already two of these companies in southern California, and others will be thrown forward at convenient intervals to the Territory of Arizona.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Col. E. D. TOWNSEND,

*Assistant Adjutant-General,*

*Headquarters of the Army, Washington, D. C.*

OCCIDENTAL HOTEL,

*San Francisco, Cal., November 14, 1863.*

Brigadier-General WRIGHT:

DEAR SIR: You have probably received ere this a requisition from the Department at Washington for three regiments of troops to be employed in Arizona. I am requested by Governor Goodwin, who holds an order on you from the War Department, duly signed by the President, to call on you to furnish the requisite number of men for the purpose mentioned by the 1st of December ensuing.

Please reply at your earliest convenience.

Respectfully, yours,

M. B. DUFFIELD,

*United States Marshal, Arizona.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,

*Sacramento, November 10, 1863.*

SIR: I have received your note of the 10th. I have received no orders from the War Department to furnish any special number of troops for service in Arizona; but it makes no difference whether orders were sent me or not, as I should take great pleasure in sending a suitable escort to the governor and officers of the Territory. I shall be in San Francisco on Saturday.

Very respectfully, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Hon. M. B. DUFFIELD,

*United States Marshal for Arizona, Occidental Hotel, San Francisco.*

OCCIDENTAL HOTEL,

*San Francisco, Cal., November 14, 1863.*

Brigadier-General WRIGHT:

DEAR SIR: I am requested by Governor Goodwin, of Arizona, to call upon you for three regiments of troops for the protection of that Territory, principally cavalry.

Please inform me if you can make it convenient to comply with that request; and if so, whether it will be possible to furnish said troops by the 25th of the present month, and oblige,

Yours, with the greatest respect,

M. B. DUFFIELD,  
*United States Marshal, Arizona.*

Brigadier-General WRIGHT, U. S. Army,  
*Commanding Department Pacific.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, November 17, 1863.*

SIR: I have received your communication of the 14th instant.

It is entirely out of the question to furnish the number of troops that Governor Goodwin requests for service in Arizona. I am now preparing to throw forward the balance of the First Regiment of Cavalry, California Volunteers, via Fort Yuña, and thence into the Territory of Arizona; one company of the regiment will be prepared to march from Camp Drum, New San Pedro, Cal., about the 1st of December, and the officer in command will be instructed to afford you protection and assistance in reaching your destination. Other companies will follow at convenient intervals. The disposition of the forces after reaching Tucson rests with Brigadier-General Carleton, as that Territory is at present within the Department of New Mexico. Should the Territory of Arizona be restored to my department, I shall take great pleasure in sending such a force there as will insure protection from foes within or without, and maintain the authority of the civil administration.

With great respect, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding Department.*

Maj. M. B. DUFFIELD,  
*United States Marshal for Arizona, Occidental Hotel.*

EXECUTIVE DEPARTMENT,  
*Carson City, Nev., November 30, 1863.*

Brigadier-General WRIGHT,  
*Commanding Department of the Pacific:*

SIR: A company of organized militia under our Territorial laws has been organized in Virginia City by the name of The National Guards, commanded by Capt. W. E. Melville. The company are legally organized and have complied with all the requisitions of our law and are all loyal men. The company numbers 80 men. Will you issue an order to Major McDermitt to deliver to Captain Melville arms for that number, subject to such rules as you may prescribe?

I am, dear sir, your humble and obedient servant,

JAMES W. NYE,  
*Governor and Commander-in-Chief of Nevada Militia.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, December 9, 1863.*

His Excellency J. W. NYE,  
*Governor of Nevada Territory, Carson City, Nev.:*

GOVERNOR: I have the honor to acknowledge the receipt of your excellency's communication of the 30th ultimo. The arms and accouterments invoiced to the commanding officer of Fort Churchill will be forwarded from Benicia Arsenal as soon as possible. I will accept and muster into the service of the United States for the Territory of Nevada one complete regiment of infantry. The plan of organization, as well as all the instructions and orders from the War Department touching the subject will be furnished to your excellency by Col. W. Seawell, U. S. Army, commissary of musters and mustering officer for this department, stationed at my headquarters.

With great respect, your excellency's obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*



HEADQUARTERS DISTRICT OF OREGON;  
Fort Vancouver, Wash., December 3, 1863.

His Excellency A. C. GIBBS,  
Governor of Oregon, Portland, Oregon:

GOVERNOR: Herewith I inclose a letter of the 27th instant to you from Col. R. F. Maury, First Oregon Cavalry, recommending certain appointments in the First Oregon Cavalry:

First Lieut. W. V. Rinehart, adjutant, First Oregon Cavalry, to be captain, vice T. S. Harris, resigned.

First Lieut. B. F. White, to be regimental adjutant, vice Rinehart, appointed captain.

Second Lieut. D. C. Underwood, to be first lieutenant, vice White, appointed regimental adjutant.

This last name is implied by the closing sentence of Colonel Maury's letter, though he evidently by accident failed expressly to recommend Second Lieutenant Underwood's promotion.

I concur in recommending the above appointments. But I recommend delay in any appointment of second lieutenant in place of Underwood, as I do not know that Company C has reached the minimum.

By War Department General Orders No. 182, of 20th June, 1863, if a company falls below the minimum (of 82 enlisted men) the vacancy of second lieutenant can not be filled if it should occur. On 16th October Captain Kelly reported that he had 78 enlisted men.

The letter of 20th August to you from General Wright's headquarters (a copy of which you forwarded me) authorized the vacancy caused by the resignation of Captain Harris to be filled. That involves also, I suppose, filling the other vacancies caused by the promotion of Rinehart.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,  
Brigadier-General, U. S. Volunteers, Commanding District.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., December 10, 1863.

His Excellency J. W. NYE,  
Governor of Nevada Territory, Carson City:

SIR: After the four companies of cavalry already called for from Nevada Territory shall have been filled and mustered into service, I will accept two more companies of cavalry, to be organized in the same way.

Very respectfully, your excellency's obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, December 24, 1863.

His Excellency F. F. LOW,  
Governor of California:

SIR: In obedience to your request I have the honor to inform you that the number of Sixth Infantry recruits at Benicia Barracks, on the 20th of this month, was 205. Colonel Black is now here, and any instructions you may give on the subject of consolidation will be promptly executed.

Very respectfully, your obedient servant,

R. C. DRUM,  
Assistant Adjutant-General.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, December 26, 1863.

LIEUTENANT: You have been on recruiting service for some time. There is no probability that you can "secure an organized company within a reasonable time." Therefore, under General Orders, No. 75, of July 8, 1862, your appointment on recruiting service as second lieutenant cavalry, Oregon volunteers, is hereby revoked.

There is no position in a consolidated company which I can give you, though I wish it were otherwise.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

JOHN DAROUGH,  
Second Lieutenant Cavalry, Oregon Volunteers.  
(Copy for Brig. Gen. B. Alvord.)

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, December 26, 1863.

LIEUTENANT: You have been on recruiting service for some time. There is no probability that you can "secure an organized company within a reasonable time." Therefore, under General Orders, No. 75, of July 8, 1862, your appointment on recruiting service as second lieutenant cavalry, Oregon volunteers, is revoked.

There is no "position in a consolidated company" which I can give you, though I wish it were otherwise.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

FRANCIS HENRY,  
Second Lieutenant Cavalry, Oregon Volunteers.  
(Copy for Brig. Gen. B. Alvord.)

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., December 30, 1863.

His Excellency A. C. GIBBS,  
Governor of Oregon, Portland, Oregon:

GOVERNOR: I have to request that you will please inform me if you have any duty to which to assign Second Lieut. J. F. Noble, recruiting officer, First Oregon Cavalry. He has been acquitted by the general court-martial, but I have as yet received no action by the general commanding the Department of the Pacific on your letter of September 26 last, revoking "his appointment after he has stood trial or investigation."

I have respectfully to request that you will again express to me your desire for said revocation. In fact, I suppose you can add that you have no such duty for any one, as it is not advisable to attempt to raise another company.

All the recruits we have raised have not yet brought Captain Small's company to the minimum. You have had no recruiting officer in Portland since August 4.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,  
Brigadier-General, U. S. Volunteers, Commanding District.

EXECUTIVE DEPARTMENT, STATE OF OREGON,  
Portland, December 31, 1863.

GENERAL: In reply to your letter of yesterday I have to say, that on the 26th day of September, 1863, I revoked the order appointing John F. Noble as recruiting officer, etc.

If such was not the case I have no duty to which I could assign him. I have found it impossible to raise any more companies under my proclamation of last January, and all recruiting offices have been closed.

I have the honor to be, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. B. ALVORD,  
Commanding, etc.

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., January 1, 1864.

A true copy.

J. W. HOPKINS,  
First Lieutenant First Oregon Cavalry, Acting Assistant Adjutant-General.

1864.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
*San Francisco, January 8, 1864.**Adjutant-General U. S. Army, Washington, D. C.:*

SIR: The First Infantry, Washington Territory Volunteers, being reduced to one-half the maximum number prescribed by law, I have ordered the regiment to be consolidated into five companies, under the requirements of General Orders, No. 86, from your office, dated April 2, 1863.

The First Cavalry, Oregon Volunteers, is also reduced to one-half the maximum organization, but as there are now only seven companies in the regiment, and bearing in mind that the field officers and staff of the regiment were originally appointed by the War Department, I have as yet given no orders for consolidation.

The Second Cavalry and Fourth Infantry, California Volunteers, being below the minimum organization, the vacancies of colonel in each of those regiments remain open.

The First Cavalry, California Volunteers, being above the minimum, the colonel of that regiment, lately appointed by the governor, has been mustered into the service.

The Sixth Infantry, California Volunteers, is still in progress of organization.

Recruiting parties from the different volunteer regiments have been ordered to report to the superintendent in this city, and I am in hopes of procuring quite a number of men who would prefer volunteering to running the chance of being drafted.

All the volunteer regiments in this department have a reduced number of commissioned officers, none being appointed beyond those necessary to command the reduced number of the rank and file.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

---

HEADQUARTERS, DISTRICT OF OREGON,  
*Fort Vancouver, Wash., January 20, 1864.*

His Excellency A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon:*

GOVERNOR: Capt. W. Kelly, First Oregon Cavalry, commanding Company C of that regiment, at Fort Klamath, reports that his company has now 83 enlisted men. Therefore, under the provisions of War Department General Orders No. 182, of the 20th of June, 1863, it is entitled to a second lieutenant, vice Underwood, promoted to first lieutenant. I therefore recommend you to appoint Sergeant-Major S. M. Parson, of that regiment, who was named by Colonel Maury, commanding that regiment.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, January 20, 1864.*

GENERAL: I respectfully recommend that John F. Noble be paid for his services while he was second lieutenant cavalry, Oregon Volunteers, and engaged in the recruiting service. He worked zealously for some time and enlisted twenty-one men, which were transferred to consolidated Company G, First Regiment Cavalry, Oregon Volunteers, commanded by Capt. H. C. Small.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. B. ALVORD,  
*Commanding District of Oregon.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, January 20, 1864.

GENERAL: John-Darragh, while on recruiting service as second lieutenant cavalry, Oregon Volunteers, faithfully worked to raise a company and expended some money while he was in the service. He enlisted a few men, which were subsequently transferred, by my order, to Company G, First Regiment Cavalry, Oregon Volunteers. I therefore recommend that he be paid for his services while so employed.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. B. ALVORD,  
Commanding District of Oregon.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, January 20, 1864.

GENERAL: Francis Henry has been on recruiting service for some time; he enlisted three men and incurred considerable expense in traveling and otherwise while he was so employed as second lieutenant cavalry, Oregon Volunteers. I therefore recommend that he be paid for the time he was so actually employed.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. B. ALVORD,  
Commanding District of Oregon.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, January 21, 1864.

GENERAL: There are two men yet remaining at Fort Steilacoom, enlisted in the cavalry service while Second Lieutenant Francis Henry was in the service as recruiting officer. He informs me that they wish to be assigned to a company of cavalry at Vancouver. Please inform me what can be done in the premises; and if ordered by me to Fort Vancouver, whether or not transportation or means of conveyance can be furnished them.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. B. ALVORD,  
Commanding District of Oregon.

PORTLAND, January 23, 1864.

Governor of Oregon reports having appointed S. M. Parsons second lieutenant First Oregon Cavalry.

(Paper not on file.)

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, January 26, 1864.

Adjutant-General U. S. Army, Washington, D. C.:

SIR: With the exception of occasional Indian difficulties, I have nothing special to report within the limits of my department. The district of Humboldt is still the theater in which predatory bands of Indians commit their depredations. Lieutenant-Colonel Whipple, of the Mountaineer Battalion, is in command of that district, embracing the northwestern portion of California. He has, beside his own battalion raised in the district, six companies of the Second Infantry, California Volunteers, and one company of native California Cavalry. He is doing all that is possible to kill or capture those Indians and restore peace to the country. He encounters innumerable difficulties; it is impossible to strike a decisive blow; the Indians prowl about in small parties, and make sudden raids through the sparse settlements, and being well acquainted with the mountain trails, make their escape. The troops have been active and bold, and whenever an opportunity has offered have done themselves

credit, and with the additional force I have given to Colonel Whipple I am in hopes of restoring peace throughout the district in a few months. But to maintain it those Indians must be removed out of that country. The Indian reservation system, so near their old homes, has proved a failure.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

---

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
*Washington, January 28, 1864.*

Brig. Gen. GEORGE WRIGHT, U. S. Volunteers,  
*San Francisco, Cal.:*

The General-in-Chief calls your attention to the importance of sending the remaining companies of the First Cavalry, California Volunteers, to New Mexico before the hot weather begins.

E. D. TOWNSEND,  
*Assistant Adjutant-General.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, February 3, 1864.*

COLONEL: I have the honor to acknowledge the receipt of your telegram of the 28th of January. I have already sent four companies of the First Cavalry, California Volunteers, to southern California; one of them has probably reached Tucson by this time, escorting the marshal of Arizona and the superintendent of Indian affairs.

The other companies will move in the same direction as soon as transportation is prepared. The three remaining companies, two at Camp Union and one at Benicia Barracks, have not yet been mounted. They are undergoing a thorough course of instruction on foot. In December Colonel Babbitt, chief quartermaster of this department, received a dispatch from the Quartermaster-General instructing him not to pay for any more horses until further orders. I accordingly suspended the purchase, presuming that we should have to wait for an appropriation by Congress before recommending. I have now ordered Colonel Babbitt to purchase a sufficient number of horses to mount the three companies, and as soon as this is accomplished they will be sent to San Pedro by water. In the mean time the three companies now at San Pedro will move at an early day for Tucson, via Fort Yuma, under command of Col. O. M. Brown, First Cavalry, California Volunteers.

I have ordered that all the transportation used by the companies be sent back from Tucson to Fort Yuma, to meet the remaining companies as they arrive at the station. I have purchased a very large number of wagons and mules within the last two years; for General Carleton's expedition I had to purchase 200 wagons and more than 1,200 mules, and a very large number of wagons and mules for General Connor's expedition to Salt Lake and the re-inforcements since sent to the same place; thus it will be seen that the heavy expenditures for the means of transportation in this department have been rendered necessary in preparing commands for the Department of New Mexico and other remote districts.

I have also to acknowledge the receipt of a telegram from Major Williams, assistant adjutant-general, dated January 28, inviting my attention to the expediency of granting furloughs to soldiers of the regular Army who may re-enlist before the 1st of March. The necessary instructions have been given.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Col. E. D. TOWNSEND,  
*Assistant Adjutant-General, Washington City, D. C.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, February 2, 1864.*

*Adjutant-General U. S. Army, Washington, D. C.:*

SIR: I have sent another company of the First Cavalry, California Volunteers, to San Pedro. This makes four companies of that regiment which I have sent south on their way to Arizona Territory. They are well mounted and equipped. This leaves three companies of the regiment—one at Benicia Barracks and two at Camp Union,

Sacramento—not yet mounted. When General Carleton moved into Arizona and New Mexico he took with him one company of the Second Cavalry, California Volunteers. I shall be glad to have that company returned to this department; it can be sent as escort for the trains returning from Tucson to Fort Yuma.

I have sent one company of the Ninth Infantry (regulars) from the Presidio to Port Vancouver, with a view of having troops at Vancouver ready to man the batteries now being erected at the mouth of the Columbia River by the engineer department.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
Washington, March 2, 1864.

Brig. Gen. GEORGE WRIGHT,  
Commanding Department of the Pacific, San Francisco, Cal.: -

SIR: Your communication of the 2d ultimo, reporting the movement of troops, has been submitted to the General-in-Chief, and is approved by him.

I am, sir,

W. A. NICHOLS,  
Assistant Adjutant-General.

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., February 6, 1864.

His Excellency A. C. GIBBS,  
Governor of Oregon, Portland, Oregon:

GOVERNOR: I have some comments to make upon the letter of instructions of the 19th ultimo from department headquarters in the case of Lieut. J. F. Noble. These comments I feel bound to place on record in justice to my own views and position and also in justice to what I claim are your rights in the premises.

(1) The decision is now based on the fact that the board of officers rejected him as a captain, and not as a second lieutenant.

In Colonel Drum's letter to me of the 3d September, 1863; he was decided to be still in the service, because his appointment "had not been revoked by you under the second clause of War Department Orders, No. 75, of 1862." General Wright thus, under that date, decided that he was still in the service and had him tried. This last letter speaks of his being "restored to his rank" as if he was out of service. Such are some of the manifest inconsistencies of this letter.

(2) It begins by asserting that Mr. Noble was mustered into service in January, 1853, as second lieutenant "of a company." This I deny. He was mustered in as conditional second lieutenant and recruiting officer of the First Oregon Cavalry, and not as second lieutenant "of a company." There was no company—it was all in future. He and all the other recruiting second lieutenants appointed by you recruited for the regiment. It is true it was with the hope of raising a company. But not one was or could be considered a second lieutenant "of a company" until such company was raised and you appointed the officers, including the second lieutenant of said company.

(3) If Mr. Noble was in the service after his rejection by the board, it was as second lieutenant and recruiting officer, Oregon cavalry. You appointed Lieutenant Maguire as second lieutenant of G Company. He was duly appointed, and his discharge is improper and in derogation of your authority and of the rights of Lieutenant Maguire. Mr. Noble has never been appointed by you second lieutenant of that company, and he is assigned to that company in defiance of your prerogative.

(4) Under General Orders, No. 75, until companies were raised and organized they were "under the exclusive control of the governors of the States." Therefore Second Lieutenant Noble was, if in the service at all after his rejection, under your exclusive control. By your consent he was here to be tried by the court-martial; without your consent General Wright takes possession of him and places him as second lieutenant in G Company. He is thus assuming to himself the post of governor, as well as that of general commanding the Department of the Pacific. He might as well have assigned John Darragh, without consulting you, as second lieutenant of G Company; first ordering Maguire to be mustered out.

(5) In Colonel Drum's letter of 3d September the defect of my discharge was that you had not, after his rejection by the board, revoked his appointment. Now, forsooth, General Wright discovers that you could not do it. "It is not alleged that Lieutenant Noble failed to secure an organized company within such reasonable time



as the governor may designate, and hence his appointment could not be revoked by the governor under the second paragraph of the general order above referred to." He did fail to raise a company. All the recruiting lieutenants failed; and it was only by consolidation that a company was obtained—a consolidation which necessitated the revoking of the appointments of several of them. In fact, Captain Small raised nearly as many men as Mr. Noble, and the latter did not get one-fourth of the company. The company has never yet reached the minimum, and it was by expressly overlooking that fact that the department commander authorized its muster into the service in August. Upon his express invitation you revoked the appointment of Mr. Noble in your letter of the 26th September, and out of respect to him you made it take effect after the trial was over. On the 30th December you sent a letter adhering to your revocation. In defiance of this he retains Mr. Noble in the service, claiming now that you have no such authority of revocation in this particular case. He interprets orders 75 first one way, then in a few months directly the reverse.

(6) If you have not properly discharged Mr. Noble from the service, I see not how the other recruiting lieutenants can be considered properly discharged from the service. He would leave to you, in the exercise of your authority under Order No. 75, only so much and no more as he arbitrarily interprets to belong to you.

(7) He says that the board rejected him as a captain. Why does he not order me to convene a new board to examine and pass upon him as second lieutenant of the company? He has never been examined for second lieutenant.

(8) The assembling of such boards was directed by him in the case of officers of First Oregon Cavalry and of Steinberger's regiment, and in his General Orders, No. 26, of 1st July, 1862. Suppose one of them was rejected, he should have been discharged as a matter of course, and another officer appointed in his place. Any other course makes a mere mockery of boards. General Wright had instructed my predecessor, Colonel Cady, to ferret out deprecations on the Quartermaster's Department, and the letters spoke of his dismissing "summarily" those detected. The instructions to Lieutenant-Colonel English as acting inspector-general promised "summary" dismissal or punishment for like offenses. I admit that I favored Mr. Noble's rejection in part for his action in the barley transaction, loaning 30,000 pounds barley and recommending to Lieutenant Fox to conceal the whole transaction from me. Here was a fit occasion, a fair opportunity, for "summary" action in a legitimate way—action calculated to have a salutary influence in my district upon the whole quartermaster's department. How have I been sustained in my proceedings? The words "wrong" and "injustice" are employed in this letter. I consider Uncle Sam the individual who is wronged and who is the goose to be plucked.

(9) I could, on the reception of this letter of the 19th ultimo, have carried out Department General Orders, No. 26, of 1st July, 1862, and ordered a board to convene to examine Mr. Noble as second lieutenant. This might have caused another month's delay. This course I would have taken if I had believed that it would result in any benefit to Lieutenant Maguire. The War Department is too remote for appeal, and I concluded that the best thing I could do for Lieutenant Maguire was to obey promptly the order and to ask General Wright to take a course to transfer Maguire (with your consent) to Captain Kelly's company.

(10) I shall speak of my personal relations with Mr. Noble. They have been very friendly. I had recommended him to you for appointment, but I did not know his faults, or of course I should not have recommended him. But you will note that the fact of my having thus recommended him would certainly (so far as it goes) induce me from pride to be very careful how I went adverse to him.

As the idea is conveyed in this letter that a wrong and injustice was done to Mr. Noble and as I hear that a notion of persecution towards him is somewhat entertained in some quarters, I wish here to state in writing (what you have often been told verbally before) that I felt forced to favor his rejection only from a high sense of duty to the service, for my relations to him and above all to his lady had been very friendly. It was in spite of all these ties that I went against him. Instead of personal feeling leading me to be adverse to him, the deep interest I had in his family was a most powerful influence to entice and if possible to swerve and bribe me to a different conclusion. But there was a point beyond which forbearance and charity ceased to be virtues, and the conduct of Mr. Noble forced me to that point. It was done in sorrow not in anger. And it was done before I knew of all his subsequent falsehoods, which were calculated to alter *in toto* his relations to me. As to the extraordinary findings of the general court-martial I solemnly aver that the greater portion were in utter conflict with testimony of the most unquestioned and unimpeachable character.

(11) Thus I respectfully submit that if any wrong has been done a careful scrutiny will show that the wrong is done by this decision to myself, to you, to Lieutenant Maguire, to the regiment, and the public service. An officer unfitted for the position is retained and a most excellent officer displaced, and that, too, is done in derogation of the laws and orders of the appointing power of the executive of Oregon.

In conclusion I will add that I do not impugn General Wright's motives; for them I have always entertained a high respect, but I do assert that he is so inflexibly wedded to his own notions that he has not reached correct conclusions in this transaction.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,  
Brigadier-General, U. S. Volunteers, Commanding District

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., February 10, 1864.

His Excellency A. C. GIBBS,  
Governor of Oregon, Portland, Oregon:

GOVERNOR: A letter from a recruiting officer in Oregon to Col. R. F. Maury, of the First Oregon Cavalry, says that the idea prevails that there is "no necessity for more troops; indeed, that to keep troops in this district is a useless expense," etc. Every person acquainted with the wants of the frontier understands how idle such remarks are. But I desire to say distinctly that more troops are necessary, and that we have next spring and summer important work for the Oregon cavalry to perform. I shall recommend to the general commanding the department that troops be sent to traverse thoroughly the whole region between Auburn and Canyon City and the California line. I hope to put two expeditions in the field the whole season for that purpose against the Snake Indians: One from Fort Dalles southeasterly, and one from Fort Boise westerly and southwesterly. I shall also recommend a movement from Fort Klamath easterly; but as that post is not in my district, I can not speak so definitely in reference to it.

Thus you will perceive that it is hoped that the troops will be able to assist the mining population in prospecting, occupying and exploring that portion of Oregon east of the Cascade Mountains which is now a center of great attraction to the public on this coast. It contains no doubt immensely valuable mineral deposits. It is doubtless the intention of the brave and hardy miners to explore it; in any event it is my earnest wish to give them all the assistance and protection in my power. To aid in such an interesting development should be the aim and policy of the Government. Besides the ordinary wants of the Indian frontier, we shall require troops for the fortifications now building at the mouth of the river.

I am just advised from department headquarters that a small expedition will probably be sent from Lapwai next summer to explore the route from Lemhi (the Mormon fort) to the mouth of the Big Horn on the Yellowstone.

Until the 1st March next large bounties are given for recruits — \$302 for those who enlist and \$402 to those who re-enlist. This is by recent legislation of Congress, of the 12th ultimo. Thus now is the time for adventurous spirits to join the First Oregon Cavalry.

Except from the Snakes no Indian troubles are now anticipated. Those who may lightly say that troops are not wanted are little aware how much the profound peace and security which now reigns on our whole Indian frontier is due to the movements of the troops, and especially of the Oregon cavalry, during the two last summers.

For two summers Colonel Maury, with the gallant and efficient regiment under his command, has taken the field upon the emigrant road. He was also ordered to remain out until the end of October. He did not come in prematurely only to hear of a massacre of emigrants in his rear.

In May last six companies of troops were assembled at Fort Lapwai, on the Nez Percé Reservation, to attend the great council convened to effect a new treaty with that tribe. These troops were not needed for influence over that tribe, although it was well to hold in salutary check the warlike minority of the Nez Percés. But the council was attended by runners from all the surrounding tribes; most of them had (as the Palouse, Yakimas, Coeur d'Alenes, Cayuses, etc.) been once at war with us, while the Nez Percés had remained friendly. They were eagerly waiting the hour when the Nez Percés would strike, as, if they would only say the word, many allies full of ancient grudges would cluster around them from those tribes, hugely delighted at the prospect of getting the Nez Percés into a fight.

The establishment of the military post at Fort Lapwai in October, 1862, and this assemblage of troops at Lapwai had thus a most salutary effect, evincing that the power of the Government was not gone, as the rebel sympathizers had endeavored to instill. An ounce of prevention is worth a pound of cure, and those movements may have anticipated and frustrated hostile combinations.

Colonel Maury proceeded from Fort Lapwai through the Salmon River country and thence on the emigrant road.

In October, 1862, the moment I knew of the first discoveries of gold near Boise, I wrote to the War Department recommending the establishment of Fort Boise. In

January the orders of the Secretary of War were received for the establishment of Fort Boise. In June it was established, and it will always be an important and central point in reference to the defense of that frontier.

In February, 1863, it was arranged with Captain Crawford when he started for Washington City that Colonel Maury with his command should meet him at the crossing of Snake River above Fort Hall between the 15th and 20th August. All the arrangements were made accordingly, and they met at the ferry on the 17th August last, at the same moment of time. Colonel Maury returned on the south side of Snake River, sent expeditions up the Bruneau and Malheur and reached Fort Walla Walla on the 26th October.

I am happy to say that thus the most efficient protection has been given to the incoming emigrations of 1862 and 1863. The gallant spirits of the First Oregon Cavalry, who have borne like good soldiers the hardships of the campaigns, are entitled to my thanks for the efficient and cheerful manner in which they have discharged the duty, although they had not the good fortune to meet an enemy. Well do I know that the ardent desire of many of them would be to join in the war in the East, where it would rejoice them to battle in the glorious cause of unity, freedom, and nationality for which the armies of the Republic are now contending.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

HEADQUARTERS, DISTRICT OF UTAH,  
*Camp Douglas, Utah, February 15, 1864.*

GENERAL: I have the honor to acknowledge the receipt of a certified copy of a communication addressed through the General-in-Chief to the Hon. Secretary of War by Hon. J. T. Kinney, Delegate from Territory of Utah, transmitted to me for report and to submit the following as my views on the several subjects contained in the communication referred to.

In regard to the first point made by Mr. Kinney relating to the location of Camp Douglas, I am not apprised whether the camp is within the limits of Great Salt Lake City, as the authorities may have chosen to prescribe in a charter, or describe in an ordinance. For aught I know to the contrary, the Territorial or city authorities may have extended their city jurisdiction on paper over the whole tract of country from the mountains to the Jordan. It was and is a question which has occasioned me neither to make careful inquiry, nor to exercise much consideration. I recognize the supreme authority of the United States as existing here, however little it may be respected by the leaders of the masses of the people, and established my camp on what is unquestionably public domain, never reduced to adverse possession by cities, towns, or private persons, so far as I am aware. I did not recognize the right, now claimed, of the legislature or city to embrace a vast region of country for city or any other purpose antagonistic to the interests of the Government when that Government desired or required any part of such domain.

Mr. Kinney is at a loss to understand why "General Connor should locate his camp within the limits of a peaceful and loyal city," and why he "did not occupy Camp Crittenden." In reply, I have to say that Camp Douglas is on the public domain, at least 2 miles distant from the nearest house in the city. It was selected on account of its salubrious and convenient site and abundance of water. The alleged annoyance to the citizens, from the fact that one of the several streams running through or near the city is rendered filthy by the presence of the troops, is greatly exaggerated, and is, in my opinion, an excuse for, rather than a well-founded cause of, complaint. My reasons for locating the camp were, at the time of location, and still are, regarded as good and sufficient. First, it was and is desirable that the camp should be at some central point in the district where supplies of forage could be most advantageously procured, and whence roads diverge in all directions—north, south, east, and west. These advantages could best be secured at its present location. Second, I deemed it not only prudent, but absolutely necessary to the respect due to, and the dignity of, the Government, that the camp should be located and maintained in the immediate vicinity of the headquarters of Brigham Young and his attendant nest of traitors.

Previous to my arrival I was not only informed but it was bruited about in every direction among the people that the forces under my command—soldiers marching to the relief and for the protection of the Territory—would not be permitted to cross the Jordan, on the west. This threat publicly given out, I subsequently found to have been intended as an intimidation, with a view to stopping the command at Fort Crittenden. How much the desire of speculators to sell to Government the buildings at the latter point at exorbitant rates had to do with the origin of the threat, I deem it unnecessary here to argue.

Mr. Kinney overstates the fact very considerably when he dwells on the loyalty and peacefulness of the people of Utah. They are bound down by a system of church tyranny more complete than that which held the bondmen of ancient Rome in early days, or now intralls Africa's sons on the cotton fields of the South. The world has never seen a system of bondage, abject slavery, espionage, and constant, unintermitting tyranny in the most trivial relations of life, more galling than that with which Brigham Young oppresses the people in the name of religion. His teachings and those of his elders all tend to impress disloyalty upon the minds of his subjects and antagonism towards the Government, in which he recognizes neither authority over him nor goodness in itself.

Until my arrival and location in his immediate presence, his pulpit harangues were but iterated and reiterated denunciations of the Union and outbursts of bold-faced treason. Even now he and his chosen apostles, the minions of himself and the teachers of the people, can hardly conceal their inborn treason or repress the traitorous words which fill their hearts and break upon the ear in ill-concealed sneers and covert insinuations against the Government which fosters and protects them in their iniquities.

As a specimen of the loyalty and patriotism of the man from whom this people receive their ideas as well of religion as of morality and the Government of the United States, I quote a brief paragraph from one of the so-called sermons of Brigham Young, delivered in presence of the assembled multitude on the 6th of October, 1863, at the Bowery, in Salt Lake City, to the semi-annual conference then in session, viz:

"As for those who Abraham Lincoln has sent here, if they meddle with our domestic affairs, I will send them to hell across lots, and as for those apostates running around here, they will probably fall down and their bowels will gush out, or they will bleed somewhere else."

A sermon as remarkable for its innate treason, villainous hatred of the Government, and extreme vulgarity as it is for its grammatical construction. Were it not that these words as used by the chief priest of the church are susceptible of the most complete and overwhelming proof, it would pass credence that they were ever uttered by any man, however debased, in any pulpit in the land.

Taught, led, governed, tyrannized over by such men, by means of the most perfect system, extending throughout the whole people, and down into the deepest recesses of every-day private and domestic life, covered with the thin gauze of a superstition called religion, unparalleled in the history of the world, and a disgrace at once to the civilization of the nineteenth century and the free institutions of the land, it is not to be wondered at that the people, ignorant and deluded, should have attained a state of feeling not merely inimical to the Government, but bordering on treason, only suppressed for the time by the presence of troops or the personal fears of the wily, traitorous, and treacherous leaders.

When, therefore, Mr. Delegate Kinney affects patriotism himself, and with persecuted air and earnest professions characterizes the people of Utah as either loyal or peaceful, he but excites a smile upon the lip of even the casual passer through this land of polygamy, treason, and kindred crimes.

I beg to assure the Department that the presence of the troops both in the Territory and on the present Government reservation at Camp Douglas has done much to prevent treasonable outbursts and conflict with this peculiar people, and is doing much in a quiet way to lead the community back to allegiance and proper respect and regard for the Government. Brigham Young has impiously sworn and prophesied that the troops should either be destroyed or removed from Camp Douglas, and should the Department intervene to remove the troops, not only would it not commend Government to the mass of the people, but it would serve to strengthen his power and fulfill his prophesies. Not only would such course be injurious to the Government itself, but the transfer of the troops would be regarded by thousands of the citizens suffering under a worse than Egyptian bondage as a withdrawal of the last ray of hope and an abandonment of them to their hard fate.

That their condition has been much ameliorated since the arrival of troops I have the strongest and best reasons for believing, and many look forward eagerly and hopefully to the time when the power of the Government shall be felt, or the incoming of a new population may release them from a galling despotism and restore them to their long-lost rights as American citizens.

I have had recent evidence of the boasted loyalty of these people in the return of an expedition sent to the South for the protection of miners. The officer in charge, Lieut. John Quinn, Second Cavalry, California Volunteers, in his official report states that in many places not only could he not obtain forage for his animals at any price, the people asseverating that they would not sell a grain to Uncle Sam's minions, but he was absolutely prohibited from entering their farm houses or seeking shelter from the winter's storms in barns, sheds, or outhouses.

I have also learned from credible witnesses that, in cases not few or exceptional, Gentile merchants and traders visiting the southern settlements to purchase flour and

grain are invariably asked if they are buying for the troops, with the declaration of farmers that, if so, grain and flour would not be sold at any price. The mere suspicion of being an agent of the Government in search of supplies is sufficient to violate any contract previously made and debar the purchaser from obtaining a bushel of wheat or a sack of flour or other produce.

I inclose for the information of the Department (marked A) a certified copy of a communication just received by me from miners, citizens of the United States, wintering in the neighboring town of Franklin, near the northern border of the Territory.

I need hardly say that the utmost protection will be afforded them should it be required; but it is surely an anomalous position of affairs that citizens of the United States, peacefully seeking the settlements of a Territory of their common country, and that Territory professing, through its Delegate, loyalty and patriotism, merely asking the hospitality accorded to humanity, should be compelled to look for protection from the armed troops of the Union. The hypocrisy of claiming either loyalty or peacefulness for such a people is too palpable to require further comment.

In reference to the special order directing stray cattle found on the reserve to be shot, which is complained of by Mr. Kinney as emanating from me, the Department is respectfully informed that the same was issued by Colonel Pollock, commanding Camp Douglas, and immediately on coming to my notice it was revoked by me and has not in a single instance been executed.

The Department is informed that Mr. Kinney is mistaken in the assertion that this command is subsisted to any considerable extent from "the products of the soil of the Territory." Our subsistence supplies are entirely drawn from the East, except only flour, beef, and vegetables, for which articles we are now paying exorbitant rates, induced and purposely made so by the edict of Brigham to his people not to sell to the troops. In this manner have the contractors (Gentiles) been broken up and forced out of the field of supplying, and Brigham himself or his chosen bishops derive the profits from the enormous and unreasonable prices demanded and necessarily paid.

For the same reasons the hay and wood contractors have been unable to fulfill their contracts, and the troops were compelled to go into the mountains 20 miles distant, in the dead of winter, to cut and transport timber for fuel, while the animals, from sheer necessity, have all been turned out to exist upon the light herbage to be found on snow-clad hills and wintry plains. In consequence of this, not only have the troops at times suffered for want of fuel, but the cavalry has necessarily been dismounted, and many of our animals have perished for lack of food, when it is a conceded and well-known fact that there is an abundance of forage in the Territory, for which the contractors have in vain offered the most exorbitant rates.

After this statement of facts bearing on the subject, I deem it my duty to the Government and the country to add that I would regard it as extremely injudicious and impolitic in every sense for the Department to comply with the request of Mr. Delegate Kinney, and it would only do so under the most decided and earnest, yet respectful, protest on my part.

In conclusion I may be permitted to add that, while an order transferring either myself or my command to the active scenes of the East would but be responsive to my own and the universal heartfelt desire of the troops under me, I must beg leave respectfully to suggest that neither they nor I have constituted Mr. Kinney our spokesman, and with a proper appreciation of his unasked-for interposition to that end and a due respect for the position he holds, would prefer communicating our wishes, on proper occasion, through some other and probably more congenial channel.

I have the honor to remain, very respectfully, your obedient servant,

P. EDW. CONNOR,

*Brigadier-General, U. S. Volunteers, Commanding District.*

HENRY W. HALLECK,  
*General-in-Chief, Washington, D. C.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, February 16, 1864.*

*Adjutant-General U. S. Army, Washington, D. C.:*

SIR: Colonel Black, Sixth Infantry, California Volunteers, with the major of his regiment and three companies, numbering 250 rank and file, left Benicia Barracks yesterday for Fort Humboldt for the purpose of terminating the Indian war in that district, as reported to you in my letter of the 8th instant.

Another company of the First Cavalry, California Volunteers, has marched from Drumm Barracks, via Fort Yuma, to Tucson, Ariz. The two companies of the same regiment now at Camp Union, Sacramento, and the one at Benicia Barracks are now



being mounted. One of these companies, with the colonel of the regiment, will leave for Drum Barracks on the 20th instant, and the remaining two companies will be prepared to move to the same point by the 1st proximo. Transportation has been prepared by the quartermaster's department at Drum Barracks, so that no delay will take place in the movement. I have advised Brigadier-General Carleton, commanding the Department of New Mexico, of the approach of these seven companies to Tucson, in order that he may give the necessary instructions as to their disposition.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, February 16, 1864.

GENERAL: I have just received the inclosed letter from H. Jones, a reliable man, of Jones and Edgar's express.

Your letter to me, published in the Oregonian, has been read with much interest. It indicates that you will send an expedition in that direction as soon as practicable.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brigadier-General ALVORD,  
Commanding.

[Inclosure.]

CANON CITY, February 8, 1864.

Governor A. C. GIBBS:

DEAR SIR: Having a short acquaintance with you, I take the liberty to state to you the condition of our country, showing the necessity of protection to the traveling public to and from Canon City.

About 40 miles from this place, on what is known as Cottonwood Creek, on 6th instant, 8 Indians were seen; one of the number shot at a white man. Pack trains are having their animals stolen daily, and people are in constant fear while traveling. The Indians number from 15 to 20. Is it not in your power to furnish us immediately with some protection? The roads are in splendid condition and the weather mild and pleasant. If you can and will assist, you will confer a great favor on many.

Yours,

H. JONES.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, February 17, 1864.

Adjutant-General U. S. Army, Washington, D. C.:

SIR: Under the special authority of the War Department, dated July 9, 1863, in a dispatch from Major-General Halleck, I have since that time issued about five thousand stand of small-arms to organized militia companies in this department. I have also issued a small amount of cavalry arms, and a few pieces of field artillery for the same purpose.

In the organization of the militia companies of California the greatest care has been taken by the governor of the State that none but true and loyal men are enrolled either as officers or privates, and the most stringent regulations have been adopted for the care and security of these arms.

Captain McAllister of the Ordnance Department, commanding Benicia Arsenal, has by my direction forwarded a requisition for 10,000 rifles, 8,000 pistols, 40,000 rifled muskets, 9,000 sabers.

In view of the present aspect of our affairs, I deem it important that the requisition should be filled at an early day. We know not at what moment we may be engaged in a foreign war, with our communication by water to New York cut off and forced to rely solely on the supplies already here. If I can have the arms called for in Captain McAllister's requisition, an army of 75,000 men can be fully equipped in this department in a very short time.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding.



[Telegram.]

SAN FRANCISCO, CAL., February 18, 1864.

Adjutant-General THOMAS:

I desire the Secretary's authority to muster in two companies before completion of organization, for immediate service in the field.

G. WRIGHT,  
Brigadier-General, Commanding.

[Telegram.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
February 18, 1864.

Brigadier-General WRIGHT,  
San Francisco, Cal.:

This is authority for you to have two companies mustered in as requested.

THOMAS M. VINCENT,  
Assistant Adjutant-General.

[Telegram.]

SAN FRANCISCO, March 4, 1864.

Col. E. D. TOWNSEND,  
Assistant Adjutant-General:

The consolidation of the Washington Territory regiment involves discharge of many who have performed arduous and faithful service. General Alvord does not recommend it, and if not incompatible with the views of the Department, I would ask that the consolidation be postponed.

G. WRIGHT,  
Brigadier-General.

[Telegram.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
March 7, 1864.

Brigadier-General WRIGHT,  
San Francisco, Cal.:

You are hereby authorized to postpone consolidation of Washington Territory regiment.

THOMAS M. VINCENT,  
Assistant Adjutant-General.

EXECUTIVE DEPARTMENT, STATE OF OREGON,  
March 1, 1864.

GENERAL: In reply to yours of the 25th ultimo I have to say I have written to General Wright, urgently requesting him to order the mustering in of Patrick Maguire as second lieutenant cavalry, Oregon Volunteers, vice D. C. Underwood promoted. The letter went by express on the last steamer.

If he makes the order I see no necessity of giving him another commission.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. B. ALVORD,  
Commanding District of Oregon.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, March 5, 1864.

Adjutant-General, U. S. Army, Washington, D. C.:

SIR: Brig. Gen. P. E. Connor, commanding the district of Utah, has submitted to me a copy of a communication addressed to Major-General Halleck on the 4th of January last by the Hon. J. F. Kinney, Delegate to Congress from Utah, together with his (Connor's) reply to General Halleck.

During the last year the removal of troops from Camp Douglas was maturely and carefully considered, and I was fully persuaded that the present location at Camp Douglas was the proper position. I have but little faith in the loyalty of the Mormons. They threatened last year to destroy my re-inforcements from California approaching Camp Douglas, but I sent them and they reached there in safety. I would most earnestly recommend not only that Camp Douglas be maintained, but that it be strongly re-inforced.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF PACIFIC,  
*San Francisco, March 7, 1864.*

COLONEL: We have been quite successful in re-enlisting most of the regular soldiers on this coast whose terms of service would expire during the year; but we have not been so fortunate with the volunteer regiments. But very few have re-enlisted. This is not from any want of patriotism amongst the volunteers, and should any emergency arise requiring their services every man of them would rush to their colors. I have been anxious to organize a battery of light artillery, but I have only four companies of the Third Artillery here, and their services are indispensably necessary at the fort, and the companies of the Ninth Infantry are too small for that purpose. There is a very fine company of light artillery (State militia) in San Francisco with only four guns. They are very desirous of obtaining a complete battery and equipments of six Parrott guns. We have the guns at Benicia Arsenal, and I would recommend that the company be supplied.

With great respect, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

Col. E. D. TOWNSEND,  
*Assistant Adjutant-General, Headquarters of the Army, Washington, D. C.*

[Indorsements.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
*April 6, 1864.*

Respectfully referred to the Chief of Ordnance for his recommendation.

THOMAS M. VINCENT,  
*Assistant Adjutant-General.*

ORDNANCE OFFICE, *April 9, 1864.*

Respectfully returned to the Adjutant-General with the recommendation that the issue asked for be not authorized.

Under an order from General Halleck of 9th July, 1863, General Wright has ordered the issue at various times to the militia of California of a large quantity of arms, embracing artillery, muskets, sabers, pistols, etc. Recently these issues became so large that I deemed it my duty to bring the matter before the Secretary of War, who thereupon, on the 22d ultimo, ordered that no more issues be made and that the order of July 9 be revoked. Captain McAllister was telegraphed to that effect on the same day, and he was also directed to inform General Wright of this action by the Secretary of War, which information it is presumed he has received by this time.

GEORGE D. RAMSAY,  
*Brigadier-General, Chief of Ordnance.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 11, 1864.*

COLONEL: I have sent forward six companies of the First Cavalry, California Volunteers, to Arizona. The seventh and last company will leave Benicia for southern California about the middle of this month. They are a fine body of men, well mounted and equipped. The colonel of the regiment, with the staff, has probably reached Fort Yuma by this time.

The unprecedented drought in this country has already caused a heavy advance in the price of forage, and unless we have rain very soon it will be impossible to subsist our animals, except at enormous rates. In many portions of this State, particularly in the southern districts, a great portion of the stock has already perished. Under these circumstances I shall have no more horses bought for the present. At

cavalry stations I have ordered all the horses not absolutely necessary at the posts to be herded in the mountain valleys where there is some grass.

From present indications it is more than probable that the grain crop will be very small. Breadstuffs have already advanced 30 per cent.

With great respect, your obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Col. E. D. TOWNSEND,

*Assistant Adjutant-General, Headquarters of the Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 14, 1864.*

COLONEL: For more than twelve years I have been a close observer of our national affairs on this coast, and during this period the agricultural and mineral resources of our domain west of the Rocky Mountains have been largely developed. The value of our possessions on the Pacific coast can not be overestimated. Immigration from the Eastern States will add a hundred thousand annually to our population, and already the whistle of the locomotive is heard in the streets of the capital of California, moving along the line of the great Pacific Railroad, soon to stretch its iron arms across the continent and bind together indissolubly the East and the West. But in the mean time it is of paramount importance that this remote dependency, as yet feeble in population and resources, should receive the fostering care and protection of the Government. It is not from disloyalty within our borders that we have to apprehend danger, but it is the advent of an unscrupulous foreign enemy in the State of a sister Republic bordering on our southern frontier which causes great apprehensions. Our commerce with the Mexican States on the Pacific is rapidly growing into importance. Steamers and sailing vessels are constantly plying between San Francisco and Guaymas and other Mexican ports, and should this trade be interrupted by the presence of a French fleet, and troops thrown into that country for the purpose of conquest and empire, it would arouse the most bitter feelings of the people on this coast against the invaders.

With Sonora, a State on our southern border, and close proximity to one of our finest harbors on this coast, in possession of a powerful foreign Government, which has given the most unmistakable evidence of its sympathy with the rebellion, what might we expect but a bold attempt to seize the glittering prize of California, the bright occidental star of our Union. In the fall of 1861 I urged upon the department to permit me to send a force of United States troops, and occupy the city of Guaymas, and I deeply regret that the authority was not granted. It could have been done with the acquiescence of the State authorities and entirely without disturbing our friendly relations with Mexico, and we should have gained such a foothold in that country by this time as would have prevented any foreign Government from interfering with us. At the time I urged the occupation of Guaymas I deemed it a measure of vital importance as a precautionary measure to prevent the rebel forces from occupying the State of Sonora and threatening our southern frontier. The fact is, the northern and western States of Mexico must maintain their independence as a Republic or attach themselves to the United States. Should those States be subjugated to any foreign Government our possessions on this coast would be imperiled. I have referred only to the States of Mexico on the immediate frontier of my department; but should it be the policy of our Government to enforce the doctrines so dear to every American heart, I can guarantee that the loyal men on the Pacific coast will not be behind their brethren of the Atlantic, and will meet them half way in the halls of the Montezumas, which may once more be occupied by an American army.

With great respect, your most obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

Col. E. D. TOWNSEND,

*Assistant Adjutant-General, Headquarters of the Army, Washington, D. C.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., March 18, 1864.*

SIR: We are officially informed that certain Mexican ports on the Pacific have been blockaded by the French fleet, and I have no doubt that very soon every Mexican port from Acapulco to the mouth of the Colorado will be closed. Our commerce with the States of Mexico bordering the Pacific Ocean has been rapidly growing into importance lately, and its interruption can not be viewed with indifference by the

people of California. The war waged by the French Emperor against a sister Republic is for conquest and empire, and if successful, will plant a foreign power on our southern frontier; a power which has given the most unmistakable evidences of its sympathy with the rebels for the dismemberment of the United States. Again, the occupation of Sonora and the other States of Mexico on our borders, by a rapacious and unscrupulous foreign power will imperil the State of California. More than two years since I urged upon our Government to permit me to occupy the city of Guaymas with United States troops, as a precautionary measure, to guard against the possibility of the rebels gaining a foothold in that country; and if the French power is established in that country we may look for an influx of rebels to aid them in invading this State. The present power of France is aggressive in character. It covets California and will fraternize with rebels to accomplish its end. Our own difficulties should not deter us from assuming a bold stand and maintaining with unflinching firmness the doctrines so dear to every American heart.

If France is determined to pursue this aggressive course, we had better meet the issue at once. Notwithstanding our internal war, we have the men and means to rescue a sister Republic from the grasp of a ruthless invader, and exhibit to the world the grand spectacle of a nation which, while engaged in a war for its own preservation with a million of men under arms, does not shrink from a contest with the aiders and abettors of her rebel subject.

Under this state of affairs, remote as we are from the seat of our Government, and mainly dependent upon our own resources and the strong arms and valiant hearts of our patriotic people, it is respectfully submitted to your excellency whether it would not be proper to take some measures to avert the threatened calamity.

With great respect, I have the honor to be your excellency's obedient servant,

G. WRIGHT,

*Brigadier-General, U. S. Army, Commanding.*

His Excellency F. F. Low,  
*Governor of California.*

---

OFFICE UNITED STATES MILITARY TELEGRAPH,  
WAR DEPARTMENT,

The following telegram received at Washington 12.30 p. m., March 22, 1864, from San Francisco, dated March 22, 1864:

Col. E. D. TOWNSEND,  
*Assistant Adjutant-General:*

The seventh and last company, First Cavalry, sailed yesterday for southern California. The six companies previously sent down are moving in a very satisfactory manner. Some have reached Tucson.

G. WRIGHT,  
*Brigadier-General.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, March 28, 1864.*

*Adjutant-General U. S. Army, Washington, D. C.:*

SIR: Reverting to my communication to you dated the 14th instant, in relation to the exposed condition of the southern frontier of California should the adjoining States of Mexico be occupied by the French, I would most respectfully recommend that San Diego, Fort Yuma, the lower Colorado, as well as Arizona, should be strongly guarded. On the 18th instant I addressed a letter on this subject to his excellency Governor F. F. Low, of this State, a copy of which is herewith inclosed, as well as the governor's reply, dated on the 21st of March. I also addressed a note to Louis McLane, esq., of this city, with the view of ascertaining the opinions of some of the most influential and leading business gentlemen here. Mr. McLane's reply is herewith inclosed.

Not being officially advised of the policy of the Government of the United States with regard to the occupation of Mexico by a foreign power, I shall of course make no hostile demonstrations without special instructions, except so far as to be watchful, and ready to throw troops on that frontier should it be threatened.

I recommended two years ago that Arizona should be transferred to the department of New Mexico. It was deemed necessary then, to enable the officers in command to move the troops forward to the Rio Grande, should circumstances require it; but now I deem it important that Arizona should be retransferred to this department, from whence all the troops draw all their supplies.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
Sacramento, March 18, 1864.

His Excellency F. F. LOW,  
Governor of California:

SIR: We are officially informed that certain Mexican ports on the Pacific have been blockaded by the French fleet, and I have no doubt that very soon every Mexican port, from Acapulco to the mouth of the Colorado, will be closed. Our commerce with the States of Mexico bordering the Pacific Ocean has been rapidly growing into importance lately, and its interruption can not be viewed with indifference by the people of California.

The war waged by the French Emperor against a sister republic is for conquest and empire, and if successful, will plant a foreign power in our southern frontier—a power which has given the most unmistakable evidence of its sympathy with the rebels for the dismemberment of the United States. Again the occupation of Sonora, and the other States of Mexico on our border, by a rapacious and unscrupulous foreign power will imperil the State of California.

More than two years since I urged upon our Government to permit me to occupy the city of Guaymas with United States troops, as a precautionary measure to guard against the probability of the rebels gaining a foothold in that country, and if the French power is established in that country we may look for an influx of rebels to aid them in invading this State. The present power of France is aggressive in character; it covets California and will fraternize with rebels to accomplish its end. Our own difficulties should not deter us from assuming a bold stand, and maintaining with unflinching firmness the doctrines so dear to every American heart.

If France is determined to pursue this aggressive course we had better meet the issue at once; notwithstanding our internal war, we have the men and means to rescue a sister republic from the grasp of a ruthless invader and exhibit to the world the grand spectacle of a nation, while engaged in a war for its own preservation, with a million of our men under arms, does not shrink from a contest with the aiders and abettors of her rebel subjects.

Under this state of affairs, remote as we are from the seat of our Government, and mainly dependent upon our own resources and the strong arms and valiant hearts of our patriotic people, it is respectfully submitted to your excellency whether it would not be proper to take some measure to meet the threatened calamity.

With great respect, I have the honor to be, your excellency's obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding,

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, March 21, 1864.

GENERAL: I am in receipt of your valued note of 18th, making suggestions and giving your views regarding the French invasion of Mexico.

The subject is one of so great importance to the United States, and more particularly to California, that time will not permit my giving you my views in this communication.

I will improve the first leisure moment (which will not be until after the adjournment of the legislature) to call upon you and confer personally with you on the subject.

Very respectfully, your obedient servant,

F. F. Low.

Brigadier-General WRIGHT,  
Sacramento.

WELLS, FARGO & CO., EXPRESS AND EXCHANGE COMPANY,  
San Francisco, March 23, 1864.

DEAR SIR: I trust that you will pardon my seeming neglect in not sooner answering yours of the 17th instant, but the pressure of business prevented my conferring with two or three gentlemen in relation to your suggestions until the day before yesterday. We think and suggest that you apply to the War Department to have Arizona attached to the Department of the Pacific under command of one competent and reliable officer and with a force sufficient, with the aid of the American settlers, to capture Guaymas when deemed advisable, and to enable you to judge of the time to make the move. The Government should keep you posted as to their foreign policy, for unless you know that you might bring on a war with France when they desired peace, or vice versa.

As these suggestions are purely military, I have thought it best not to have them presented to the Government by civilians, but leave doing it to you.

With great respect, I remain, yours truly,

LOUIS McLANE.

General G. WRIGHT,  
*Commanding Department of the Pacific.*

U. S. MILITARY TELEGRAPH, WAR DEPARTMENT,  
*San Francisco, Cal., March 28, 1864—10 a. m.*

Col. E. D. TOWNSEND,  
*Assistant Adjutant-General:*

Recommended that Arizona be transferred to this Department and that San Diego, Fort Yuma, and line of Colorado receive re-inforcements. Conquest of Mexico by French exposes frontier of California and Arizona. I should be glad to know policy of Government.

See my letters 14th March, and also 28th.

G. WRIGHT,  
*Brigadier-General, Commanding.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, April 1, 1864.*

GENERAL: Your letter of the 28th ultimo was received on the 30th. I have sent to Salem for a new commission for Patrick Maguire. It will bear date March 28. I will send it to you.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. B. ALVORD,  
*Commanding District of Oregon.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, April 9, 1864.*

GENERAL: Col. D. P. Thompson, by request of a number of the State officers and prominent citizens of Oregon, wishes to start about the 20th instant to survey the eastern boundary of Oregon, south from the mouth of the Owyhee River. He fears he can not accomplish the object without a military escort. The object of this letter is to learn at the earliest moment whether or not you can furnish him an escort. Captain Currey's command would please him.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. B. ALVORD,  
*Commanding District of Oregon.*

WAR DEPARTMENT,  
*Washington, D. C., April 4, 1864.*

Capt. HENRY E. MAYNADIER,  
*Tenth Regiment of Infantry:*

SIR: By the third section of the act making appropriations for the support of the Army, approved March 2, 1861, \$50,000 were appropriated "for the protection of emigrants on the overland routes between the Atlantic slope and the California and Oregon and Washington frontiers" \* \* \* "to be expended under the direction of" this Department.

It is contemplated to organize and equip from 50 to 100 men as a protective corps to be used as guards and sentries, scouting parties, and in such other ways as the best means of affording protection to emigrants may require.

The Department understands that the protection contemplated in the act is protection, not only against hostile Indians, but against all dangers, including starvation, losses, accidents, and the like, so far as the means provided will suffice.

You are hereby detailed as the superintendent of the emigration, and will proceed without delay to organize a party of not less than 50 young, able-bodied men who are desirous of emigrating to the Pacific slope.



You will procure the arms, equipments, and horses necessary to make an efficient corps of this party, and will distribute them to the men, charging them the cost price of each article, which will be deducted from their pay in case of loss or damage through want of proper care.

You will purchase a supply of provisions of the kind and quality provided by the Subsistence Department of the Army, sufficient to last five months, by which time you will meet a supply forwarded from the Pacific coast, and ordered to be deposited at some point on the road.

You will purchase a sufficient number of wagons and animals to transport the baggage and provisions of your party, with such tools, implements, and material as may be required to fit out a train in the most complete manner.

You will procure your employes' equipments, supplies, and transportation at those points which appear to insure the most economical and effective organization for your party, being careful to establish such arrangements that the expenditures for the completion of the work and the closing of the expedition may not exceed the amount which will be furnished you from the appropriation.

The following assistants are authorized to be hired at the rates of compensation herein specified:

One principal assistant, at \$200 per month; 3 assistants, at \$150 per month; 1 physician, at \$150 per month; 1 guide (if necessary), \$125 per month; 1 clerk, \$75 per month; 1 wagon-master, \$75 per month; 15 teamsters, herders, cooks, etc., at a rate not exceeding \$30 a month.

You are authorized to pay the actual traveling fare of your employes from the places at which they were engaged to places from which the expedition will leave the Missouri River, and to furnish them with subsistence while on duty with the expedition in the field.

You will be allowed the sum of \$35 per month in lieu of quarters and fuel, and the usual mileage of 10 cents when traveling on duty connected with the expedition.

In view of the great advantages which employment in the protective corps will afford to young men desirous of emigrating, it is expected that a sufficient number can be obtained for a sum not exceeding \$15 per month in addition to their outfit and subsistence.

Immediately after the receipt of these instructions you will commence to procure the necessary supplies for the expedition, and direct your assistants to enlist the required number for the protective corps. You will appoint a rendezvous at some point on the Missouri River, and specify a time at which all shall be at that point.

You will then, by publication in the newspapers and by hand-bills widely circulated, notify persons intending to emigrate of the arrangements to be made, and invite them to avail themselves of the means of protection the Government affords them.

You will take care to start early enough to insure a timely arrival on the Pacific slope, and will endeavor to concentrate the emigrants by the time they reach the mountains, so that they can travel within easy reach of each other.

If after passing the South Pass sufficiently far emigrants desire to divide and take different routes you are authorized to divide the protective corps and place detachments under your assistants to accompany the parties, giving them such instructions as may be required.

If the number of emigrants should require and the funds allow, you may increase the number of the protective corps, employing, if possible, the emigrants themselves.

You are also authorized to obtain a supply of goods for presents to Indians, and compensation for their services in case you should find it necessary to employ them, but you will not expend a greater sum than \$300 for this purpose.

Having thus indicated generally the views of the Department, the execution and arrangement of many of the details are left to your judgment, admonishing you that this is an exercise of the liberality and protection of the Government which will be materially enhanced by an economical use of the means it has provided.

After the emigrants have reached the settled parts of the Pacific coast you will disband the protective corps and dispose of the property and material on the best terms you can obtain.

You will then proceed to San Francisco, Cal., and thence by Panama steamer to New York and this city, where you will close your accounts and report to this Department the material incidents and results of the expedition.

The sum of \$35,000 will be placed to your credit with the assistant treasurers of the United States, as follows: Assistant treasurer at New York, \$5,000; assistant treasurer at Saint Louis, \$20,000; assistant treasurer at San Francisco, \$10,000.

You are hereby authorized to obtain from the quartermaster, commissary, ordnance officer, or surgeon at any military post such public stores, including medicines, as they may be able to furnish, paying for them the cost price and transportation to the place where you received them.

You will report to the Adjutant-General and keep him informed by every opportunity of the progress of the expedition.

You will render your accounts quarterly to the Adjutant-General, according to the forms specified in the general regulations of the Army.

Very respectfully, your obedient servant,

SIMON CAMERON,  
*Secretary of War.*

TERRITORY OF NEVADA, EXECUTIVE DEPARTMENT,  
*Carson City, April 5, 1864.*

Brigadier-General WRIGHT,  
*Commanding Department of the Pacific:*

SIR: You will pardon me for making a suggestion to you in regard to the disposition of troops in this Territory for the coming summer. I think the safety of immigration and of prospectors for minerals requires a company of cavalry to be stationed at some point north of the Humboldt in the vicinity of "City Rocks." I am told food is abundant in that region. The Bannocks or Pannoke Indians roam in that direction, together with some of the worst Pah Utes, which renders it dangerous for immigrants and prospectors. Mineral is being discovered in that direction, many persons will go there; and I fear the result will be to bring on an Indian war if there are not troops to protect them. If those who go there should kill an Indian or Indians it would bring upon us trouble that would be disastrous in its effects upon the prosperity of our Territory. The policy of the Government seems to be to encourage the development of our mineral resources as speedily as possible, and believing that the best way to do it is to protect the miners in their explorations, I make the suggestions for your consideration. This company could traverse quite a region and furnish protection to both of these classes. I know nothing of the forces at your command or what disposition you intend to make of them. I simply suggest this for the reason that the people look to me for protection, which I am anxious to afford them. If in the interlude of business pressing which is constantly being pressed upon your attention you can find time to reply, give me your views upon the subject and I shall feel grateful.

With considerations of respect and esteem, I remain,  
Your obedient servant,

JAMES W. NYE.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 11, 1864.*

His Excellency JAMES W. NYE,  
*Governor of Nevada Territory, Carson City:*

SIR: I have the honor to acknowledge the receipt of your excellency's communication of the 5th instant in relation to the disposition of troops during the coming summer, in order to afford protection to the mining population as well as to the emigrants approaching from the eastern States. Already expeditions from the Columbia River are prepared to move from Forts Dalles and Walla Walla in a southeasterly direction across the State of Oregon to the upper waters of the Snake River; a command of cavalry will move at an early day from Fort Klamath through southern Oregon to the Owyhee River and the southern portion of Idaho Territory. Expeditions have been prepared at Camp Douglas, near Great Salt Lake City, for the purpose of affording protection to all loyal citizens coming to this country. It is intended, as far as our limited means may allow, to give protection over all the routes leading into this country, and that leading by the "City of Rocks" and the country north of the Humboldt will not be overlooked.

I am most happy to reply to your excellency's communication, as it is only in that way I can learn the wants of the people in remote and sparsely settled districts which troops have rarely traversed.

With great respect, your excellency's obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 9, 1864.*

Adjutant-General, United States Army; Washington, D. C.:

SIR: The condition of affairs in this department is unchanged. In the district of Oregon Brigadier-General Alvord is organizing small commands to move over the country towards Snake River, for the protection of settlers and emigrants approaching

from the east. In the district of Humboldt, Colonel Black, Sixth Infantry, California Volunteers, is prosecuting vigorously the war against the hostile Indians, and if a reservation is set apart, remote from that country, I hope at an early day to send those Indians to it.

In the district of southern California quiet prevails. The seventh and last company of the First Cavalry, California Volunteers, has marched from Oregon.

In the district of Utah there is no change to report. General Connor recommends that the volunteers raised in California and now serving in Utah be discharged there at the expiration of their service. I have ordered it so done, unless instructions to the contrary shall be received from the War Department.

Recruiting for a regiment of infantry in Indian Territory is progressing favorably well. If we can raise a regiment, I hope to send it to Utah in the course of the summer.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, April 11, 1864.*

*Adjutant-General U. S. Army, Washington City, D. C.:*

SIR: Capt. B. C. Cutler, assistant adjutant-general of the Department of New Mexico, has arrived at my headquarters with dispatches from Brigadier-General Carleton. Inclosed herewith is a copy of General Carleton's communication addressed to me on the 7th ultimo; also, copy of a letter from Captain Cutler, communicating the wishes of the general. I have already reported the departure of all the companies of the First Cavalry for the Department of New Mexico. The seventh and last company has not reached Fort Yuma; the other six companies are far in advance of that point.

To enable General Carleton to comply with the instructions he has received from the General-in-Chief, I have ordered my chief quartermaster to prepare with dispatch the thirty wagons; they will be sent forward from southern California, laden with the articles of subsistence asked for, at the earliest moment practicable.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army Commanding.*

HEADQUARTERS DEPARTMENT OF NEW MEXICO,  
*Santa Fé, N. Mex., March 7, 1864.*

General GEORGE WRIGHT,

*Commanding Department of the Pacific, Sacramento, Cal.:*

MY DEAR GENERAL: Your kind letter of the 23d of January reached me in Franklin, Tex. There are reasons connected with the public service, which Captain Cutler will explain to you, that render it necessary that I should retain all the transportation that comes through with the cavalry companies, and ask of you besides the favor to send me thirty first-class six-mule teams, the wagons to be laden each with sugar, coffee, tea, candles, soap, rice, vinegar, and pork, in due proportions, except sugar and coffee, which should be 2 per cent. in excess over and above all the other articles. Beans and flour, and doubtless salt, I can get in the Rio Grande.

The train should come at once through to Las Cruces, N. Mex., where it will be greatly needed.

I beg not to be disappointed in this, as everything depends on getting the train and stores at the earliest possible day.

Captain Cutler will give you all the news and tell you how much we regretted the idea of your removal. \* \* \*

Sincerely, yours,

JAMES H. CARLETON,  
*Brigadier-General, Commanding.*

SACRAMENTO, CAL., *April 10, 1864.*

Brig. Gen. GEORGE WRIGHT,

*Commanding Department of the Pacific, Sacramento, Cal.:*

GENERAL: I have the honor to hand you to-day a communication from Brig. Gen. James H. Carleton, commanding the Department of New Mexico, dated Santa Fé, N. Mex., March 7, 1864.

In this letter General Carleton desired you to transfer to the Department of New Mexico a certain amount of public transportation and subsistence stores; he also stated that I would explain to you the reasons which compelled him to make this request.

Shortly before I left Santa Fé for California General Carleton received orders from the headquarters of the Army to concentrate at some convenient point within his department all the cavalry force at his command, with a view of organizing a column to operate against the rebels in Texas. This column was to move as soon as practicable down the valley of the Rio Grande as far as Eagle Pass, at which point it was to be joined by a force to be sent up from the coast by Major-General Banks.

The commander-in-chief did not make known the ultimate destination of this force, but directed that his orders referred to above be carried into effect with as little delay as possible.

General Carleton at present has at his disposal but a limited amount of public transportation, and it is next to impossible to purchase mules or wagons in New Mexico at this time. He desired me to say that if you could furnish the transportation and supplies asked for he would be able to act efficiently; otherwise it would be extremely difficult for him to carry out in a satisfactory manner the orders received from the War Department.

I have the honor to be, general, very respectfully, your obedient servant,  
 BEN. C. CUTLER,  
*Assistant Adjutant-General, U. S. Volunteers.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, April 18, 1864.*

GENERAL: I have received a copy of General Orders, No. 58.

I saw Mr. Thompson on Saturday last and he then informed me that he had given up the expedition. I requested him to so advise you by letter; that you might countermand the order in time to have the men for other service.

I have the honor to be, very respectfully, your obedient servant,  
 ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. B. ALVORD,  
*Commanding District of Oregon.*

[Telegram.]

SACRAMENTO, CAL., *April 27, 1864.*

Maj. Gen. H. W. HALLECK:

It is recommended that one regiment of cavalry, one regiment of artillery, eight regiments of infantry, and two batteries of light artillery be raised in this department.

G. WRIGHT,  
*Brigadier-General.*

WAR DEPARTMENT, *Washington, May 1, 1864.*

Brig. Gen. G. WRIGHT,  
*Sacramento, Cal.:*

The Secretary of War directs me to inquire what emergency requires the raising of more troops in your department than those already authorized.

H. W. HALLECK,  
*Major-General, Chief of Staff.*

[Telegram.]

SAN FRANCISCO, CAL., *May 3, 1864.*

Maj. Gen. H. W. HALLECK,  
*Chief of Staff:*

Your dispatch of 1st received. No pressing emergency exists; prudential considerations induced the request. See my letters of 14th and 28th March.

G. WRIGHT,  
*Brigadier-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, May 9, 1864.*Adjutant-General U. S. Army, Washington, D. C.:*

SIR: Under the authority granted me by the honorable Secretary of War, I had, before its revocation, issued a considerable amount of arms and equipments to the State of California for the regularly organized militia companies. These arms are now in the hands of loyal men, with officers specially appointed by the governor. The inclosed letter addressed to me by his excellency F. F. Low, governor of the State, fully sets forth the propriety and necessity for the issues I have made, and to which I would most respectfully ask the attention of the Lieutenant-General commanding the Army and the honorable Secretary of War.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, May 4, 1864.

GENERAL: I have the honor to acknowledge the receipt of your note of the 3d instant, asking my opinion as to the necessity of arming the organized militia of the State.

In reply I would say that in my judgment it has been and still is of the utmost importance that in the present troublous times the militia of California should be placed in the greatest possible state of efficiency to meet possible (I hope not probable) complications and troubles. The loyal people of the State have shown commendable zeal in the way of organizing the militia, but in order to give it any efficiency in drill and discipline the companies must be supplied with arms. Being so far remote from the point or points where arms could be obtained, the State authorities have been obliged to rely solely on the United States for a supply. Being aware of this fact I obtained an order from the Secretary of War in March, 1863, ordering 10,000 rifles and accouterments and six field batteries to be shipped to California for the purpose of arming the militia of the State. The distribution of arms having been left to your good judgment, I have only to say that so far as you have acted in the premises you have turned over to the State only so many as have been absolutely necessary. Indeed the number has been really inadequate, so much so that I have been obliged to cut down the requisitions of the several companies in nearly every instance, to the end that the arms might supply as many military organizations as possible.

Truly yours,

FREDERICK F. LOW, *Governor.*Brig. Gen. G. WRIGHT,  
*Commanding Department of the Pacific.*HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, May 9, 1864.*Adjutant-General U. S. Army, Washington, D. C.:*

SIR: Tranquility prevails throughout the department except in the district of Humboldt, where the Indian war is being prosecuted vigorously and successfully. Col. H. M. Black, Sixth Infantry, California Volunteers, has been zealous and indefatigable in pursuing the enemy, and his officers and men have endured the hardships and exposures of that inhospitable region, amidst the snows and rains, with the greatest cheerfulness. The whole country is covered with our scouting parties, and already between 30 and 40 of the hostile Indians have been killed and many wounded, with but trifling loss on our side. Some of the principal chiefs have surrendered, and Colonel Black expresses the opinion that the war will soon cease.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, May 16, 1864.

*Adjutant-General U. S. Army, Washington, D. C.:*

SIR: This department is quiet, but you are aware that there is on this coast a powerful opposition to the present administration—claiming to be Union men, yet doing all in their power to thwart the Government in the prosecution of the war. A large majority of these people, however, are truly loyal and will support the Government zealously and earnestly so long as a rebel remains under arms. The political status of California was fixed at the September elections. The struggle will be renewed at the approaching election of a President, but I have no fears as to the result; the war policy of the administration will be sustained by an overwhelming majority. We must expect some excitement and sensational articles and speeches during this political campaign; but I have no apprehensions of any serious attempts on the part of the opposition to involve this country in a war. Looking at the present condition of the States of the Pacific, I am well satisfied with the policy I have followed; notwithstanding it has been too conservative to meet the views of a radical minority, yet it has been fully indorsed by the sensible portion of the community. Were I to be guided by the dictates of the radical press, I should crowd my forts with men charged with disloyalty, keep this country in a constant ferment, agitate desperate efforts to plunge us into all the horrors of a civil war, and all simply to gratify the caprices of a few men who advocate such extreme measures.

I have made many arrests for disloyal practices and have several persons now in confinement, and, should circumstances demand it, I shall not hesitate to use all the power I have for the preservation of peace; but I will not be goaded on to do acts which I know to be wrong. These radicals seem to believe that it is my special duty to arrest every man or woman whose sentiments do not coincide exactly with the Government, and if I do not yield to their insane demands, denounce me as a sympathizer with the rebellion, but I am not at all disturbed by such accusations. For three years past I have labored intensely for my country, and although not permitted to risk my life on the battle-field, I can point with pride to the happy and peaceful condition of the Pacific coast, and if the prudential course I have pursued has contributed to this great result I shall be more than repaid.

Very respectfully, your most obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, May 17, 1864.

*Adjutant-General U. S. Army, Washington, D. C.:*

SIR: For the information of the Lieutenant-General commanding the Army, and the honorable Secretary of War, I have the honor to inclose herewith two reports forwarded to me by Col. H. M. Black, Sixth Infantry, California Volunteers, commanding the district of Humboldt. The indications are favorable for an early settlement of the Indian difficulties in that quarter.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding.*

AT CAMP NO. 25, COAST RANGE,  
Mendocino County, Cal., April 30, 1864.

SIR: I have the honor to make the following report of the proceedings of the detachment of my company while on scout, from the 16th to the 30th instant, viz: April 16, occupied in making preparations for crossing Eel River in a northeasterly direction. April 17, I proceeded with 2 sergeants, 1 corporal, 1 guide, and 11 privates to the mouth of White Rock Canyon that falls into Eel River, a distance of about 20 miles; found the river at that point impassable.

April 18, sent out two parties, one up and the other down the river, in search of a ford, but without success, each party traveling about 10 or 12 miles. April 19, proceeded up the river with the whole detachment, about 15 miles, and with great difficulty succeeded about 2 a. m. to cross. The men being very wet, I encamped for the night; found fresh Indian signs. April 20, having arrived in the neighborhood of Indians kept my men and animals concealed in the bushes until dark, then traveled a distance of about 12 miles, keeping a good lookout for Indian camp-fires, but dis-



covered none; by the moonlight I could plainly see the traces of Indians through the high grass.

April 21, encamped at daylight, and at night-fall resumed the scout; traveled all night over a very rough country called the Rola Bola Mountains; plenty of Indian signs; traveled a distance of 20 miles. April 22, remained in camp until night, then resumed the scout, and after traveling until near daylight discovered Indian camp-fires situated on a high bluff of rock that seemed impossible to approach, and was so to strangers at night-time; hence I was compelled to defer the attack until daylight, but those wary savages discovered us and fled; they had a start of about 2 miles. I followed them as fast as possible, the ascent being extremely difficult, and pursued them that day until myself and men were almost exhausted; must have traveled a distance of 50 miles, including the scout of the previous night; discovered by the trail the Indians had separated in two bands. April 23, divided my men in two parties; gave Sergeant Wheeler one and myself the other. I followed one trail, traveling alternately by day or night until my provisions began to give out. I arrived at this camp on the 28th; traveled a distance averaging 20 miles per day since the 23d.

April 29, Sergeant Wheeler arrived at camp with 11 Indian women and 1 child, prisoners captured by him on the 28th; he reports 8 Indian men killed, besides quite a number wounded, that threw themselves into the river, and thus escaped or were likely drowned; this occurred at a place called Big Bend, on Eel River; he also states that his party traveled not less than 20 miles each day.

I have detained 3 of the captives (women) as guides for a few days, believing that they will be of great use to me; the remainder I have forwarded to Camp Grant, to be escorted to Fort Humboldt, agreeably to district orders. I have had built on Eel River a large canoe, capable of carrying 20 men. I feel pleasure in stating that people are already driving large herds of stock into a portion of the country scouted over by me, heretofore prevented by Indians.

I am, sir, very respectfully, your obedient servant,

WILLIAM E. HULL,

*Captain Second Infantry, California Volunteers, Commanding Company D.*

First Lieut. JAMES ULIO,

*Acting Assistant Adjutant-General Humboldt Military District,  
Camp near Fort Gaston, Cal.*

HEADQUARTERS FORT GASTON, CAL., May 6, 1864.

SIR: I respectfully report that "Ceonaltin John" and party arrived last evening having finally concluded to settle in this valley. Matters seem to be settling down, and people begin to feel secure on the Trinity, Klamath, and Salmon Rivers. A few of Jim's Indians, some half dozen, still remain up the Trinity. As yet they refuse to come in, but assert most positively that they have no hostile intentions towards any but their Indian enemies. If prudently managed I think they may be induced to comply with the terms offered, especially after finding there is no safety for them while abroad. I have constant applications made by the Indians who have come in and are building for assistance in the way of subsistence, tools, nails, and medicines.

I have the honor to be, very respectfully, your obedient servant,

S. G. WHIPPLE,

*Lieutenant-Colonel First Battalion Mountaineers,  
California Volunteers, Commanding Post.*

Lieut. JAMES ULIO,

*Adjutant Sixth Infantry, California Volunteers,  
Acting Assistant Adjutant-General.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., May 30, 1864.*

His Excellency A. C. GIBBS,

*Governor of Oregon, Salem, Oregon:*

GOVERNOR: I have to acknowledge the reception of your letter of the 22d instant from Yoncalla, marked private, and I have carefully noted the contents. I have ordered a company hither from Fort Walla Walla. I went to Portland and showed your letter to the mayor of the city, Henry Failing, and to Col. J. McCracken, who is the senior officer of the militia present, General S. Coffin having gone to the Grand Ronde, Baker County. All proper vigilance will be practiced by them. I have no-

tified the commanding officers at Forts Yamhill and Hoskins to be on their guard and to keep at their posts on the day of election.

Some of the citizens of the neighborhood in Polk County talk of asking that some of the military shall be at Dalles on election day to preserve order. I have, on the contrary, required the soldiers to keep at their posts on that day. Being California troops, their presence would only be an element of trouble.

I will go over Saturday afternoon to Portland and remain there until Tuesday morning, so that any communication by mail, express, or telegraph, will meet me there.

If General Grant's successes continue I do not think we can have any trouble in Oregon. But it is proper, as you say, to be on our guard. I shall not hesitate to take any course which may be necessary to preserve the peace, and I invite you to communicate to me fully, freely, and promptly your views, wishes, and advice.

I am, very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

---

GENERAL HEADQUARTERS, STATE OF CALIFORNIA,  
ADJUTANT-GENERAL'S OFFICE,  
*Sacramento, June 2, 1864.*

GENERAL: Colonel Curtis's letter has been read by me, and in reply to your inquiry as to whether the governor has authorized Don Antonio de la Guerra to raise a company, I have to state that the governor did not specially authorize him to raise a company, but that he, on yesterday, concluded to accept his company (known as the Santa Barbara Company) and has directed commissions to issue, which has accordingly been done and forwarded to Colonel Drum to-day, for the following officers: Captain, Antonio M. de la Guerra; first lieutenant, Santiago D. de la Guerra; second lieutenant, Porfino Jomino.

The recommendation for the Fourth Infantry, California Volunteers, I have duly forwarded to his excellency the governor.

Respectfully, your obedient servant,

GEO. S. EVANS,  
*Adjutant-General State of California.*

GEORGE WRIGHT, *U. S. Army,*  
*Brigadier-General, Commanding Department of Pacific.*

---

[Telegram.]

PORTLAND, OREGON, June 6, 1864—6 p. m.

Governor A. C. GIBBS,  
*Salem, Oregon:*

I think there will be no trouble. I have information quite satisfactory. Regular Union ticket largely ahead here.

BENJ. ALVORD,  
*Brigadier-General.*

---

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., June 10, 1864.*

His Excellency A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon:*

GOVERNOR: Pursuant to authority dated 29th April, 1863, received from the general commanding the Department of the Pacific, I have to request that you will call out from the State of Oregon a detachment of cavalry volunteers, to be mustered into the service of the United States to serve until the 1st of November next, unless sooner discharged. Said detachment must consist of a first lieutenant, second lieutenant, and 40 privates. The non-commissioned officers will be appointed after they are mustered into the service of the United States. The men will furnish their own horses, for the "use and risk" of which they will be entitled to receive 40 cents a day. They will receive the pay and allowances of all cavalry troops in the service of the United States.

I have found myself under the necessity of making this call on account of the continued murders and robberies by the Snake Indians upon the road from The Dalles to Canyon City, Oregon.

If you will appoint a suitable person he will be conditionally mustered into the service of the United States as a second lieutenant and recruiting officer of said detachment. If the detachment is raised and mustered in at Fort Dalles a first lieutenant and second lieutenant will be mustered in at the same time. The recruits, as fast as raised, will be quartered at Fort Dalles.

I am, very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, June 12, 1864.*

GENERAL: In reply to your requisition of the 10th instant, calling for 40 men to serve a limited time, I have to request that you will muster into the service of the United States Nathan Olney, as a second lieutenant, who will engage in the recruiting service under said requisition at The Dalles.

I have the honor to be, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. BENJ. ALVORD,  
*Commanding District of Oregon.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 16, 1864.*

*Adjutant-General U. S. Army, Washington City:*

SIR: Inclosed herewith I have the honor to forward, for the consideration of the Department, a communication dated June 1, 1864, from Brig. Gen. B. Alvord, commanding the district of Oregon, with two inclosures, giving the particulars of a fight with Snake Indians.

Very respectfully, your obedient servant,

G. WRIGHT,  
*Brigadier-General, U. S. Army, Commanding Department.*

EXPEDITION TO THE INDIAN COUNTRY,  
*Camp Maury, May 19, 1864.*

SIR: I have the honor to report that in obedience to orders on the 17th instant, with 26 men from Company D, 13 men from detachment of Company B, with Lieut. Stephen Watson and 10 Indians scouts, I left camp No. 17, on Crooked River, at 9½ o'clock p. m., to attack the camp of Snake Indians that had been discovered by the scouts the same day. We proceeded in a northeasterly direction, over a high and extremely rocky country, for some 12 or 14 miles, where we found 11 of our Indians, who had been left to watch the Snake camp. They reported that the Snakes had been having a regular war-dance, singing, laughing, shouting, so that they could hear them 2 miles, and had only just got quiet. It was now nearly 2 o'clock a. m. We moved up a short distance and halted. Four of our Indians then started out on foot, to ascertain if possible the exact locality of the Snake encampment. After an absence of about three-quarters of an hour they returned. We then moved forward about 1 mile and sent out two more scouts, who returned in a few minutes, reporting that the distance to the camp was not over 600 yards. The united report of all the scouts was that we approached the camp from the west. To the north and south was an open flat or bottom, running some distance; to the east was a gradually ascending hill, covered with juniper trees, the encampment being on the west side of the open flat, under some juniper trees. I divided my command into two platoons, Lieutenant Watson in charge of one, and myself the other. The Indians were to go to the north, I to the south, while Lieutenant Watson was to go slowly up the center, with instructions to all to capture any horses they might see, so as to cut off their retreat by horseback. As soon as it was light enough we all started; my route was over a very rocky country, until I reached the flat, which at that point was very miry, almost impassable to cross.

Just as we got over this mire we discovered a band of horses, being rapidly driven up by an Indian; we captured them, and I put them in charge of a corporal and two men. We then heard firing to our right, and turned in that direction, but found we were coming directly under the fire of our own men; we turned to the right, and came around over the point of the hill, and found Lieutenant Watson's party. The Indians had retreated across the flat to a cliff of rocks, where they had a complete fortification. Lieutenant Watson had charged them to the edge of the cliff, where the Indians fired a volley into them, killing Lieutenant Watson and two privates of Company B, and wounding five others, some severely. I also found a citizen, Richard Barker (who I did not know was along until I had started) with his thigh broken, and Stock Whitely, very severely wounded; some three horses had been shot dead, and five or six badly wounded. The whole of this had been done in less than fifteen minutes. I soon found that the Indians were impregnable in their position, and the only way for me to save the wounded men and the horses, both of the men and those already captured, was to retreat to a safe place and send for re-enforcement. The attack was made before 4 o'clock in the morning; at 6 o'clock I started an Indian and private Barney as express for re-enforcements; at 8 o'clock we reached a safe position about  $1\frac{1}{2}$  miles from the field, and you arrived at 9 o'clock a. m.

Very respectfully, your obedient servant,

J. M. MCCALL,

*First Lieutenant First Oregon Cavalry.*

Capt. JOHN M. DRAKE,

*First Oregon Cavalry, Commanding Expedition.*

HEADQUARTERS FORT DALLES EXPEDITION TO THE INDIAN COUNTRY,  
*Camp Maury, May 20, 1864.*

SIR: I have the honor to report for the information of the general commanding that on the 17th instant, at a point 8 or 10 miles below this place, at one of the crossings of Crooked River, the advance guard of the command on the march discovered fresh Indian signs. On arriving in camp, at the forks of the Crooked River, some Indian scouts were sent out into the surrounding country to gain information. At 5 o'clock p. m. two of their number returned, reporting the discovery of a camp of nine lodges and about twenty or thirty Indians in a northeasterly direction, about 12 or 14 miles distant. A portion of their number were left to keep watch of the hostile camp. At 9:30 p. m. I sent out a detachment of twenty-six men of Company D and thirteen men of the detachment of Company B, First Oregon Cavalry, commanded by Lieut. S. Watson, the whole making a force of thirty-nine men, commanded by First Lieut. J. M. McCall. The detachment was accompanied by all of our friendly Indians remaining in camp. Lieutenant McCall's instructions were to make a night march, surprise their camp at daylight the following morning, and attack at once without preliminaries.

A copy of Lieutenant McCall's report of his operations up to 9 o'clock a. m. of the 18th instant is respectfully inclosed herewith. On the morning of the 18th instant the command resumed the march as usual, intending to halt and encamp at this place, a distance of 5 miles.

At about 7 o'clock a. m., and when three miles from camp, a messenger from Lieutenant McCall arrived, bringing a note from him asking for assistance. Taking 40 men of Company G, First Oregon Cavalry, under command of Capt. Small, I set out for the scene of conflict at once, giving instructions to the officers next in command to continue the march to this place and establish a camp. On arriving upon the field at 9 o'clock a. m., I found Lieutenant McCall's party occupying a small rise of ground, nearly a mile distant from the scene of actual conflict. The wounded had all been carried down the hill to this place; the dead were in the hands of the Indians. Surgeon Dumreicher, who accompanied me, proceeded at once to care for the wounded, and as soon as I could get the necessary information as to the exact locality in possession of the hostile Indians, I set out with Capt. Small's detachment for the purpose of renewing the fight. Moving slowly, and reconnoitering carefully, over a country so rough as to be almost impracticable for cavalry, we gradually approached the cliff of rocks under which they had taken refuge, but found it abandoned. I subsequently learned from some of our friendly Indians that they left about an hour before our arrival, dispersing into the mountains. Their trails could not be found, as they were on foot, and the surface of the country so exceedingly rough as to render any attempt to trail them utterly useless. Our dead had been stripped and horribly mutilated. A Warm Spring Indian, killed in the fight, had been disemboweled and scalped.

The dead were carried down to the place occupied by Lieutenant McCall and party and I then proceeded to make an examination of the position lately occupied by the Indians. It was a very strong one, had been well fortified and barricaded with large

bowlders, probably in anticipation of attack at some time or other. On going into their camp we found a very large store of provisions and a considerable quantity of property of every description such as is usually collected about an Indian camp; also clothing, saddles, camp equipage, etc., that had been stolen from the whites. Everything was burned under the supervision of Captain Small, a special detail having been made for the purpose. As far as I can ascertain positively but three Snake Indians were killed; if any were wounded they carried them off. Lieutenant McCall captured fifty head of horses, all they had. Fifty or sixty saddles were burned with their camp, and they are without the means of committing depredations for the present.

From what information I can get I place the strength of this party of hostile Indians at forty or fifty in number, well armed; a desperate band, headed by a chief named Pe-li-ne, a noted character in the Indian country. This is one of their haunts; our friendly Indians say they have occupied this camp for three or four years; the camp itself bears every evidence of this fact. They are undoubtedly the party that has committed so many depredations on the Cañon City road during the past winter and spring. I sent the captured horses to camp; turned over to the Warm Spring Indians eight of them claimed as their property. I have appropriated five more to remount soldiers whose horses were shot in the action and killed or wounded. Ten others were turned over to the quartermaster, to be used by the herders and packers; the balance of the lot I distributed among the Warm Spring Indians, and will require them to send them back to the reservation. These horses have all been stolen from the whites, and will probably be claimed at some time. With the large quantity of stock belonging to the command to be cared for in a hostile country I deemed a lot of horses of this description an addition that might embarrass us, and have made this disposition of them, hoping it may meet the approval of the general commanding.

Our casualties in this affair are: Second Lieut. Stephen Watson, commanding detachment Company B, First Oregon Cavalry, killed; Privates James Harkison and Burnett Kennedy, detachment Company B, First Oregon Cavalry, killed, and Corporal Dougherty and Privates Freeman, Henline, Level, and Weeks, detachment Company B, First Oregon Cavalry, wounded. Private Henline is severely wounded in the shoulder, and will not recover under two months; the others are but slightly wounded and will be fit for duty in ten or fifteen days. One of our Indian scouts was killed, and Stock Whitely, their chief, dangerously wounded; the surgeon thinks he will recover. The citizen, Richard Barker, named in Lieutenant McCall's report has been traveling with the command for eight or ten days, for the purpose of joining a prospecting party somewhere in this vicinity; I did not know that he had gone out with the detachment until I heard of his being wounded. His wound is a severe one, a fracture of the thigh bone caused by a rifle ball. He has a wife and family living at Salem, Oregon. The killed and wounded were brought to camp during the afternoon and night of the 18th. The dead were interred yesterday with the appropriate honors; the wounded are comfortable and well cared for.

In conclusion, I would state that the management of this affair on the part of Lieutenant McCall seems to have been prudent and careful; the intended surprise was only partially successful, the Indians taking the alarm in time to make good their retreat to the cliff 300 yards distant from their camp, and in the direction from which Lieutenant Watson was approaching. He, Lieutenant Watson, evidently did not know of the existence of the ledge upon which his platoon made the charge, as the ground was descending and extremely rough. He may have been precipitate and imprudent, perhaps, but his conduct on the whole was gallant and daring.

Very respectfully, your obedient servant,

JOHN M. DRAKE, -

*Captain First Oregon Cavalry, Commanding.*

The ACTING ASSISTANT ADJUTANT-GENERAL,

*Headquarters District of Oregon, Fort Vancouver, Wash.*

HEADQUARTERS DISTRICT OF OREGON,

*Fort Vancouver, Wash., June 1, 1864.*

COLONEL: I have the honor herewith to inclose to you, for the information of the general commanding, a copy of the report of the 20th instant of Capt. J. M. Drake, First Oregon Cavalry, commanding an expedition into the Snake country; also a copy of Lieut. J. M. McCall's report, accompanying the same. They give the particulars of a fight between a small detachment of his command under Lieutenant McCall and some Snake Indians, on the 18th instant, at a point about 170 miles southeast from Fort Dallas. It resulted in the death of a gallant and very valuable officer, Second Lieut. Stephen Watson, of the First Oregon Cavalry, and 2 men. Fifty head of horses and their saddles (all that the Indians had) were captured; their lodges, provisions, etc., were destroyed. The attack was made at daylight. At 6

o'clock Lieutenant McCall sent to Captain Drake for re-enforcements. In three hours, at 9 a. m., Captain Drake was there; but in the meantime the enemy had fled. I suppose that Lieutenant McCall considered that he had a fair chance to capture the whole gang if they would hold on until Captain Drake arrived. Captain Drake reports that he shall make near his last encampment his wagon depot, whence his eight wagons will run to Fort Dallas for supplies. He intended to remain there eleven days, scouting thoroughly through the whole neighborhood for the Snakes. At the end of that time he will start for Harney Lake.

By my special orders, No. 70, of the 6th May, I directed that "the command of Captain Drake will proceed to the northeastern end of Harney Lake, and effect a junction with the force of Captain Currey, who will command the whole force. Captain Currey will decide when the two commands shall again separate.

I issued this order on the reception of a memorial from the people of Canyon City, directed to the governor of Oregon, praying for the calling out of temporary volunteers from that vicinity, as the memorialists considered the troops too small in numbers. The junction of the two commands ought certainly to suffice. I had desired each command to act separately if possible, traversing distinct parts of that mineral region. Captain Currey doubtless will be able to let them separate for a large share of the summer. Both commands, you are aware, are ordered to remain in the field until the middle of October; each has one hundred pack-mules, which will carry nearly sixty days' rations, so that they are prepared and equipped for efficient service. The friendly Indians have already done service to Captain Drake, as scouts. Captain Currey has with him Houlish Wampo (head chief of the Cayuse) and a dozen Indians of long-continued enmity to the Snakes, and who will assist in ferreting them out.

I am, very respectfully, your obedient servant,

BENJAMIN ALVORD,  
Brigadier-General, U. S. Volunteers, Commanding District.

Lieut. Col. R. C. DRUM,

Assistant Adjutant-General, Headquarters Department of the Pacific,  
San Francisco, Cal.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, June 23, 1864.

Adjutant-General U. S. Army, Washington, D. C.:

SIR: Inclosed herewith are reports received from Col. H. M. Black, Sixth Infantry, California Volunteers, commanding the district of Humboldt. Under the vigorous prosecution of operations against the hostile Indians by Colonel Black and the officers and men of his command, it is confidently expected that peace will be restored at an early date. With the exception of the Indian disturbances in Humboldt and in the country of the Snake Indians in Oregon, all is quiet.

Very respectfully, your obedient servant,

G. WRIGHT,  
Brigadier-General, U. S. Army, Commanding Department.

CAMP JAQUA, CAL., June 15, 1864.

Maj. THOMAS F. WRIGHT,

Sixth Infantry, California Volunteers, Commanding  
Battalion Sixth Infantry, California Volunteers:

SIR: At your request I have read the report of the scout of Sergeant Harris, Company E, First Battalion Mountaineers, and would most respectfully call your attention to May 12, when he moved camp to the low gap in the Vandusen Mountains, and to my report that I made to you on the 20th of the same month. I there stated that a portion of my scout, under the command of Sergeant Holt, Company G, Sixth Infantry, California Volunteers, encamped at the low gap, where I joined them on the 13th instant (there was not at that time any signs of a scout having been there). I also reported that when I arrived they reported to me of having seen five bucks examining their tracks on the 13th on the Mad River side of the low gap. Harris and Fleming stated to you personally in my presence that it was then, and yet in his report he says, May 13, "Rain; did not move." I also stated in the same report, that on Sunday, the 15th, I sent some men up the Vandusen about 6 miles, and upon the devils, where they discovered the Indians down on Mad River. Fleming and Sergeant Harris stated to you that it was their party, and yet in his report he says, May 15, "On the trails running down the South Fork of the Trinity," which is on the other side of the summit of the South Fork Mountains, and at least 30 miles from where I stated to them we had seen the Indians.



In regard to the latter portion of his report, which dates from the evening of the 20th, when we left this post with thirty enlisted men and three commissioned officers of your command (Lieutenant Geer in command of the detachment) Sergeant Harris did nothing more than any other enlisted man of the detachment. He did not turn over any property to Lieutenant Geer, for he did not capture any (excepting one German rifle). He did not turn over any deserters to me, nor do I know whether he was present when the deserters (that he speaks of) were arrested, although he might have been.

I am, sir, very respectfully, your obedient servant,

J. P. HACKETT,  
First Lieutenant Company G, Sixth Infantry, California Volunteers,

CAMP JAQUA, CAL., June 15, 1864.

Maj. THOMAS F. WRIGHT,  
Sixth Infantry, California Volunteers, Commanding Post:

SIR: At your request I have read the report of the scout of Sergeant Harris, Company E, First Battalion Mountaineers, California Volunteers, and would most respectfully call your attention to May 20, when I left this post in command of thirty enlisted men of your command, accompanied by Lieutenant Hackett and Lieutenant Hutton of the Sixth Infantry. Sergeant Harris did nothing more than any other enlisted men of the detachment. He did not turn over any property to me except a German rifle, it being all of the property that he captured. The deserters were taken by Lieut. J. P. Hackett, whom I brought in and turned over to you.

I am, sir, very respectfully, your obedient servant,

K. GEER,  
First Lieutenant, First Battalion Mountaineers.

*Report of Sergeant Richard B. Harris, of Company E, First Battalion Mountaineers, California Volunteers, commanding a detachment of six men of his company on a scout for hostile Indians.*

Left Camp Grant April 13, 1864, marched 10 miles and camped. April 14. Marched 14 miles, and camped at Fleming's ranch, on Dobyn's Creek. April 15. Stayed in camp waiting for a guide. April 16. Left camp, Stephen Flemings as guide and two other citizens attached to the party, making the number of men ten; marched 10 miles and camped. April 17. Left camp and marched to the forks of the Vandusen Creek, and camped; distance marched 5 miles; took with me two citizens and prospected the country for Indian sign, but found none. April 18. Left camp early in the morning and traveled up the north fork of the Vandusen, and camped on the same; distance marched 10 miles; scouted in the afternoon on the headwaters of Mad River for Indian sign, but found no fresh sign. April 19. Scouted on the headwaters of the Vandusen and Mad Rivers; distance marched, 13 miles. April 20. Crossed over the dividing ridge to Mad River; our march was up Mad River; distance marched, 15 miles. This evening we found fresh signs of Indians about 4 miles below the Kitten-Chow trail. April 21. Moved at sunrise in pursuit of Indians, and trailed them over to the South Fork of Trinity River; distance marched, 14 miles. April 22. At daylight this morning we were up and after them; we trailed them across the South Fork of Trinity, a distance of about 35 miles. April 23. Still on their trail; went in the direction of Hay Fork of Trinity River; we trailed them to Mr. Rodgers's house in Hay Fork, where we learned they had robbed his house of two rifles and some blankets. Indians twenty-six hours ahead of us; distance marched, 25 miles. April 24. Camped for the day in Hay Fork to rest and get supplies. April 25. Being re-informed at Hay Fork by three citizens and four domesticated Indians, our force now numbered seventeen men. A citizen reported being shot at by Indians, we started in pursuit and scouted through the Hay Fork country, and returned to our camp at Rodgers's house to-night; distance traveled, 30 miles. April 26. Took their trail from Rodgers's house and trailed them back again to South Fork of Trinity River; distance marched, 20 miles. April 27. Started on their trail down the South Fork of Trinity River; today we captured a squaw, but she being too old to travel with the party, we left her. She informed us that the Indians we were after had gone over to join a party of Indians that had forty rifles; we camped on the river; distance marched 15 miles. April 28. Still on their trail from Trinity River across the mountain to Mad River; distance marched, 15 miles. April 29. Scouting all day on South Fork Mountain, as the rain had put out all signs of the Indians; distance marched, about 10 miles. April 30.

Scouting as previous day; distance, about 15 miles. May 1. Found the Indian trail and followed it to the low gap in the South Fork Mountain, and then to Mad River; distance marched, about 17 miles. May 2. Started at day-light on trail following them to the north side of Trinity Mountain into the a heavy-timbered country; found where they had camped two days ahead of us; we lost their trail in the timber, and the party camped; distance marched, 12 miles. May 3. Rained all day; bushes wet; did not move. May 4. Divided my party and scouted through the timber; distance marched, 14 miles. May 5. Rained and snowed all day; laid over on the South Fork of Trinity River. May 6. Struck their trail and followed them up the South Fork Mountain; distance marched, about 10 miles. May 7. Lost the trail in timber; marched to the Old Kitten-Chow trail and camped; distance, 15 miles. May 8. Scouting for the Indian trail, distance marched, 22 miles. May 9. Scouting up Mad River; no sign; distance marched, 14 miles. May 10. Scouting all day from Mad River back to South Fork of Trinity River; distance marched, 18 miles; camped on Mad River. May 11. Scouting on headwaters of the Vandusen River; marched 12 miles and returned to camp on Mad River. May 12. Moved camp to the low gap in the Vandusen Mountain, and scouted over on the South Fork of Trinity River and found the fresh trail of the Indians; distance traveled, about 25 miles; and returned to camp. May 13. Rain; did not move. May 14. Trailed the Indians down the South Fork of Trinity; distance, 15 miles; we received to-day an addition of four domesticated Indians, which made our force twenty-one. May 15. On the trail running down the South Fork of Trinity; distance marched, 15 miles. May 16. Following the trail down the South Fork of Trinity; distance marched, 14 miles. May 17. Still in pursuit of same band of Indians; trailing them by Hyompon Valley, up the South Fork Mountain and camped near the summit; distance marched, 14 miles.

May 18. Still in pursuit trailing down the mountain on to Pilot Creek; distance marched, 17 miles. May 19. Trailed up Pilot Creek 15 miles and camped at the crossing of the Hyam Pow Trail; to-day two citizens and three of the Indians left us and returned home. May 20. Being out of provisions and close on the Indians, who had become numerous, we left the party secreted in camp, with orders to lay still under cover, so as not to be spied by the Indians; we went to Fort Ioqua for provisions and men. Major Wright furnished us with 15 days' provisions and a detachment of 30 men; we returned to camp same night; distance marched from Ioqua, 25 miles. May 21. In camp preparing rations until 2 o'clock p. m.; started and struck the trail, following in the direction of Grouse Creek; distance marched, 7 miles. May 22. Trailed the Indians to the dividing ridge between Pilot and Grouse Creeks; discovered the smoke from their fires about 10 miles from us; laid under cover until about 1 o'clock a. m. on the morning of the 23d, and started for their ranch; we came up to them about sunrise; saw one white man with the Indians; thought at first sight it was a soldiers' camp, as the white man was dressed in soldier's clothes; the white man and one Indian appeared to be on guard; after we had discovered the white man and Indian we secreted ourselves to watch their movements; the white man and Indian left their post and went in the direction of the ranch; we then discovered our mistake, as they had seen us and gave the alarm, but before they had time to move anything or prepare to give battle we charged them, and was in the ranch amongst them before they could get out. We killed nine Indians, and wounded many others; we took two women and two children (Indians) prisoners, capturing three rifles, one horse and saddle, and all their camp equipage. The prisoners, and the rifles, and the horse and saddle were turned over to Lieutenant Geer, of Company A, First Battalion Mountaineers, California Volunteers. We returned to camp, at the crossing of Pilot Creek, the same evening.

May 24. Broke up camp and started for Camp Grant. We captured two deserters from the Sixth Infantry, California Volunteers, on the top of the mountain between Pilot Creek and Mad River; deserters turned over to Lieutenant Hackit, of Sixth Infantry, California Volunteers; distance marched, 20 miles. May 25. Camped on Vandusen, at the McAtee crossing; distance marched, 14 miles. May 26. Left camp on Vandusen and marched 16 miles, and camped at Fleming's ranch. May 27. Staid in camp to rest. May 28. Still in camp. May 29. Marched 9 miles and camped on the dividing ridge between Laribe Creek and main Eel River. May 30. Marched 16 miles and arrived at Camp Grant at 6 o'clock p. m. The entire distance marched from the 13th day of April to the 30th day of May was about 600 miles, mostly over a very rough and mountainous country. We had been nearly constant on the trail of the same band of armed Indians. The Indians robbed one citizen's house and killed one citizen while we were on their trail. They were never more than two days ahead of us from the 20th of April, the time we struck their trail, until we found them, the 23d day of May. Their camp equipage was all destroyed.

R. B. HARRIS,

*Sergeant, Company E, First Battalion Mountaineers,  
California Volunteers, Commanding Detachment.*

Station, Camp Grant.  
Date, June 2, 1864.

[Telegram.]

SAN FRANCISCO, July 11, 1864.

E. M. STANTON,  
Secretary of War:

We have but three small companies of artillery. I want to mount them as soon as possible, for there is not a field battery in the department, and I ask authority to raise a regiment of volunteer artillery for the defense, in part, of the fortifications of this harbor and city, they being now exposed more than the present state of the country justifies.

IRVIN McDOWELL,  
Major-General.

[Telegram.]

WASHINGTON, D. C., July 29, 1864.

Major-General McDOWELL,  
San Francisco:

The Secretary of War does not approve of raising troops for special or local purposes. Volunteers in the Department of the Pacific can be raised through the governor under authority already given, and infantry, which will be available elsewhere, can be instructed at artillery firing in the forts. Volunteer regiments of artillery here have been nearly converted into infantry, and no more such regiments will be raised.

H. W. HALLECK,  
Major-General, Chief of Staff.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Salem, July 5, 1864.

GENERAL: I have this day appointed Dr. Edward Colmanche an assistant surgeon for the First Regiment Cavalry, Oregon Volunteers, and I respectfully recommend that a board be ordered, that he may be examined and mustered into the service.

His post-office address is Silits, Benton County, Oregon.

I have the honor to be, very respectfully, your obedient servant,  
ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. B. ALVORD,  
Commanding District of Oregon.

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., July 7, 1864.

His Excellency A. C. GIBBS,  
Governor of Oregon, Portland, Oregon:

SIR: I have the honor to acknowledge the reception of your letter of the 5th instant, informing me of the appointment of Hospital Steward Colmanche assistant surgeon of the First Oregon Cavalry.

General Orders, No. 182, from the War Department, dated June 20, 1863, prohibits the appointment of an assistant surgeon when a vacancy occurs in a cavalry regiment that is reduced below a minimum.

I am, sir, very respectfully, your obedient servant,  
BENJ. ALVORD,  
Brigadier-General, U. S. Volunteers, Commanding District.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, August 3, 1864.

GENERAL: Allow me to call your attention to inclosed letters. They speak for themselves. It appears to me that the line cannot be run unless an escort is furnished, as it will run through an Indian country not far east of Cañon City.

If consistent with the public service, I hope you will furnish the escort. The pres-

ence of the escort will be of some service in that country, aside from the protection furnished Surveyor Thompson.

I have the honor to be, very respectfully, your obedient servant,  
ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. BENJ. ALVORD,  
*Commanding District of Oregon.*

[Inclosure.]

SURVEYOR-GENERAL'S OFFICE,  
*Eugene, July 30, 1864.*

Hon. A. C. GIBBS,  
*Portland:*

DEAR SIR: I am about sending Deputy Surveyor D. P. Thompson into the field to survey the Deschutes guide, meridian, and standard parallels connected with it, and in surveying the country from the second to the sixth parallel in running south it will be necessary that he should have an escort of armed men, say twenty-five, more or less. This work must be done this season in order that exteriorizing may go on next.

I shall therefore feel under lasting obligations to you if you will (without delay) unite your efforts with Mr. Thompson in obtaining an escort from General Alvord to accompany the surveying company for about four weeks.

General Alvord has been very obliging in granting these necessary requests heretofore, and I have no doubt will do so this time!

I suppose you have an opportunity of seeing him often and can talk to him personally about this matter. He has very kindly offered to render me such assistance heretofore, and if you will state to him that I am very anxious about this matter, it will doubtless have some weight with him.

Matters are moving on here about as usual. Brother Pearne passed through here yesterday. I did not see him, but understand he was in good health and spirits.

The appropriation for surveys this season is double that of last, amounting to \$20,000.

Your obedient servant,

B. J. PENGRA,  
*Surveyor-General of Oregon.*

[Telegram.]

SAN FRANCISCO, *August 17, 1864.*

Hon. E. M. STANTON,  
*Secretary of War:*

The term of service of most of the volunteer regiments raised in California will soon expire. Most of the officers are, from their experience, better than new ones would be. Some recruits have from time to time been made whose term of service extend beyond that of the organization to which they belong, but not enough to make, under existing orders, any regiment a veteran regiment. Enlistments in the regiments raised on the coast having been made as in the regular service, the troops are widely scattered, and are frequently in small detachments, and the existing orders for mustering out and mustering in hardly apply under these circumstances, and in view of the current and prospective wants of the service we request the following authority to be granted: First, to make such consolidations of the old regiments and to retain such regimental organizations and such old officers whereof as the governor of the State and the general commanding this department may find best for the interest of the service. Second, to raise successively such new regiments as shall make the total number of California amount to eight regiments of infantry and two of cavalry, in addition to the four companies of native cavalry and the six companies of mountaineers.

FRED'K T. LOW,  
*Governor of California.*  
IRVIN MCDOWELL,  
*Major-General, Commanding.*

[Telegraph.]

WASHINGTON, August 18, 1864.

Major-General McDOWELL,  
San Francisco, Cal.:

The Secretary of War authorizes the consolidation of regiments and the raising of new troops, as proposed in yesterday's telegram of yourself and Governor Low.

H. W. HALLECK,  
Major-General, Chief of Staff.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, August 17, 1864.

Adjutant-General of the Army, War Department, Washington, D. C.:

SIR:

\* \* \* \* \*

In the expeditions made after hostile Indians, many are taken as prisoners, and, as in the case in the Humboldt district, sometimes several hundred have to be fed from the military supplies. The Commissary Department at Washington refuses to allow their officers to issue subsistence to Indians, save in small quantities when visiting military posts, and refuses to permit any regular daily or periodical issues. This they urge is the duty of the Indian Department. On the other hand the Indian Department decide that they can not feed Indians who are prisoners in the hands of the military; that the military have always fed their own prisoners; that they can not refund money disbursed by officers over whom they have no control; that if Indians are turned over to them at their reservations, they will be provided for, etc. These clashing routine decisions of these Departments tend to embarrass the service, which requires a course not provided for by the regulation.

We have now several hundred Indians in our custody. Some were brought in; some came in and surrendered. The country has been scoured by our military parties and their food destroyed and no Indian agent present. We have been obliged to feed them till the Indian Department receives them. To refuse to do so would drive them to the necessity of committing fresh depredations, and thus re-open the war. Having fed refugees from slavery and prisoners of war in the East, I am at a loss to see any reason for not doing the same to the red man in the West in cases where we have taken him from his country and destroyed his means of subsistence and there is no agent at hand with food to keep him from starving, or from fighting that he may not starve.

The officer of the Commissary Department at this station and the Indian superintendent here are doing all they can to soften these impracticable rules and save the frontier from the fresh outbreak which a compliance with them would unquestionably produce.

\* \* \* \* \*

Very respectfully, your obedient servant,

IRVIN McDOWELL,  
Major-General, U. S. Army, Commanding Department.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, August 17, 1864.

To the Adjutant-General of the Army, War Department, Washington, D. C.:

SIR: I have to report as follows concerning the state of the department for the month of July:

In the district of Oregon there have been some small parties of troop sent out to guard emigrant routes, and there is a difficulty existing with the Quinaiet tribe of Indians, who refuse to surrender the murderers of Cook. The district commander proposes to send an expedition to force them to do so.

In the district of Humboldt Indian difficulties are now quieted, and the superintendent of Indian affairs has gone up to make arrangements for establishing an Indian reservation on the Trinity River at Fort Gaston. It was the intention of my predecessor to remove the Indians in this section to Catalina Island; and he had for this purpose taken possession of the island. But the Indian Department has refused to have the Indians removed, and requires them to be kept in the section in which they now live.

In the expeditions made after hostile Indians many were taken as prisoners, and,

as in the case in the Humboldt district, sometimes several hundred have to be fed from the military supplies.

The Commissary Department at Washington refuses to allow their officers to issue subsistence to Indians, save in small quantities when visiting military posts, and refuses to permit any regular daily or periodical issues. This they urge is the duty of the Indian Department.

On the other hand the Indian Department decide that they can not feed Indians who are prisoners in the hands of the military; that the military have always fed their own prisoners; that they can not refund money disbursed by officers over whom they have no control; that if Indians are turned over to them at their reservations they will be provided for, etc.

These clashing routine decisions of the Departments tend to embarrass the service, which requires a course not provided for by the regulations.

We have now several hundred Indians in our custody. Some were brought in; some came in and surrendered. Their country has been scoured by our military parties and their food destroyed and no Indian agent present. We have been obliged to feed them till the Indian Department receives them. To refuse to do so would drive them to the necessity of committing fresh depredations, and thus re-open the war.

Having fed refugees from slavery and prisoners of war in the East, I am at a loss to see any reason for not doing the same to the red man in the West, in cases where we have taken him from his country and destroyed his means of subsisting and there is no agent at hand with food to keep him from starving or from fighting that he may not starve.

The officer of the commissary department at this station and the Indian superintendent here are doing all they can to soften these impracticable rules and save the frontier from the fresh outbreak which a compliance with them would unquestionably produce.

In the district of Utah matters have been in a very delicate state with the Mormons. On the 1st of July Brigadier-General Connor, who is stationed near Great Salt Lake City, telegraphed me that the Mormons were arming to drive him out of the city; that they had one thousand men under arms and were still gathering; that he could hold his position till re-inforced from neighboring Territories.

I transmit herewith (marked A, B, C, D, E, F) the correspondence had with him in the matter.

General Connor bears the reputation of being a good soldier, and his last letter shows he deserves the reputation.

In the district of California the sympathizers and friends more or less active of the rebels from time to time, give evidence of a desire, if not a design, to embarrass, if not openly oppose, the Government. \* \* \*

I have in compliance with "general orders," seized a large quantity of arms and munitions of war which were being taken out of the country, nominally to go to the Colorado River, but in reality to go to Mexico. They have been ordered for safe-keeping to Benicia Arsenal. Part of them were seized in Half Moon Bay after they had eluded the custom-house officers.

A French ship of war has been in this harbor for the last six weeks. She is said to be taking in supplies for the French fleet at Acapulco.

At the request of the collector, made at my instance, I have seized and hold a war vessel just built, said to be for the Peruvian Government. There were, the collector states, suspicious circumstances connected with her. The Peruvian consul states that she is built for his Government.

Very respectfully, your obedient servant,

IRVIN McDOWELL,  
Major-General, Commanding Department.

A.

[Copy of telegram.]

CAMP DOUGLAS, July 13, 1864.

Lient. Col. R. C. DRUM,  
Assistant Adjutant-General:

Encouraged by the unfavorable news from the East, the Mormons are assuming a very hostile attitude. They have about one thousand men under arms and are still assembling, and threaten to drive my provost guard from the city; alleged excuse for armed demonstration, the presence of the provost guard in the city. My com-



mand is much scattered, having only three hundred men at this camp; if conflict takes place, which I will endeavor to avoid, can hold my position until re-inforced from neighboring Territories.

P. EDWARD CONNOR,  
*Brigadier-General, Commanding.*

—  
B.

[Copy of telegram.]

CAMP DOUGLASS, July 15, 1864.

Lieut. Col. R. C. DRUM,  
*Assistant Adjutant-General:*

Finding that I am preparing to resist any attack, and knowing that the city is at the mercy of my guns, and will be surely destroyed if my troops are attacked, the Mormons seem to be quieting down somewhat, although armed forces are assembling inside of Brigham's yard, and having nightly drills with artillery and infantry, my impression is that there is no immediate probability of conflict. The excitement is dying away among the masses of the people, still in many parts of the Territory the national currency is openly repudiated under the dictation of the church.

The leaders are buying up from the emigrants and others, all the arms and ammunition possible.

P. EDWARD CONNOR,  
*Brigadier-General, Commanding.*

—  
C.

[Copy of telegram.]

SALT LAKE CITY, July 16, 1864.

Col. R. C. DRUM, *Assistant Adjutant-General:*

The excitement is fast abating; any indication of weakness or vacillation on my part would precipitate trouble. The presence of the provost guard was simply the excuse for the development of the innate and persistent disloyalty of the church leaders, who seek to force me into some position which will secure my removal and a consequent overthrow of my policy in Utah. The removal of the provost guard under the circumstances would be disastrous in the extreme. My opinion is decided that a firm front presented to their armed demonstrations will alone secure peace and counteract the machinations of the traitor leaders of this fanatical and deluded people.

P. EDWARD CONNOR,  
*Brigadier-General, Commanding.*

—  
D.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, July 16, 1864.*

Brig. Gen. P. E. CONNOR,  
*Commanding District of Utah:*

GENERAL: I have the honor to acknowledge the receipt of your letter of July 1, reporting the peaceable state of affairs in your district, and of July 2, reporting the determination of a few Salt Lake merchants to initiate a forced change in the currency of the Territory, and requesting the instruction of the department commander in relation to the course you should take in the matter; it having been your first impulse to crush out at once and forever so unpatriotic and suicidal a policy. Soon after the receipt of these letters came your telegrams of the 13th, received last night, and of the 15th received to-day, reporting a threatened insurrection on the part of the Mormons, on the alleged pretext of the presence of the provost guard in Salt Lake City. Last night I telegraphed you in answer to yours of the 13th, as follows:

"The major-general commanding the department approves of your determination to avoid a conflict with the Mormons. Do so by all means. Is there not some other cause than the mere presence of the guard in the city? Examine closely. Remove the guard and troops rather than their presence should cost a war."

The major-general commanding directs me to say that he has every confidence in your discretion and good judgment, as he has in your zeal and ability, and is certain he will not have to appeal to these high qualities in vain.

The condition of affairs at Salt Lake as reported by you is very critical, not only as regards your own command, but as regards this department and the whole country.

The question is, are we at this time, and as we are now situated, in a condition to undertake to carry on a war against the Mormons—for any cause whatever—if it can possibly be avoided; not whether there are not matters that require to be changed, bad government and worse morals to be corrected and the authority of the National Government to be more thoroughly enforced; but can we not pass all these by for the present, at least, and thus avoid weakening the General Government, now taxed to its utmost and struggling for its very existence.

Your forces are very few and scattered—so the general finds those in the other districts—so undoubtedly will be found those in the Territories adjoining you. To send you the forces necessary to resist the Mormons, much more to assail them, would require more means and men than could be gathered together and sent to you from this coast; to send away those which could be had would leave it in the hands of secessionists, and that at a time the inhabitants are looking with anxiety to the troubled and critical state of foreign affairs.

A war with the Mormons would be the opportunity which our domestic enemies would not fail to improve, and it is not too much to say that at this time such a war would prove fatal to the Union cause in this department. Under these circumstances, the major-general considers that it is the course of true patriotism for you not to embark in any hostilities, nor suffer yourself to be drawn into any course which will lead to hostilities.

It is infinitely better that you should, under the present circumstances, avoid contact with them. The object of troops being at this time in Utah is to protect the overland route and not to endeavor to correct the evil conduct, manifest as it is, of the inhabitants of that Territory. This undoubtedly will tax your forbearance and your prudence to the utmost, but the general trusts it will not do so in vain.

At this distance the general is unable to give you specific instructions as to the particular things to be done or to be avoided, and must necessarily leave the details in your hands.

To insure this dispatch reaching you it is sent by the hands of that excellent officer, Major McGarry, whom you will retain, if you require him, at the headquarters of his regiment. He is informed of the contents of this dispatch so that he may communicate them in case he has to destroy it. It would be well, however, if they were kept by you in strict confidence. A telegraphic cipher is also sent.

Very respectfully, your most obedient servant,

R. C. DRUM,  
*Assistant Adjutant-General.*

E.

HEADQUARTERS DISTRICT OF UTAH,  
CAMP DOUGLAS, UTAH, NEAR GREAT SALT LAKE CITY,  
July 2, 1864.

COLONEL: I have the honor to inform the department commander that I have recently become cognizant of a persistent effort on the part of a few merchants and traders doing business in Great Salt Lake City to institute a forced change in the currency of the Territory, viz, from national Treasury notes to gold coin.

Without knowing whether the movement had its origin in a desire to depreciate the national currency, and to this extent weaken the arm of Government or in the selfish greed for gain, or, as is most probable, both combined, my first impulse was to arrest the originators on the first overt act to that end, and crush out at once and forever so unpatriotic and suicidal a policy. I have, however, on reflection, deemed it proper to submit the facts to the department commander, and ask for specific instructions on the subject should the attempt be actually made. You are respectfully informed that up to this time the only currency of the Territory has been that established by the Government—legal-tender notes—and notwithstanding the product of northern mines, in dust there is not sufficient gold and silver coin in the Territory to suffice for one day's need in commerce, trade, and barter.

The only effect of the forcible measures threatened to be inaugurated by the merchants would therefore be to depreciate to an enormous extent the current value of the national currency, and disseminate among a suspicious people the opinion that the Government was fast going to pieces, and its pledged securities little better than blank paper.

The efforts of bad men among them to sneer at the impotence of the Government and depreciate it in any manner would be furthered, and our great nation become a by-word and reproach among a deluded community, already deeply inoculated with enmity and disloyalty towards it.

In almost every other community the inevitable laws of trade would check and prevent the inauguration of so suicidal a policy as that indicated under the circumstances existing in this Territory, but it is greatly to be feared that unless some stringent measures are authorized, a very few disloyal and greedy merchants, owing, and neither feeling any allegiance to nor regard for the nation, may consummate a most disastrous stroke in the forcible change of the currency. The whole matter is respectfully submitted to the department commander for early instructions, by telegraph, if deemed advisable.

I remain, colonel, very respectfully, your obedient servant,

P. EDWARD CONNOR,  
*Brigadier-General, Commanding.*

F.

HEADQUARTERS DISTRICT OF UTAH,  
CAMP DOUGLAS, UTAH, NEAR GREAT SALT LAKE CITY,  
July 24, 1864.

COLONEL: I have the honor to acknowledge the receipt at the hands of Major McGarry, Second Cavalry, California Volunteers, of your dispatch of the 16th instant, communicating to me the views of the major-general commanding the department, in reference to present and future Mormon complications in Utah, and also your favor of same date inclosing a telegraphic cipher.

Last night I telegraphed you as follows:

"McGarry has arrived; all quiet. The wishes of the commanding general will be strictly complied with. With the addition of three or four companies from Fort-Churchill I will be responsible for the protection of the overland mail and the peaceable solution of the Mormon question. I am aware how difficult it must be, even after the fullest exposition in writing, for one at a distance to fully comprehend the state of affairs existing in this Territory, and I feel sensible of the high honor done me by the commanding general, in his expressions of reliance on my judgment and discretion. At the same time I am thankful for the very full exposition you have given me of the views of the commanding general, and take this occasion to repeat that they shall be implicitly observed by me, with the confident hope that nothing shall occur in my power to prevent which will cause him to feel that his reliance in me has been misplaced.

"For manifest reasons some of the acts performed by me or things done may at a distance appear a deviation from the peaceful policy which is at once my own aim and the desire of the general commanding, but I beg leave respectfully to assure you that those acts have been at times absolutely necessary to insure peace, and certainly always, in my judgment, calculated to promote it. The commanding general by this time, I presume fully understands that in case of a foreign war the overland mail would stand in far more danger from the Mormons than from Indians or other foes, and to protect that route it is necessary that the former should understand most fully that there is not only the intention but there is also the power to hold them in check. The presence of troops here, while giving no just cause of offense, and without infringing in the least upon the rights of any citizen, is potent to prevent difficulties and obstructions which would assuredly result in war.

"The exhibition of firmness and determination, accompanied by a display of force, will, I am confident, secure peace and prevent complications. Such addition to my present command as has been asked for, and which I hope is in the power of the general commanding to give, I am confident will enable me to do all that is necessary, and I have no hesitation in pledging myself to the maintenance of peace in Utah without compromising the dignity of my Government or pandering in the least to the threats or expostulations of the treasonable organization which holds so great a sway in this Territory.

"So long as my guns command the city as they do, and the force under my command is not too much reduced, I have no fear and will be responsible for the result. Brigham Young will not commence hostilities, I think, and I need hardly say that I will not inaugurate them so long as peace is possible without dishonor. I trust that I fully appreciate the anxiety with which the commanding general, in view of the circumstances surrounding him regards the possibility of conflict in this Territory,

and so appreciating, I need hardly add that nothing will be done by me tending to complicate the undoubtedly bad state of affairs existing here."

I have the honor to remain, very respectfully, your obedient servant,  
P. EDWARD CONNOR,  
*Brigadier-General, Commanding.*

Lieut. Col. R. C. DRUM,  
*Assistant Adjutant-General, U. S. Army,  
Department of the Pacific, San Francisco, Cal.*

GENERAL ORDERS, }  
No. 38. }

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., July 25, 1864.*

I. The arrest of a prominent citizen on the charge of endeavoring, among other disloyal practices, to excite certain citizens to armed organization against the Government of the United States, on the pretext that they were to be prevented by the United States military forces from exercising their right to vote at the coming Presidential election, is deemed a suitable occasion to inform all concerned that it is made no part of the duty of the United States military authorities, and that there is neither an intention nor the slightest wish on their part to interfere in any way whatever to influence even, much less to control or restrain, any one in the full and free exercise of his right to vote for whomsoever he pleases.

II. No armed organization will be suffered in the department save those sanctioned by competent constituted authority.

By command of Major-General McDowell.

R. C. DRUM,  
*Assistant Adjutant-General.*

[Telegram]

SAN FRANCISCO, *August 17, 1864.*

Hon. E. M. STANTON:

We ask for authority to have one of the rifled field batteries now at Benicia Arsenal turned over to the State of California to arm and uniform a militia company of artillery.

IRVIN McDOWELL,  
*Major-General.*

FRED. F. LOW,  
*Governor of California.*

HEADQUARTERS DEPARTMENT OF PACIFIC,  
*San Francisco, August 19, 1864.*

His Excellency F. F. LOW,  
*Governor of California:*

SIR: The following telegram was received last evening:

WASHINGTON, *August 18, 1864.*

"Maj. Gen. McDOWELL:

"The Secretary of War authorizes the consolidation of regiments and the raising of new troops as proposed in yesterday's telegram of yourself and Governor Low.  
"H. W. HALLECK."

I am, governor, very respectfully, your obedient servant,

R. C. DRUM.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
*San Francisco, August 22, 1864.*

His Excellency F. F. LOW,  
*Governor of California:*

SIR: I have the honor to inform you that instructions have been received to issue to the State of California one complete battery of six 10-pounder Parrott guns, with such ammunition as General McDowell may direct.

I have the honor to be, governor, very respectfully, your obedient servant,

R. C. DRUM,  
*Assistant Adjutant-General.*

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, August 23, 1864.

COLONEL: I am in receipt of your favor informing me of an affirmative response by the War Department to the two telegrams sent by General McDowell and myself jointly.

Nothing definite can be done about the volunteers until the general returns, I suppose, and as to the battery, I desire that that matter remain in abeyance for a few days, or until I see you personally.

Yours, very truly,

F. F. LOW.

Col. R. C. DRUM,  
*Adjutant-General.*

---

[Telegram.]

VANCOUVER, August 31, 1864.

Maj. Gen. H. W. HALLECK,  
*Chief of Staff:*

I beg to ask for the same authority for continuing, consolidating, mustering in, and mustering out volunteer regiments or companies in the State of Oregon and in the Territories in the Department of the Pacific as has been given in your telegram of August 18 for California.

The troops, old and new, for Oregon and Nevada, not to exceed in all for each a regiment of cavalry and a regiment of infantry.

The troops for Washington Territory not to exceed a regiment of infantry. Those for Idaho and Utah not to exceed four companies of cavalry or infantry in each, as the state of the service from time to time may require.

I. MCDOWELL,  
*Major-General, Commanding Department.*

I concur in the above.

ADDISON C. GIBBS,  
*Governor of Oregon.*

---

[Telegram.]

HEADQUARTERS OF THE ARMY,  
Washington, D. C., September 10, 1864.

Maj. Gen. MCDOWELL;  
*San Francisco, Cal.:*

The authority asked for in your dispatch of the 31st of August from Vancouver is granted by the Secretary of War.

H. W. HALLECK,  
*Major-General, Chief of Staff.*

---

HEADQUARTERS DEPARTMENT OF PACIFIC,  
Fort Vancouver, September 7, 1864.

His Excellency ADDISON C. GIBBS,  
*Governor of Oregon, and*  
Lieut. Col. ENGLISH,

*Assistant Provost Marshal of Oregon, etc.:*

Brigadier-General Alvord informs me there is a good prospect of obtaining a company of volunteers in the vicinity of Auburn, Oregon.

If the authority exists, as I understand it does, to complete the Oregon regiment of cavalry, I wish a company may be raised as the general suggests. The company to rendezvous at Walla Walla.

Very respectfully, your obedient servant,

I. MCDOWELL,  
*Major-General, U. S. Army, Commanding Department.*

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, September 7, 1864.

His Excellency F. F. Low,  
Governor of California, Sacramento, Cal.:

GOVERNOR: I have the honor to acknowledge the receipt of your letter relative to the proper date of discharge of the California volunteers whose terms of service are about to expire.

Circular No. 36, of May 2, 1864, from the War Department, a copy of which is herewith inclosed, directs as follows:

First. "When all the companies of a regiment were mustered in within two months of the date at which the organization commenced, the date of muster-out of the organization will be determined by reckoning the period of service from the date of muster-in of the last company."

In accordance with this, if the last company of a regiment was mustered into service on the 20th of May, 1861 (that date is considered the date of original organization and muster-in of the regiment), the period of service of the regiment will expire May 19, 1864 (expiration of original term), and at that date all the members of the regiment, *except re-enlisted ones and those who have joined since date of original organization, will be discharged.*

Second. "When there is a difference of two months or more between the dates of muster-in of the first and last companies, the companies will be mustered-out separately and the field and staff reduced proportionably, and in the inverse order in which they were mustered in under paragraph 85 of the mustering regulations."

I will state here that the men were not in the service of the United States until they were *mustered-in*; from the time of their *enrollment* until their muster at the completion of their organization they were in the State service, although they received pay for the intervening period from the Federal Government.

The above are the regulations in the case; but now that authority has been given the major-general commanding to modify these regulations to suit circumstances I would respectfully suggest that you would see the general immediately on his return from Oregon, and arrange for the discharge of men whose terms have expired. It will, I am sure, lead to trouble unless the matter is promptly attended to.

Very respectfully and truly, yours,

R. C. DRUM,  
Assistant Adjutant-General.

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Salem, September 16, 1864.

GENERAL: By a letter from General McDowell he expresses the desire to have a company of cavalry raised in the vicinity of Auburn. I suppose he must refer to the proposition of Colonel Maury sent some time ago. I made an appointment—will not the same still do? I know of no other person liable to act. If the papers then made out will answer I desire to have them sent.

I have the honor to be,

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. B. ALVORD,  
Commanding District, Oregon.

---

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., September 21, 1864.

His Excellency A. C. GIBBS,  
Governor of Oregon, Salem, Oregon:

GOVERNOR: I have to acknowledge the reception of your letter of the 16th instant. The letter from Major-General McDowell commanding the Department of the Pacific, to which you refer, doubtless was due to an application I had made for authority to raise a company of First Oregon Cavalry at Fort Boisé.

After you sent me your appointment of Mr. Holtzenhausen it appeared that authority must be obtained, etc. Governor Lyon has since given his written consent to the recruiting being carried on in Idaho Territory, credit being given to that Territory for the number obtained there. If he had refused the recruiting would have to be



confined to Oregon, and Auburn was the best center. Mr. Holtzenhausen was a resident of La Grande, Oregon.

I fear from the letters of Col. Maury that Mr. Holtzenhausen will not undertake the experiment. There is not yet time to have heard from him since the papers went on.

Very respectfully, your obedient servant,

BENJ. ALVORD,  
Brigadier-General, U. S. Volunteers, Commanding District.

SAN FRANCISCO, September 22, 1864.

His Excellency F. F. Low,  
Governor of California:

SIR: I have the honor to request, under the special authority granted to that effect from the War Department, a copy of which has been furnished you, that a regiment of California volunteers, infantry, be raised as soon as possible in addition to these now in service.

Very respectfully, your obedient servant,

I. MCDOWELL,  
Major-General Commanding Department.

SALEM, OREGON, October 5, 1864.

DEAR GENERAL: Inclosed you will please find a letter from Mr. Gilmore. He has been a member of the legislature and is a reliable man.

I have received other letters from the same section—Canyon City—expressing fears of an outbreak on election day.

I do not feel like making any recommendation in the premises, but think I ought to let you know what I hear in relation to these matters. There is considerable talk of passing a law giving \$150 bounty for recruits, but when they consider that it will run the State in debt \$150,000 to raise 1,000 men it seems to make them hesitate, and I can't tell what will be done; I fear nothing. If a call is made for more men I hope it will be made before the adjournment, so that the question will be fairly presented. Owing to the fair business has progressed slowly. The "review" here was a decided success, old Thornton and the copperheads to the contrary notwithstanding. All the officers of the society excepting Thornton repudiated the resolutions. They were presented by Thornton just before a horse race, while the roughs and copperheads surrounded the stand; none other voted for them, and they do not express the sentiment of the officers nor a majority of the persons present.

Very respectfully, your obedient servant,

A. C. GIBBS.

Brig. Gen. B. ALVORD,  
Fort Vancouver, Wash.

[Copy of the "resolutions" above referred to.]

The following resolutions have been handed us for publication:

*Resolved by the members of the Oregon State Agricultural Society, in mass meeting assembled, on the State fair grounds, September 29, 1864,* That the board of managers are instructed that they do not, during this fair, or at any fair to be held hereafter, either invite or permit any military company to come within the inclosure of the fair grounds during the time of an annual fair, a painful experience having convinced us that military parades very materially interfere with the only legitimate object of a fair.

(2) That there can be no reasonable objection to the use of our grounds being tendered to volunteer companies for the purposes of an encampment and for military training, at any other time than during the fair.

(3) That a copy of these resolutions be sent to Brig. Gen. Stephen Coffin, requesting that he will immediately withdraw the troops from our grounds.

(4) That a copy of these resolutions be published in the papers of the State, and also in the pamphlet edition of the printed proceedings of this fair.

J. QUINN THORNTON,  
President.

[Inclosure.]

PORTLAND, October 3, 1864.

Governor GIBBS:

DEAR SIR: When I was at Canyon City, about the 20th August, I attended the council meeting, at which I learned that there were serious apprehensions among Union men there that if they should insist on the enforcement of the election law that there will be danger of a serious difficulty. There were many disunionists and violent copperheads that should be made to take the oath prescribed in the election law or kept from voting, as they are, without doubt, enemies to the country—which the Union men think would not be safe to undertake without a company of soldiers could happen to camp in the neighborhood about election time—which they suppose you could cause to be done without creating a great deal of alarm or ill feeling among the coppers of that part of the country. I promised them to see you and have a personal interview on the subject, but have not had the opportunity, so I expect to leave on this morning's boat for Canyon City, and as the friends will be anxious to hear from me, I hope you will write me immediately on receipt of this and send it to Canyon City, and it will reach there perhaps by the time I get there.

I understand you have received other communications, which I have no doubt you have responded to before now. They want also to have some good speaker or speakers sent up before the election, which subject I promised to lay before the grand council, but there has been no meeting of that body since my return—without it was on the first evening of my return, at which I could not attend, having found one of my family very sick on my return. They were very desirous to establish two subordinate councils in the neighborhood, but I think it is too late to accomplish much now, but I hope you will be able to send the boys around that way about the 1st of November, and send some good speakers that way before the election, as the coppers had it all their own way before the June election.

I shall leave this letter at Portland, in hopes you will get it in a day or two, but if you should not get it before the 6th you need not write, as it will be too late, but I hope you will write to someone else there.

Yours, in haste,

S. M. GILMORE.

P. S.—The people are very anxious to have a county organized in that country.

S. M. G.

HEADQUARTERS DEPARTMENT OF NEW MEXICO,  
Santa Fé, N. Mex., October 9, 1864.

To Brig. Gen. LORENZO THOMAS,  
Adjutant-General U. S. Army, Washington, D. C.:

GENERAL: As you have been informed in communications hitherto sent to your address by myself, the force of this department has been, and is daily becoming, greatly reduced in numbers by expiration of service. Some few of the California volunteers, a mere handful, re-enlisted as veterans, and efforts are making to get as many more to enlist after they are mustered out as possible. Of the First and Fifth Infantry, California Volunteers, I hope to be able to raise five or six companies, which I shall organize, including the veterans, and shall designate as the First Veteran Infantry, California Volunteers. For this I desire to have the approval of the War Department. Unless I secure the services of the men now, as their terms of service expire, without waiting to hear from Washington, they will become scattered; many will go to the States and to California and to the Arizona mines. The exigencies of the service and the security of our posts and their material absolutely require that this be done.

I beg to request that the War Department will not only approve this, but will direct the governor of California accordingly, and request that he raise and send to this Department the number of companies necessary to complete the regiment.

The five companies First Cavalry, California Volunteers, which were first raised, have been mustered out of service. The veterans of those five companies have been assigned to Company B, and Capt. Emil Fritz has been retained to command that company.

I hope to be able to fill this company by recruiting men discharged from the other four. When this is done, the regiment will have but eight companies. I beg, therefore, that you will direct the governor of California to raise, organize, and send without delay to this department, Companies A, C, D, and E, First Cavalry, California Volunteers, to complete its organization. These troops are greatly required here and in Arizona, and can not get here too soon. They should come through the desert during the cold weather.

I am endeavoring to fill up Colonel Carson's regiment, First Cavalry, New Mexican Volunteers, but succeed very slowly.

I beg again to call your attention to the exposed condition of this department. You see that I have but a handful of men, all told; and you must know that the New Mexican troops, except against Indians, can not be relied upon as can troops from Colorado or California to fight against Texans. The whole force under my command is necessarily scattered in small detachments, mostly of one or two companies, over an enormous extent of territory. If I were menaced by a raid of even a few hundred men from Texas, even if it were possible to get the troops collected to oppose such a raid, I should have to destroy or abandon the material collected at the distant posts. We are liable to have such a raid come upon us at any day.

Then, again, the Indians of the plains, even though an injudicious peace be patched up with them, will be sure to commence their depredations upon trains the moment the winter has gone by. No peace should be made with them until they are soundly whipped. The winter time is the time to make war upon them. They are then in large villages, obliged to keep on streams where grass and timber can be found, and being embarrassed by their families and by their stores of food are easily overtaken. They know this and are, I am informed, asking for peace at Denver, in Colorado. Besides, in the winter time the trains are not crossing the plains, and their chances for robbing have gone by until another season opens, when, if they have not been whipped meantime, they will be sure to recommence their atrocities of this year.

Recently some of their emissaries came into Fort Bascom with a white flag and said they wanted peace. I sent word for them "to go away; that they talked with two tongues; that while they came here to talk about peace they were murdering and robbing our people on the roads to the north; that they must not come in with any more white flags."

They should at once be soundly flogged; and if you would but send the troops asked for in my letter of August 29, I sincerely believe we could this winter teach them a good, wholesome lesson, which they would not soon forget.

Whatever is done about sending re-enforcements to this department should be done at once.

I am, general, very respectfully, your obedient servant,

JAMES H. CARLETON,  
*Brigadier-General, Commanding.*

---

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,

November 11, 1864.

Brig. Gen. JAMES H. CARLETON,

*Commanding Department New Mexico, Santa Fé, N. Mex.:*

GENERAL: I have the honor to acknowledge the receipt of your letter of the 9th ultimo, requesting that the governor of California be authorized to raise four companies of infantry and four companies of cavalry, to complete the regiments to be formed by you from such of the California Volunteers in your command as shall enlist after their terms of service shall have expired.

In reply thereto I have respectfully to inform you that the governor of California has been authorized by telegram (copy herewith) to raise the companies as requested, and to send them to report to you as soon as ready for the field.

THOMAS M. VINCENT,  
*Assistant Adjutant-General.*

---

[Telegram.]

WAR DEPARTMENT, PROVOST-MARSHAL-GENERAL'S OFFICE,

Washington, D. C., November 11, 1864.

Governor of California, San Francisco:

You are authorized to raise four companies infantry to complete First Veteran Infantry, California Volunteers, and four companies cavalry to complete First Cavalry, California Volunteers.

Recruitment and organization to conform to existing regulations. Companies, soon as ready, to be sent General Carleton, New Mexico, at whose request this authority is granted.

JAMES B. FRY,  
*Provost-Marshal-General.*

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
Virginia City, October 13, 1864.

His Excellency JAMES W. NYE,  
Governor of Nevada Territory:

SIR: I have the honor to acquaint you that I have received authority from the War Department to call on you, from time to time, as the circumstances of the service may require, for, not to exceed in all at any one time, one regiment of volunteer infantry and one regiment of volunteer cavalry, to be mustered into service of the United States as other volunteer regiments under existing laws and regulations.

Under this authority I have to request you will please raise as soon as possible enough companies of infantry to complete, with those already in service from Nevada, a full regiment of infantry.

Brigadier-General Mason will confer with you, and give all the information necessary as to details for this service.

I have the honor to be, governor, very respectfully, your obedient servant,

I. MCDOWELL,

Major-General, Commanding Department.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Salem, Oregon, October 15, 1864.

GENERAL: There are two or three thousand stands of arms in the arsenal at Vancouver, Wash. If a small part of them can be loaned to this State until the war is over, I can have them placed in the hands of Union men who are members of independent companies of the organized militia of this State.

There are four organized cavalry companies, but the saber is the only arm its members have.

I therefore urgently recommend, if it can be done:

First, that General Alvord be clothed with authority to loan this State arms for four or five companies, at his discretion, to be used by members of independent companies of the organized militia of this State.

Second, that if that general authority can not be given, that, in case of danger or outbreak, he be allowed to make such loan.

I have been informed that the Government has, to some extent, armed militia companies in California, but whether by special act or by authority vested in the commander of this department, I am not advised.

While there are rumors that bloodshed may be expected on election day at some points if the votes of immigrants are challenged, I see no immediate cause for the apprehension of danger, but I should like to be prepared for the worst while I am hoping for the best.

I have the honor to be, very respectfully, your obedient servant,

ADDISON C. GIBBS,

Governor of Oregon.

Maj. Gen. IRWIN MCDOWELL,  
San Francisco, Cal.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Salem, October 15, 1864.

GENERAL: I telegraphed to you asking your opinion as to whether or not our militia law ought to be repealed, not for the reason that I was not satisfied as to your opinion in relation to it, but for the purpose of showing it to a few members of the legislature who were inclined to repeal it.

The copperheads are opposed to the law, and some Union men, Hon. B. F. Harding, one of our United States Senators, among the number.

The argument used by the latter was that the powers and duties of the provost marshal were such as to supersede the necessity of a militia law. All bosh, of course, but some did not know any better. I have shown the doubtful your telegram, and a letter from General Alvord, and they are perfectly satisfied now; and our militia organization is safe for two years to come at least. Some important amendments will be made, making the law more efficient. Eleven companies were out at our State fair and the review was a success. The military spirit is increasing among the masses.

I could organize a number more companies if we had arms. We now have sixteen companies, but no more arms, and our military funds are not sufficient to allow of the purchase of any more at present. Four of our companies of cavalry have no arms excepting sabers. I hope you will order General Alvord to loan the State arms from

the arsenal at Vancouver, in case of danger here; also, I should be glad to obtain muskets to arm four or five companies of infantry. Of course the State would be responsible for the care and return of them.

I have the honor to be, very respectfully,  
your obedient servant,  
ADDISON C. GIBBS.

Maj. Gen. IRWIN McDOWELL,  
*San Francisco, Cal.*

[Telegram.]

WASHINGTON, D. C., October 16, 1864.

Brigadier-General CONNOR,  
*Salt Lake City:*

Give all the protection in your power to overland route between you and Fort Kearney, without regard to department lines. General Curtis's forces have been diverted by rebel raids from Arkansas.

H. W. HALLECK,  
*Major-General, Chief of Staff.*

[Telegram.]

SALT LAKE, UTAH, October 17, 1864.

Major-General HALLECK,  
*Chief of Staff:*

To render efficient the protection required the troops between Salt Lake and Kearney, inclusive, should be subject to my orders, irrespective of department lines. Do I understand your telegram to mean that I will take from here two cavalry companies, but may require others now on the eastern road?

P. E. CONNOR,  
*Brigadier-General.*

[Telegram.]

WASHINGTON, October 18, 1864.

Brigadier-General CONNOR,  
*Salt Lake City:*

Order not intended to transfer troops or change commands, except where parts of different commands act together, when ranking officer takes command temporarily as provided in Army Regulations.

H. W. HALLECK,  
*Major-General, Chief of Staff.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., October 18, 1864.*

His Excellency A. C. GIBBS,  
*Governor of Oregon, Salem, Oregon:*

GOVERNOR: I feel that it is very important for the public service, as I have continually represented to you for a long time, that the legislature of Oregon should pass a law giving bounty to volunteers. Every State has passed such law. The inadequacy of the pay is especially evident on this coast, where the depreciation of legal-tender notes is so discouraging to volunteering. I fear that with all the bounties offered few volunteers will be obtained. Thus the State would have little likelihood of having any very large amount to raise. I should regret if the legislature should adjourn without such action.

For the defense of the frontier against the Indians it is necessary that the present military force in the district of Oregon should be maintained. I have been compelled to reduce Forts Colville and Lapwai to one company each, which is too small a force. The First Oregon Cavalry has performed the past summer efficient and admirable service in that part of Oregon south of the Columbia River and east of the Cascade Mountains. Traversed in every direction by thousands of miners last sum-

mer, the presence and activity of the troops in that region have been of the utmost importance in protecting the road against the Snake Indians. Under existing circumstances, to keep even this small force in existence, which is really inadequate to the service, I do not see how the imposition of the draft can be avoided, I wrote to that effect on the 11th July to my superiors in command, and see no reason now to alter my judgment in the case. I doubt not a call will soon be made upon your State.

I have the honor to be, very respectfully, your obedient servant,  
 BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

[Telegram.]

SALEM, October 20, 1864.

General B. ALVORD, *Vancouver:*

Regiment of infantry ordered by McDowell. I'll see you Wednesday.

A. C. GIBBS,  
*Governor.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Salem, October 20, 1864.*

Your telegram requesting a regiment of infantry has just been received. I will do all in my power to raise it, but fear I may not have as good success as desired.

I recommended the legislature, now in session, to offer bounties, but now it is but one day to the time of adjournment and I regret to say that I fear the bill introduced for that purpose will not pass.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Maj. Gen. IRWIN MCDOWELL,  
*San Francisco, Cal.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Salem, October 20, 1864.*

GENERAL: I this day received a telegram from General McDowell, of which the following is a copy, to wit:

"Gov. A. C. GIBBS, *Salem:*

"I have the honor to request, under special authority granted to that effect from the War Department, that a regiment of infantry be raised in the State of Oregon as soon as possible.

"IRWIN MCDOWELL,  
*Major-General, Commanding."*

I desire to move in this matter at once and to do all in my power to raise the regiment.

The legislature is still in session. There has not been a general disposition to offer bounties, but as this call has been made I think the bill giving bounties will pass. I shall send in a special message in the morning strongly urging its passage. I intend to go to Vancouver on Wednesday to see you. In the meantime I think I shall issue a proclamation, but I do not know as I have the data here to be able to state how much bounty is paid by the General Government.

If recruiting offices can be opened in the principal towns, and the men kept at such places until the companies are filled, we will have much better success in raising men. In this opinion I am very decided. The recruits should be clothed and have music.

I shall expect full instructions when I see you.

I have the honor to be, very respectfully, your obedient servant,  
 ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. BENJ. ALVORD,  
*Commanding District of Oregon.*

P. S.—Can I have Lieutenant McGuire?

A. C. G.



## PROCLAMATION.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
October 24, 1864.

Whereas I have received a requisition from Major-General Irvin McDowell, commanding the Department of the Pacific, acting under authority of the War Department for one regiment of infantry, in addition to the volunteers now in the service of the United States, to aid in the enforcement of the laws, suppress insurrection and invasion, and to chastise hostile Indians in this military district:

Now, therefore, I, Addison C. Gibbs, governor of the State of Oregon and commander-in-chief of the militia thereof, do hereby call upon the citizens of this State to organize themselves into companies sufficient to fill the foregoing requisition.

In witness whereof I have hereunto set my hand and caused the seal of the State of Oregon to be affixed. Done at Salem this 24th day of October, A. D. 1864.

[L. S.]

ADDISON C. GIBBS,  
Governor of Oregon.

Attest:

SAMUEL E. MAY,  
Secretary of State.

The following is hereby promulgated: The plan of recruiting and organizing the above force will be as follows until further notice:

## RECRUITING.

The regiment will be known as the First Infantry, Oregon Volunteers. The field, staff, and line officers will be commissioned by the governor. The State will be divided into districts, according to the number of persons in each district liable to do military duty. When such district has furnished its quota of men there will be no draft in the same under this call. Each district will furnish one company.

Commissions will be issued by the governor to company officers, conditioned that they shall recruit their respective companies and be ready to be mustered into the service within a time hereafter to be named.

A company rendezvous will be established at some central point in each district, and, if practicable, all recruits will be retained there until the company is filled and ready to be mustered into service.

The State has provided by law for the payment of a bounty of \$150 in State interest-bearing bonds, payable in gold, to each volunteer mustered into the service, in addition to the bounties authorized to be paid by the United States. (See Statutes 1863-4, page 486.)

The wages of a soldier, in addition, are \$16 per month, besides clothing, equipments, rations, and allowances, furnished by the United States. (See Statutes 1863, page 662.)

## ORGANIZATION.

The proper organization and strength of a regiment of infantry is as follows:

One (1) colonel, one (1) lieutenant-colonel, one (1) major, one (1) adjutant (an extra lieutenant), one (1) quartermaster (an extra lieutenant), one (1) surgeon, two (2) assistant surgeons, one (1) chaplain, one (1) sergeant-major, one (1) regimental quartermaster-sergeant, and one (1) hospital steward. Ten companies form a regiment.

## COMPANY OF INFANTRY.

One (1) captain, one (1) 1st lieutenant, one (1) 2nd lieutenant, one (1) 1st sergeant, four (4) sergeants, eight (8) corporals, two (2) musicians, one (1) wagoner, sixty-four (64) privates minimum and eighty-two (82) privates maximum, besides the non-commissioned officers.

Musicians may be enlisted in each company, who will be rated and paid as privates.

## TO THE COUNTY OFFICERS.

Other States have filled with commendable promptitude every call that has been made upon them. The people have a very natural repugnance to a draft, under which every drafted man must serve or furnish a substitute. Under it there must inevitably be some cases of severe but necessary hardship. Opportunity is now given to avoid such a draft. The men are needed promptly, and every consideration of patriotism and of State, local, and personal pride requires that you commence promptly

and prosecute vigorously the business of obtaining volunteers. The officers of the State, feeling the most earnest desire that the entire State should avoid a draft, appeal to the patriotic citizens of your county, through you, who are their officers and legal and natural representatives. As guardians of their rights and of their honor, it is incumbent upon you to respond to this appeal by earnest and successful work. Call to your aid the assistance of the active and influential citizens of the county. Let every loyal citizen of the county understand, and, if possible, induce him to realize, that he has an immediate and personal interest in the success of your efforts. If necessary, call meetings in your school districts and bring the matter home to every inhabitant. Funds will be needed to pay expenses not provided for by law. Let subscriptions be circulated in each county for that purpose, and preserve a record of the names of the donors among the archives of the county. In short, the governor, upon whom the requisition is made, expects, and justly, that you will respond to this call upon you with an earnestness of purpose which shall insure success. Due notice of the districting of the State will be given as soon as it can be made.

(Oregonian, Mountaineer, Sentinel, Albany Journal, State Journal, and Gazette please insert four weeks.)

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Salem, October 28, 1864.

GENERAL: Your telegram was duly received. I sent to the legislative assembly the inclosed message, and a law has been passed giving a bounty of \$150 to each volunteer. Your telegram just in time. Without it the bounty bill would not have passed.

I have the honor to be, very respectfully, your obedient servant,  
ADDISON C. GIBBS.

Maj. Gen. IRVIN McDOWELL,  
*Commanding Department of the Pacific.*

#### SPECIAL MESSAGE.

Gentlemen of the senate and house of representatives, in my message of September 14, I called your attention to the fact that most of the members of the First Regiment of Oregon Cavalry would be entitled to a discharge in a few months; that troops to take their places are needed and must be had. Under date of October 18, Brigadier-General Alvord, commanding district of Oregon, writes to me that, "For the defense of the frontier against Indians it is necessary that the present military force in the district of Oregon should be maintained. I have been compelled to reduce Forts Colville and Lapway to one company each, which is too small a force. The First Oregon Cavalry has performed the past summer efficient and admirable service in that part of Oregon south of the Columbia River and east of the Cascade Mountains. Traversed in every direction by thousands of miners the last summer, the presence and activity of the troops have been of the utmost importance, in protecting that region against the Snake Indians." It has been found that this small force has been inadequate and, in spite of it, depredations have been committed, particularly on the road leading from The Dalles to Boise via Canyon City.

To induce the filling up of Captain Olney's company, which was mustered into the service for four months, the patriotic citizens of Dalles City contributed largely from their private means.

No well-informed man can truthfully say that troops are not needed "in the upper country," to say nothing of the necessity of having an adequate force to keep in check those who are disposed to bid defiance to the law and the authority of the Government.

Heretofore but a small part of the quota due from Oregon has been called for. At least two regiments are due from this State.

I have this day been called upon by Maj. Gen. Irvin McDowell, commanding Department of Pacific, acting under authority of War Department, for a regiment of infantry, consisting of 1,000 men, to be mustered into the service for three years unless sooner discharged. This call is made for our own protection. None have been heretofore required to go east of the Rocky Mountains and none will be hereafter. Were the facts otherwise the call would have to be obeyed and the troops furnished. Troops may be raised in this State or elsewhere by volunteering or by draft. The latter is a just and proper method to be used when enough volunteers can not be otherwise obtained, and is one to which enlightened nations not unfrequently resort. While this is so, when we take into consideration the small pay received by soldiers and the fact that their services are for the benefit of all interested in the present and future wel-

fare of this country, I think we ought to give volunteers a liberal bounty and raise the regiment in that way. Suppose the avenues of trade are closed up by Indian high-ways east of the Cascade Mountains, the property holders will be the greatest losers. Suppose those who are in favor of a Pacific republic or desire to unite the fortunes of the Pacific coast with the Southern Confederacy should, for want of troops, light the torch of the incendiary and inaugurate civil strife, the tax-payers will be among the first and greatest losers.

General Alvord, in the letter before referred to, says: "I feel that it is very important for the public service, as I have continually represented to you for a long time, that the legislature of Oregon should pass a law giving bounty to volunteers. Every State has passed such laws."

Some States give bounties and additional pay. I therefore urgently recommend that a law be passed giving bounties to such volunteers as have been, or may hereafter be, called for; that one-third thereof be paid at the time of enlistment, one-third in eighteen months, and the balance at the end of three years.

That to provide a fund for that purpose, I recommend that State bonds be prepared, payable at some future time, say ten years, with semi-annual interest; that the State treasurer be authorized to dispose of the same under proper rules and restrictions. To bring these bonds within the reach of volunteers who may wish to receive bonds instead of money, so as to secure the interest and have good security, some of them ought to be issued of as low denomination as \$50, with coupons attached. A tax of one-half mill on the dollar will in a few years redeem these bonds.

The debt thus created and interest will be due to our own citizens, and with the increase of population and wealth of our State its payment by degrees within ten years can not be injuriously felt.

I respectfully call your attention to the senate bill now before your honorable body, which proposes some important amendments to the militia law of this State, and recommend its passage.

Under the present agitated condition of our country we ought not to relax our efforts to increase our force and efficiency of the State militia. Already it is a credit to the State, and a "terror to evil doers" in sympathy with the wicked rebellion. A little money spent by way of prevention may save thousands of valuable lives and hundreds of thousands of property.

I have communications from Generals McDowell and Alvord, in which they express a strong desire to have our militia organization kept up and made as efficient as possible.

ADDISON C. GIBBS.

EXECUTIVE DEPARTMENT,  
Salem, October 20, 1864.

AN ACT granting bounties to the volunteers of this State, enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds.

*Be it enacted by the legislative assembly of the State of Oregon, as follows:*

SEC. 1. There is hereby granted to every soldier who shall hereafter enlist for three years, or during the war, in any regiment, battalion, company, troop, or battery, now organized or hereafter to be organized or raised as part of the quota of volunteers of this State under the laws of Congress, and the orders of the President of the United States, during the existing rebellion, and there shall be paid out of the fund hereinafter provided for, in addition to other bounties and pay now provided for and authorized by any law of this State or of the United States, to every such enlisted soldier a bounty of one hundred and fifty dollars, in manner following, to wit: The sum of fifty dollars to be paid at the time of enlistment, and the sum of fifty dollars to be paid after the expiration of the first year of such service, and the sum of fifty dollars at the expiration of such term of enlistment: *Provided*, That such bounty shall in no case be paid on the order of such soldier, but shall be paid to him personally, in the same manner as soldiers in the Army of the United States are now paid, excepting only where the same shall be necessary for the support of his wife or family, or upon certificates executed by such soldier after each successive payment shall have fallen due under the provisions of this act; such certificate to be attested by the commanding officer of the regiment, battalion, company, troop, or battery, or post commandant of any detachment in which such soldier may be serving: *And provided further*, That in all cases where such soldier shall have a wife or family such payments may be made to the wife, or temporary guardian, or custodian of minor child or children, as the same shall become due, such soldier having first filed in the office of the adjutant-general of this State a power of attorney to that effect, executed before and certified by the commanding officer of the regiment, battalion, company,

troop, or battery, in which such soldier shall have been enlisted, or to which he may be attached.

SEC. 2. In case of death, or of honorable discharge from the service, when such discharge occurs from any wound, disease, or disability incurred or contracted in the service, the full amount of bounty granted by this act shall be allowed and paid to every such soldier, or to his legal heirs; but if any such soldier be dishonorably discharged, or be discharged from disease or disability which existed or which followed from causes existing and concealed before enlistment, such allowance of bounty herein provided for shall cease at the date of such discharge; and in case the term of service expire by the conclusion of the war, and the quota of this State be mustered out before the end of three years, then the whole amount of such bounty remaining shall become due and payable.

SEC. 3. In computing and allowing the bounty to be paid under this act the following scale shall be adopted: All persons enlisting before the first day of January, 1865, shall be entitled to receive the first payment after enlistment on the first day of January, 1865; all persons enlisting after such first day of January, 1865, shall be entitled to receive the first payment after enlistment whenever the company in which they have enlisted shall have been mustered into the service.

SEC. 4. To carry into effect the foregoing provisions of this act the adjutant-general is hereby authorized to procure and shall provide all necessary blank muster-rolls, pay-rolls, registers, allotments, certificates, power of attorney, and such other blanks and books as may be requisite and necessary, at the expense of the State, and shall furnish the same, with suitable instructions, to the respective officers of command, whose duty it shall be to make returns of the same at proper time, to the office of the adjutant-general of this State; and the adjutant-general is hereby authorized to make such rules and regulations, and issue proper instructions to such officers, as will enable the soldiers under their command effectively to obtain the benefits, and to carry out the provisions of this act.

SEC. 5. The payment of bounties at the time of enlistment shall be made upon the certificate of the officer mustering in the enlisted men, and the secretary of state is hereby authorized and required to draw his warrant for the amount of such bounties, payable out of the soldiers' bounty fund upon presentation to him of such certificate by the person in whose favor it is given, attested by the signature of the commanding officer of the company or regiment in which such soldier has been enlisted, countersigned by the adjutant-general of this State.

SEC. 6. The governor, adjutant-general, and treasurer of state are hereby appointed and constituted a board of examiners, whose duty it shall be to examine, audit, and allow all claims for payments of bounty after enlistment under the provisions of sections one, two, and four of this act, in favor of the parties legally entitled thereto; and the secretary of state is hereby authorized and required to draw his warrant in favor of the persons respectively to whom such allowances shall be made by such board for the sums respectively allowed, to be paid out of the soldiers' bounty fund. All demands against such fund shall be presented to the board herein constituted, through the adjutant-general's office, under such rules as may be prescribed by them, and no moneys shall be drawn out of the soldiers' bounty fund, except as provided in this act.

SEC. 7. For the purpose of paying the bounties hereinbefore provided for, the sum of two hundred thousand dollars is hereby appropriated and set aside as hereinafter provided for, or so much thereof as may be needed shall be set apart by the treasurer of state, and constitute a separate fund, to be designated as the "soldiers' bounty fund." All liabilities created by this act shall be paid out of such fund, and the treasurer of state is hereby authorized and required to pay all warrants drawn upon the soldiers' bounty fund out of the moneys at any time in such fund, and none other.

SEC. 8. For the purpose of carrying into effect the provisions of this act and providing for the fund created by sec. 7 thereof, the secretary of state of Oregon shall immediately after the passage of this act cause to be prepared bonds of the State to the amount of one hundred thousand dollars, in sums as hereinafter provided for, redeemable at the office of the treasurer of state on the first day of July, 1864. The said bonds shall bear interest payable semi-annually at the rate of seven per cent. per annum from the date of their issue, which interest shall be due and payable at the office of the treasurer of state on the first day of January and July of each year: *Provided*, That the first payment of interest shall not be made sooner than the first day of July, 1865. The said bonds shall be signed by the governor, and countersigned by the secretary, and indorsed by the treasurer of the State, and shall have the seal of state affixed thereto; and such bonds shall be issued from time to time by order of the governor as may be required by the provisions of this act. The expense of preparing such bonds shall be paid out of the general fund of the State.

SEC. 9. Coupons for the interest shall be attached to each bond, consecutively numbered, and signed by the treasurer of state; and it shall be the duty of the secretary

and treasurer of state each to keep a separate record of all such bonds, as may be issued, showing the number, date and amount of each bond, and to whom the same was issued.

SEC. 10. On production of certificate as prescribed in sections three and four and five of this act the secretary of state is hereby authorized and required to draw his warrant for the amount of such bounties on the treasury of the state; and the treasurer of the state is hereby authorized and required to issue on delivery to him of such warrant a bond of the amount due such claimant, payable to the recipient or order.

SEC. 11. For the payment of the principal and interest of the bonds issued under this act there shall be levied and collected annually until the final payment or redemption of the same, and in the same manner as other revenue is or may be directed by law to be levied and collected, upon all real and personal property taxable in this State, a tax of one mill on the dollar of valuation of such property in addition to the taxes for general State purposes, and the fund derived from this tax shall be set apart and applied to the payment of the interest accruing on the bonds herein provided for and the final redemption of the principal of said bonds, and the faith of the State of Oregon is hereby pledged for the payment of the bonds issued by virtue of this act and the interest thereon, and, if necessary, to provide other and ample means for the payment thereof.

SEC. 12. Whenever on the first day of January or July, 1865, or upon the first day of January or July in any subsequent year, there shall remain a surplus after the payment of the interest as hereinbefore provided, of ten thousand dollars or more in the fund created by section seven of this act, it shall be the duty of the treasurer to advertise in one newspaper published in each of the cities of Salem, Portland, Dallas, and Jacksonville, for sealed proposals for the surrender of bonds issued under the provisions of this act. He shall state in each advertisement the amount of money on hand applicable to the redemption of bonds, and he shall accept such proposals at rates not exceeding par value as may redeem the greatest number of bonds until the amount of cash on hand for redemption is exhausted.

SEC. 13. Full and particular account and record shall be kept by the treasurer of the condition of the fund collected in accordance with the provisions of this act, open at all times to the inspection of the governor and secretary of state and of any committee appointed by the legislature or any branch thereof.

SEC. 14. It shall be the duty of the treasurer of this State to make arrangements for the payment of the interest of the said bonds when the same falls due; and in the event that the said interest fund should be insufficient, the said treasurer shall make up the deficiency from the general fund, and in the event of the insufficiency of the general fund, the said treasurer is authorized and required to make such contracts and arrangements as may be necessary for the payment of said interest and the protection of the credit of the State, and in case there should at any time be in the fund created by this act, for the payment of said interest and the redemption of said bonds, any surplus moneys not needed for the payment of said interest and redemption of bonds, it shall be the duty of the treasurer of state to transfer such surplus moneys to the general fund of this State.

SEC. 15. Said bonds shall be redeemed, and the interest paid in the gold and silver coin of the United States.

SEC. 16. Inasmuch as there is an urgent necessity for raising volunteers in this State immediately, this law shall be in force from and after its passage.

Approved October 24, 1864.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
*Sacramento, October 24, 1864.*

GENERAL: Captain Cooledge's company for the Seventh Regiment is full and the commissions for the officers are issued. Will you give instructions to Captain Robinson and his surgeon to go to Jackson, Amador County, and muster them in?

Captain Olmstead's company at this place is full, and is the second company entitled to precedence in muster.

Captain Heninger's company at Placerville is also full, and is the third company in order for muster.

It is important that all these companies should remain in their respective counties until after the 8th of November. They should be clothed and armed at once. General McDowell and Colonel Drum understand the importance of keeping the men where they are and arming them.

Will you please act in concert with them in the matter, so that a perfect understanding may be had in regard to the matter, which I deem important? Will you

please instruct Captain Robinson to go to Jackson, Amador County, without delay as that company has been full and waiting action for some days?

Yours, truly,

F. F. Low.

Brigadier-General MASON,  
*Acting Assistant Provost-Marshal-General,  
San Francisco, Cal.*

P. S.—Your recommendation for first lieutenant Second Infantry will receive immediate attention.

STATE OF OREGÓN, EXECUTIVE DEPARTMENT,  
*October 27, 1864.*

GENERAL: I have the honor to request that Capt. H. C. Small's company stationed at Camp Watson be allowed to attend the election at Cañon City; that they go to the polls unarmed, and be allowed to freely vote, if they choose so to do; that they be required to remain in the vicinity of Cañon City until after the election is over and be ordered, if necessary, to assist the civil authorities in preserving peace and order.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brigadier-General ALVORD,  
*Commanding, etc.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*October 29, 1864.*

GENERAL: A large number if not all of the members of the First Regiment Oregon Cavalry are legal voters in the State of Oregon. As many of them are stationed not far from places of voting, I respectfully request that they be freely allowed to go to the polls, unarmed, and to vote for whom they please; and that thereafter they be required to remain, until election is over, at a convenient distance, with orders to assist the civil authorities, in any precinct where they may be on that day, in enforcing the laws and preserving peace and order.

Many threats of violence have been made and fears are entertained that, in the absence of such force, that there may be disturbance, particularly at Cañon City, Dalles, and Portland.

I have the honor to be, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. B. ALVORD, *Commanding.*

HEADQUARTERS DEPARTMENT OF PACIFIC,  
*San Francisco, November 1, 1864.*

His Excellency ADDISON C. GIBBS,  
*Salem, Oregon:*

SIR: I have the honor to acknowledge the receipt of your two letters of the 15th and one of the 20th ultimo. I have telegraphed to you and General Alvord to-day concerning the arms for five companies of Oregon militia, which I trust will meet the case you present.

I do not recollect to have seen the militia law concerning which you telegraphed me; my impressions of it were obtained mostly in conversation with those here who knew, I have been told, it could be improved.

From my conversation with you, I think it may, as you write, be difficult, if not impossible, for you to raise the regiment of infantry and even to complete the regiment of cavalry, but I wished you to have authority to do so, for in an emergency you may find it useful and may not have as many difficulties as at present.

I have the honor to be, very respectfully, your obedient servant,

I. McDOWELL,  
*Major-General, Commanding Department.*



STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, November 3, 1864.*

GENERAL: I desire to obtain arms (excepting sabers) with which I can uniform four companies of cavalry. I will receipt for them in the name of the State and return them whenever called for. I would like to have them delivered at Salem at the earliest possible moment.

I have the honor to be, very respectfully, your obedient servant,  
 ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. BENJ. ALVORD,  
*Commanding District Oregon.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*November 3, 1864.*

GENERAL: By Lieutenant McCall I sent you a requisition for arms for four companies of cavalry, excepting sabers. I also have the honor to request that you send at least 10,000 ball cartridges.

I may require arms for another infantry company soon, but shall probably want them here. It is important that the arms go to Salem as soon as possible.

I have the honor to be, very respectfully, your obedient servant,  
 ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. BENJ. ALVORD,  
*Commanding, etc.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*November 6, 1864.*

GENERAL: There is considerable apprehension in public mind here that there may be a riot in the city on election day. Therefore I have the honor to request that you send over, on the *Hunt*, to-morrow, 40 rounds of shot or canister prepared for use in a 6-pounder.

Please have it marked to the care of Capt. W. H. D. Joyce.

I have the honor to be, very respectfully, your obedient servant,  
 ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. BENJ. ALVORD,  
*Commanding District Oregon.*

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
*Sacramento, November 7, 1864.*

GENERAL: I have examined carefully the letter and accompanying documents submitted to you by Colonel Sternberg and by you sent to me.

From the papers I should judge that the regiment was originally raised in an irregular way for the benefit of a particular officer. I can see no good reason why these things should be continued in an irregular manner when they can be accomplished easier and better by pursuing the proper course.

Any troops that I am called upon to raise I desire to enlist and organize them according to law and regulations, avoiding all complications and "entangling alliances" as far as may be. I must therefore decline to accede to the proposition of Colonel Sternberg.

Respectfully, yours,

F. F. LOW,  
*Governor.*

Major-General MCDOWELL.

PORTLAND, OREGON, November 8, 1864.

GENERAL: I have just received a letter of which the inclosed is a copy. I know Mr. Cooper, and so far as I know he is a reliable man. I have no doubt he believes every word he has written.

The election is going on very quietly—275 majority for the Union ticket at 1 p. m.

Very respectfully, your obedient servant,

A. C. GIBBS.

General BENJAMIN ALVORD,  
Commanding District of Oregon.

[Inclosure.]

SALEM, OREGON, November 7, 1864.

Governor A. C. GIBBS:

SIR: Things have transpired in the last few days that make it my duty to write to you. I am no alarmist, but I know of my own knowledge that there are 4,554 men sworn to make civil war against the loyal men of this State within ten days from this date, if they can find excuse, if not they are going to oppose the draft. The mail is just closed and I must close.

Yours, obediently, as ever,

FRANK COOPER.

PORTLAND, OREGON,  
November 8, 1864—4 o'clock p. m.

GENERAL: I respectfully call your attention to a letter of which the following is a copy:

“SALEM, OREGON, November 7, 1864.

“Governor A. C. GIBBS:

“SIR: Things have transpired in the last few days which make it necessary as my duty to write to you. I am no alarmist, but I know of my own knowledge that there are 4,644 men that are sworn to make civil war against the loyal men of this State within ten days from this date, if they can find any excuse. If not they will oppose the draft. The mail is just closing.

“Yours, as ever,

“FRANK COOPER.”

I know Mr. Cooper, and his reputation is fair. I have no doubt he believes every word he has written, but I hope and believe he is mistaken. That there is a secret organization in this State I have no doubt, composed of men who call themselves Democrats. This is but one of many reports in circulation, and I have called on General Alvord for and received 400 stand of arms and placed them in the hands of members of cavalry, State militia companies, who had nothing but sabers before.

The election to-day has thus far passed off very quietly indeed. I fear that in some instances there may be trouble with immigrants who propose to vote, though our constitution requires six months' residence in the State.

Recruiting under your call is not progressing rapidly. I made the call on the 24th ultimo. It was published that day. Blanks and posters were to be published with instructions to recruiting officers by Col. T. C. English, assistant provost-marshal-general, etc., but no posters or instructions are distributed yet. The colonel had to telegraph to Washington and I suppose this delay has been unavoidable, but I regret it very much. The weather has been good, the rains will soon set in and then it will be more difficult to get around to find men. I learn to-day that posters and instructions will be ready to-morrow. I think we will raise the regiment without a draft.

I am, sir, very respectfully, your obedient servant,

A. C. GIBBS.

Maj. Gen. IRVIN MCDOWELL.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT.

Sacramento, November 8, 1864.

GENERAL: The companies of artillery, cavalry, and infantry authorized by law to be organized are now full.

In order to arm them properly I require 200 pistols, 300 cavalry sabers, 200 artillery sabers, 100 swords for foot artillery.

The battery turned over to the State by your predecessor, General Wright, is not complete in equipments. The following articles are deficient: 8 sets lead harness, 8 halters, 8 whips, 8 leg-guards, 8 nose-bags, 21 saddles and bridles for non-commissioned officers.

If the United States have the foregoing on hand at Benicia, I have to ask that the amounts as above may be turned over to the State. With this, in addition to what has already been issued to the State, we will have fully armed and ready for defensive purposes 140 companies of infantry, 20 companies of cavalry, 1 battery of 6 guns, 2 batteries of 4 guns each, 2 batteries of 2 guns each.

I am, general, very respectfully, your obedient servant,

F. F. LOW,  
Governor.

Maj. Gen. IRVIN MCDOWELL,  
Commanding Department of Pacific, San Francisco.

Respectfully referred to Lieutenant-Colonel Wainwright, who will state hereon what was turned over by General Wright's order with the battery within referred to. By order.

R. C. DRUM,  
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC, November 26, 1864.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, Cal., January 30, 1865.

Respectfully forwarded, with the recommendation that the issue of arms, etc., within asked for, be authorized by the War Department, as requested by Chief of Ordnance's instructions of March 22, 1864.

IRVIN MCDOWELL,  
Major-General, Commanding Department.

Respectfully returned.

The following issues were made on February 4 and March 11, 1864: 6 6-pounder guns; 3 12-pounder field howitzers; 9 gun-carriages; 9 caissons; 18 sets wheel harness, complete; 4 sets lead harness, complete; 22 whips; 44 nose-bags.

I herewith inclose copy of order of Secretary of War and letters in relation to issues to the State of California.

Respectfully,

W. WAINWRIGHT,  
Lieutenant-Colonel Ordnance, Commanding.

BENICIA ARSENAL, November 29, 1864.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
Washington, March 23, 1865.

Maj. Gen. IRVIN MCDOWELL,  
Commanding Department of the Pacific, San Francisco, Cal.:

SIR: I have the honor to acknowledge the receipt of the communication of Governor Low, dated November 8, 1864, asking for the issue of arms and equipments for State troops, which is forwarded with your recommendation that the issue of arms, etc., asked for be authorized by the War Department, as required by the instructions of the Chief of Ordnance of March 22, 1864.

The matter has been submitted to the Secretary of War, who directs me to communicate to you the following statements of the Chief of Ordnance, namely:

"General Halleck's letter of 9th July, 1863, which authorized General Wright to order issues of arms and other ordnance stores to the militia of California was superseded by your order of 18th of March, 1864, but not until the issues made to that State, in pursuance of said authority, amounted to a very considerable sum in value.

"The State of California is now in advance of its quota under the law of 8th April, 1808, to the amount of \$208,575, which, under existing laws, and supposing the quota to remain the same, is equal to the quota of that State for seventy-five years to come.

"The harness, halters, whips, leg-guards, nose-bags, and saddles and bridles herein mentioned are essential to the use of the battery, and should be supplied. The other articles called for are not issued to batteries."

The Secretary of War directs that the harness, saddles, etc., be issued as recommended by General Dyer, Chief of Ordnance.

I am, sir, etc.,

E. D. TOWNSEND,  
Assistant Adjutant-General.

ORDNANCE OFFICE, *March 16, 1865.*

Respectfully returned to the Secretary of War.

General Halleck's letter of 9th July, 1865, which authorized General Wright to order issues of arms and other ordnance stores to the militia of California was superseded by your order of 18th March, 1864; but not until the issues made to that State in pursuance of said authority, amounted to a very considerable sum in value. The State of California is now in advance of its quota, under the law of 8th April, 1868, to the amount of \$208,575, which, under existing laws, and supposing the quota to remain the same, is equal to the quota of that State for seventy-five years to come.

The harness, halters, whips, leg-guards, nose-bags, and saddles and bridles herein mentioned are essential to the use of the battery, and should be supplied. The other articles called for are not issued to batteries.

A. B. DYER,  
*Brigadier-General, Chief of Ordnance.*

Referred to the Adjutant-General, to inform Major-General McDowell of the statements of the Chief of Ordnance. The harness, saddles, etc., will be issued, as recommended by General Dyer.

C. A. DANA,  
*Assistant Secretary of War.*

WAR DEPARTMENT, *March 18, 1865.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., November 9, 1864.*

His Excellency A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon:*

SIR: Your letter of November 8, with inclosure, is received. I would recommend that all the armories throughout the State be well guarded, and all the captains of the several militia companies be ordered to hold their companies in readiness to act promptly in case their services are required. For this purpose I would recommend that circular instructions be issued for the present instead of a proclamation.

Very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

EXECUTIVE DEPARTMENT, STATE OF OREGON,  
*Portland, November 9, 1864.*

GENERAL: I have the honor to inclose, per your request, a copy of General McDowell's letter of September 7, 1864.

It does not read just as I thought it did when I spoke to you in regard to it.

I am, sir, very respectfully, your obedient servant,

A. C. GIBBS,  
*Governor of Oregon.*

Brigadier-General ALVORD,  
*Commanding District Oregon, Fort Vancouver, Wash.*

[Inclosure.]

HEADQUARTERS DEPARTMENT PACIFIC,  
*Fort Vancouver, September 7, 1864.*

To His Excellency ADDISON C. GIBBS,  
*Governor of Oregon, and*  
Lientenant-Colonel ENGLISH,  
*Assistant Provost-Marshal of Oregon:*

Brigadier-General Alvord informs me there is good prospect of obtaining a company of volunteers in the vicinity of Auburn, Oregon. If the authority exists, as I under-

stand it does, to complete the Oregon regiment of cavalry I wish a company may be raised as the general suggests. The company to rendezvous at Walla Walla.

Very respectfully, your obedient servant,

IRVIN McDOWELL,  
Major-General, Commanding Department.

EXECUTIVE DEPARTMENT, STATE OF OREGON,  
Portland, November 9, 1864.

A. C. GIBBS,  
Governor of Oregon.

A true copy.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, November 11, 1864.

GENERAL: The following telegram has just been received from Col. C. A. Reed and Judge J. R. Baily:

“SALEM, November 11, 1864.

“To Gov. A. C. GIBBS:

“Mr. Stanton started with the arms for Eugene City yesterday morning. To-day I received the following: ‘C. A. Reed: Mr. Stanton has arrived here with those arms. He thinks that there is a plot to capture them. Shall he employ an escort to go through to Eugene with them? Answer immediately. J. R. Bayley, Corvallis.’ Shall the arms be stored at Corvallis or escorted through? Answer immediately.”

In reply I have ordered that Judge Bayley see that the arms go safely through. In case of trouble I will advise you by telegraph.

I have the honor to be, very respectfully, your obedient servant,  
A. C. GIBBS.

Brig. Gen. B. ALVORD,  
Commanding District of Oregon, Fort Vancouver, Wash.

P. S.—In reply to the Frank Cooper letter I have received the following telegram:

“SALEM, November 11, 1864.

“A. C. GIBBS:

“Statements in letters sent have little foundation. Inform Alvord,  
“HUNINGTON.”  
A. C. G.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, November 12, 1864.

His Excellency F. F. Low,  
Governor of California:

SIR: I have the honor to request, under the special authority granted to that effect from the War Department, a copy which has been furnished you, that a regiment of California volunteer infantry be raised as soon as possible, in addition to those now in service and in process of organization.

Very respectfully, your obedient servant,

I. McDowell,  
Major-General, Commanding Department.

PORTLAND, OREGON, November 14, 1864.

GENERAL: I have just learned that the arms started up from Corvallis under escort from Captain Shipley's company. I have seen Frank Cooper to-day. There were grounds for his apprehensions, but the crisis has passed.

Inclosed you will find a letter from Colonel Reed.

Very respectfully, your obedient servant,

A. C. GIBBS.

General B. ALVORD.

[Inclosure.]

GENERAL HEADQUARTERS OREGON MILITIA,  
 ADJUTANT-GENERAL'S OFFICE,  
*Salem, November 12, 1864.*

GOVERNOR: I have the honor to inform your excellency that I have this day received the following:

"OFFICE OF THE COMMISSARY OF MUSTERS,  
*San Francisco, November 2, 1864.*

"Adjutant-General of Oregon, Salem, Oregon:

"SIR: I have the honor to report that the First Regiment of Cavalry, Oregon Volunteers, and each company thereof, are below the minimum number required by law.

"Very respectfully, your obedient servant,

"W. SEAWELL,  
 "Commissary Musters."

General Orders, No. 182, of June 20, 1863, rules that a regiment of cavalry reduced below the minimum number must be deprived of the colonel and one assistant surgeon and each company of one second lieutenant.

Very respectfully, your obedient servant,

CYRUS A. REED,  
 Adjutant-General of Oregon.

His Excellency ADDISON C. GIBBS,  
 Governor of Oregon, Portland, Oregon.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, November 16, 1864.*

GENERAL: Inclosed you will please find a letter from Walla Walla precinct, which shows the spirit of the opposition and what they would do if they had the power.

Recruiting is not fairly under way yet. All the blanks did not leave Colonel English's office until yesterday. Please return the inclosed letter. Would it not be well to send a copy of it to General McDowell? Frank Cooper said he would go and see you.

Very respectfully, yours, etc.,

A. C. GIBBS.

General ALVORD.

[Inclosure.]

WALLA WALLA PRECINCT, UMATILLA COUNTY, OREGON,  
*November 9, 1864.*

To his Excellency Governor GIBBS:

SIR: I have concluded to write to you and let you know how the election went off here. I was one of the clerks at this election, and Mr. Edwards was the other clerk. Mr. E. H. Lord was judge. The two above-mentioned and myself are Union men and voted for Mr. George, Mr. Gayly, and Mr. Woods: The other two judges, Mr. W. M. Moore and Mr. Chesher, are Democrats. The election went all right until I challenged an emigrant's vote; this set the Democrats in an uproar. One of them got very saucy and disputed my word—tried to gag me down. I simply told the gentleman that what he said was false and a lie; no quicker said than the house was in an uproar. Several pistols were drawn and an attempt made to get up a fracas. Some outsiders attempted to burst down the doors at the front, while a lot of ruffians rushed in at the back door for the purpose of assassinating me; luckily I was in the corner of the room, and as my life had been threatened before by these roughs, I was armed, that is, I had a pocket-pistol in my pocket. As quick as the row commenced I jumped up, run my hand down in my pocket, took hold of pistol, but did not draw it; after they saw I was armed they did not pitch in, but cooled off. The man that I challenged voted, although I did not withdraw the challenge. The two Democrat judges let him vote anyhow, without being qualified.

I challenged another emigrant, but they paid no attention to it, and he voted without being qualified. I was now well satisfied that the two Democrat judges were



determined to let any and all emigrants vote, even if they did have to trample the law under foot. I challenged no more, but acted my part as clerk and watched who were allowed to vote, and, sir, they even let emigrants vote who were moving by in their wagons over to Washington Territory. I showed them the law, but they said it was no use to talk, their minds were made up to let them vote: I never saw such disregard of law before. Now, Governor Gibbs, what is to be done, are we to let this election go, or can it be thrown out? There is not a Union man here but looks upon it as a fraud. What is the proper course to be taken? I think it would be most proper to have these things set aright. Also Mr. Crary and others are working a road over the Blue Mountains on the head of the Umatilla. Now they have established polls up there for the purpose of election, and Mr. Craig told me to say to you that there are not over 6 or 8 legal votes there, and he assures me that one of them was not a citizen of Oregon, had only come on the 1st of August last, and this same judge was authorized to swear in the others, and one of them only was a citizen of Oregon.

Now, sir, our laws are set at naught; these things ought not to be. Our country is filled up with a set of emigrant bush-whackers; some of them brag of it; they with others hurraed at the polls for Jeff. Davis. If a draft comes here these fellows have it already made up to fight, and the leading Union men's lives will be endangered. There would have been no danger, but this year's emigration has added nothing to the virtues of Democracy. We, the Union men, want the draft made, and we want the Government prepared to enforce it when it is made at the time, of course. If it is undertaken without proper guards, it will be sure to start a fight. I can see in their every action and movement a determination to resist, and if a rebellion starts up in the North, in the States, about the election, it will begin here as soon as they receive the news. They have been signing articles of agreement to resist the draft, and we are well satisfied they are expecting to fight; the devil seems to possess them.

I do hope, Governor Gibbs, that you will prevail upon the proper authorities to have a sufficient force at this point to enforce the draft when it is made, and save us from a civil war here. If a fight does start, it would be best to have a sufficient guard at Walla Walla for the Union men to rally around and arm themselves; then we could soon master them, that is, all opposition to the Government, before the country would be ruined.

Yours,

THOS. K. MCCOY.

---

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, November 17, 1864.

His Excellency ADDISON G. GIBBS,  
Governor of Oregon, Portland, Oregon:

SIR: I herewith transmit copies of telegrams to the honorable Secretary of War, and the answers thereto, relative to the retention of company and regimental organizations of regiments serving in this department.

Under the authority granted in the telegrams from Washington, I have the honor to request that you will raise a regiment of cavalry for the service of the United States for another term of years, by retaining in whole or in part the regimental and company organizations of the present Oregon regiment of cavalry.

Such of the field officers as you may recommend to be retained, to be retained; the others to be mustered out of service as their terms expire, and such of the captains and subalterns as may wish to leave or it may be for the interests of the service should not be retained to be mustered out as their terms expire. No new officers to be mustered in till strength of the companies or of the regiment warrants it.

I shall be glad if you will please consult with General Alvord in this matter, as I am entirely disposed to be governed by your and his judgment as to the persons to be retained.

Lieutenant-Colonel Drew has tendered his resignation, and need not be considered in the new organization.

I have the honor to be, governor, very respectfully, your obedient servant,

I. McDOWELL,  
Major-General, U. S. Army, Commanding Department.

---

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., November 19, 1864.

COLONEL: I sent to you a telegram on the 9th instant, saying: "In case of insurrection can I call the militia into the service of the United States for nine months."

Your reply of the 11th has been received, saying, "The general commanding can not see any case where your proposed action would be necessary, as suggested in your telegram of yesterday." My telegram of the 12th says: "Your telegram of yesterday received. Letters by mail of 7th and 9th explain. Arms sent by the governor to Eugene City and threatened with seizure. If troubles occur, the wires will be cut. I ask discretionary authority in advance, to save time."

My letters of the 7th—Governor Gibbs's letter to me of the 7th (a copy of which I forwarded on the 9th, accompanied by a copy of the letter dated Salem, of the 7th, from Mr. Frank Cooper)—have prepared you to understand the state of things in this quarter.

I now inclose herewith to you extracts from the Daily Statesman, published at Salem, Oregon, the seat of government of the State. You will notice that two public meetings were called there at the instance of the mayor of the city, Mr. J. R. Moores, late speaker of the house of representatives. Leading men in both political parties concurred in urging the preservation of peace. It was certainly well and timely for the leaders of the Democratic party to thus exert all their influence to restrain their followers, for doubtless there exists much disaffection among many who have been led by the war to hate our Government. The feeling is contrary to all justice, reason, or prudence. But we have been taught by the secession of the rebel States that self-interest and logic will not prevent the most suicidal acts, and that crime and passion are more apt than reason to have sway in revolutionary times.

The secret clubs exist in every part of Oregon and the adjoining Territories, and I believe that they are bound by treasonable oaths. The excuse for an outbreak was to have been the re-election of Mr. Lincoln. The next excuse was to have been to resist the draft or military arrests. The members have been diligent in accumulating arms and ammunition for some time past, and have generally tried to observe secrecy in doing so.

I am happy to say that Oregon has gone 1,400 majority for Mr. Lincoln, and that the election day passed quietly throughout the State. The very preparation prevented disorder. The election also having gone throughout the Union by so large a majority for Mr. Lincoln leaves no excuse for the malcontents. The apprehension has been that if there should be an outbreak in Illinois and Indiana there would be one here. You will notice that the third resolution adopted at the public meeting on the 11th instant deprecates any action here in case of intestine war in the loyal States in the East. The leaders of the opposition party have thus taken pains to disavow any wish for trouble.

At last dates the arms being sent to Eugene City, in the Upper Willamette, were being escorted thither by a company of militia from Corvallis. I think they were taken through safely. But the agents of the State at Corvallis took the locks off the guns before forwarding them from that place.

I desire now to represent to the major-general commanding the department the propriety of my having the discretionary authority asked for in my telegram of the 9th instant. This with a view to the future and to any contingency which may arise.

At the State fair at Salem in September, 1863, there were six or seven companies of militia paraded, and made a very respectable appearance. At the fair last September eleven or twelve companies were paraded. Four were cavalry armed with sabers, but now have rifles, furnished as authorized by your telegram of the 1st instant. I reviewed them on the former occasion, and am assured that this year their drill and appearance were still more promising.

Now, I am assured by Governor Gibbs that on the occasion of trouble these troops are ready at a moment's call to spring to arms. They are enthusiastically devoted to our flag and Government, and would promptly aid to put down any rising here.

Having such a weapon ready and anxious to act, can it be in human nature not to use it if trouble arise? With the limited force at my command I should need it. Moreover, the time of the volunteers is fast expiring, and every month will diminish their numbers.

In case of trouble the governor would be disposed to use at once the militia, but he wishes to do it under the call of the United States authorities. By the fourth section of Article IV of the Constitution and by the act of Congress of 29th July, 1861, there is ample authority for such use being made of the militia.

Proclamations of the President have over and over again been issued, so that that preliminary would not be needed, as any outbreak here would only be a part of the war East by allies of the rebels in this country.

Rapidity of action against any outbreak will be of the utmost importance. To place, if practicable, the iron heel of power on the incipient movements of the serpent of rebellion is the true way to deal with the evil. After the wires are cut I can not write to you and get an answer in less than twenty days, especially in winter. In that length of time, with good fortune, we might have crushed the monster. Such delay would thus be very odious.

I have said above that Governor Gibbs wishes the State troops in any emergency

used on the call of the United States. In conversing on that subject the other day he especially dwelt on his desire to avoid the position once occupied by Oregon when a Territory. He referred to the Yakima [?] Indian war of 1855 and 1856, when Governor Curry, of Oregon Territory, called out two regiments not mustered into the service of the United States. The imbroglio with General Wool followed, which General McDowell will remember. The Oregon war debt assumed by the United States (footing up some millions) was the sequel. Repudiation of half the cost of supplies actually furnished was another sequel. Finally, it has naturally bred great timidity in furnishing any supplies, especially on the call of a governor.

I was at one time armed by General Wright (under date of the 20th of April, 1863) with like discretionary authority. I believe that it was of great value to me to have such authority. In the summers of 1863 and 1864 I had occasion to make a good use of it—I mean to make a good use of the power, without exercising it. For during the summers when the troops were in the field against the Indians I have been compelled to hold out the existence of this power to deter those disposed to make trouble. Having but few troops, I had to use stout words, which the possession of that authority enabled me to use.

As an example of this, I ask the general to read the extract marked in my address at the State fair of Oregon in September, 1863, a copy of which I have just sent him by mail.

I also request that he will please read my letters to you of the 13th and 27th of June last, just before he assumed command of this department. Previous to the election of June 8 there were many mutterings of trouble, which happily passed away.

In my letter of June 13 I have described my conference with one of the leaders of the opposition, when I used with great effect the possession of the authority spoken of. It was rescinded on the 15th of June, at the time of my call for troops upon the Cañon City road. I append some of the correspondence on that occasion.

On the 27th of June I promised to request a renewal of the authority so wisely given me on the 29th of April, 1863.

I respectfully submit that the considerations I have herein presented exhibit the propriety of my receiving the discretionary authority alluded to.

I am, very respectfully, your obedient servant,

BENJAMIN ALVORD,

*Brigadier-General, U. S. Volunteers, Commanding District.*

Lieut. Col. R. C. DRUM,

*Assistant Adjutant-General, Department of the Pacific, San Francisco, Cal.*

---

#### *Extracts from Oregon newspapers.*

[From the Daily Statesman, Salem, Oregon, Thursday evening, November 10, 1864.]

#### CITIZENS' MEETING.

The mayor of this city has called a meeting to-night for the purpose of conferring in relation to the apprehension, which is generally diffused, of an armed outbreak. It has been thought best by men of all political organizations that such a meeting should be held, and it is hoped that everybody who attends will do so in a fair, candid, and calm spirit, so that the uneasiness now prevalent may be effectually removed, and public confidence fully restored. All reflecting persons will see the good policy of resolving, now and for all time, to avoid, if possible, civil commotion in this State.

---

[From the Daily Statesman, Salem, Oregon, Friday evening, November 11, 1864.]

#### THE MEETING LAST NIGHT.

At the call of the mayor a very large assemblage of people came together at the court-house. Very little excitement, though a deep interest in the objects of the meeting, prevailed. Addresses were made by J. S. Smith, esq., Judge Boise, and Mr. J. L. Parrish. The speakers warmly deprecated all conduct and talk calculated to inflame the public mind and endanger the peace of the community. If anybody of any party contemplated violence they should be discouraged and discountenanced. We could only destroy ourselves by civil commotions without in any manner helping any party or cause in the East in case of civil war. Whatever may happen among

the people or to the Government, resulting from a Northern rebellion instigated by any party, our paramount interest would lie in the preservation of peace among ourselves. The speakers, while they acknowledged the prevalence of apprehensions, were nevertheless confident that the cool, sober, second thought of every man would prompt him to say and do nothing calculated to promote civil strife. Men of reflection could but deprecate and fear the results of violence, knowing that by civil war we had everything to lose certainly and nothing positively to gain.

We think the effect of the speeches was conciliatory and pacifying to the almost fierce spirit engendered by the late Presidential contest, and we can but heartily commend the conduct of those men who have contributed thus toward a better state of feeling and a stronger sense of security in the community.

A committee consisting of Messrs. J. S. Smith, N. T. Caton, R. P. Boise, C. G. Curl, and J. C. Peebles, was appointed to draught resolutions to be reported at another meeting at the same place to-night.

[From Oregonian.]

GREAT EXCITEMENT AT SALEM—FEARS OF AN OUTBREAK—ARMS BEING TAKEN INTO THE COUNTRY—MEETING OF CITIZENS.

SALEM, OREGON, *November 11.*—A notice appeared on several bulletin-boards in this city yesterday afternoon, signed by J. H. Moore, mayor, calling a meeting of citizens regardless of political organizations to exchange sentiments in regard to apprehensions entertained throughout the country of an armed outbreak. The appearance of the notice caused considerable excitement, which was somewhat augmented by a report that a number of arms were forwarded from this place to the interior of the State yesterday, and various rumors consequent upon such an occasion were soon afloat.

That evening, pursuant to notice, the meeting was called to order by the mayor and addressed by J. S. Smith, J. L. Parrish, Judge Boise, and Benjamin Hayden, all expressing themselves in favor of maintaining the peace, law, and order of our State to the exclusion of any revolutionary and insurrectionary movement which may take place in the Eastern States and the discouragement of anything which may lead to civil war or strife in our midst, showing the advantages to be derived and the disadvantages, desolation, and bloodshed inevitable from the pursuance of such a course. A committee was appointed of members of both party organizations to draught resolutions expressive of the sentiments of the people. The meeting adjourned to meet this evening.

PUBLIC RESOLUTIONS.

The following resolutions were reported last evening by the committee appointed the night before at a public meeting of citizens in favor of law and order, and unanimously adopted:

Whereas much anxiety and alarm seems to exist in this community that civil war will break out in this State; and whereas the public mind ought to be disabused and relieved from such apprehensions: Therefore, be it resolved,

First. That while we can not believe that any considerable portion of our fellow-citizens desire or would in any way hasten such a dire calamity, we bind ourselves without distinction of party to use our utmost endeavors to preserve peace in this State, and that we will if need unite in putting down any revolt against its properly constituted authority.

Second. That in this State we believe in the right of a legal majority to govern in accordance with the Constitution.

Third. That should civil war be inaugurated in any of the present loyal States of the Union, we will maintain peace and good government here; and should the horrors of civil war desolate every other State it shall not come here.

Fourth. That while we are willing to render cheerful obedience to the laws, and to assist the lawfully constituted authorities in enforcing the same, we believe that the continuance of peace and harmony in our midst depends more on the common sense and good disposition of the order-loving citizens of both parties than on the display or exercise of power by our rulers; and that in these times of excitement and peril the duties of the officers of our State should be performed with consideration and caution, and all causes of needless irritation should be carefully avoided by both magistrate and people.

*Copies of official papers connected with the recent call on the governor of Oregon for cavalry volunteers to serve until the 1st of November, 1864, to protect the road from Dallas to Canyon City, Oregon.*

PROCLAMATION OF GOVERNOR OF CALIFORNIA.

EXECUTIVE DEPARTMENT,  
*Sacramento, February 7, 1864.*

Whereas Brigadier-General Wright, of the United States Army, commanding the Department of the Pacific, has called on me for a battalion of six companies of troops (infantry), for special service against the Indians, in the Humboldt district, in this State, to serve until discharged by him: Now, therefore, I, Leland Stanford, governor of the State of California and commander-in-chief of the militia thereof, do call upon the citizens of the frontier counties of Humboldt, Mendocino, Trinity, Klamath, Siskiyou, and Del Norte, of this State—as many as shall be necessary to fill up the foregoing requisition—to organize themselves into companies, to be mustered into the service of the United States, as hereby required. The requisite officers for this force will be commissioned by the governor.

Done at Sacramento, Cal., this 7th day of February, in the year of our Lord 1863.

LELAND STANFORD, *Governor.*

Attest:

WM. H. WEEKS,  
*Secretary of State.*

[Extract from General Alvord's letter of April 15, 1863, to Lieut. Col. R. C. Drum, Assistant Adjutant-General.]

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., April 15, 1863.*

COLONEL:

\* \* \* \* \*  
Therefore I have concluded to request your permission to make a call—if any emergency shall arise—upon the governor of Oregon to raise troops for a special service and for a limited period, in a mode similar to that described in the annexed proclamation of the governor of California, of the 7th February last, calling out troops in the counties of Humboldt, Mendocino, etc. Under such conditions I think we could raise volunteers rapidly in this country.  
\* \* \* \* \*

Very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

*The Assistant Adjutant-General,  
Headquarters Department of the Pacific, San Francisco, Cal.*

[Extract from Lieut. Col. R. C. Drum's letter of April 29, 1863, to General Alvord.]

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, Cal., April 29, 1863.*

GENERAL: In reply to your letter of the 15th instant, relative to the want of troops in the district of Oregon, I am instructed by the department commander to say that the exigencies of the service will not permit of a reduction of the force now in this State. The general gives you full powers to call upon the governors of Oregon and Washington for such troops as you may deem necessary to preserve the peace and quiet of your district.  
\* \* \* \* \*

Very respectfully, your obedient servant,

RICH'D C. DRUM,  
*Assistant Adjutant-General.*

Brig. Gen. B. ALVORD, U. S. Volunteers,  
*Commanding District Oregon.*

[Telegram to Lieut. Col. R. C. Drum, Assistant Adjutant-General.]

FORT VANCOUVER, WASH., June 14, 1864.

Col. R. C. DRUM,  
*Assistant Adjutant-General, San Francisco:*

Under authority of your letter of 29th April, 1863, I have called upon the governor of Oregon for forty cavalry volunteers, to serve until the 1st of November next, to protect the road from Dallas to Canyon City against Indians. Major McLean declines to muster in the second lieutenant and recruiting officer without the authority of the War Department. Has the War Department given such authority?

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

[Telegram from Lieut. Col. R. C. Drum, Assistant Adjutant-General.]

SAN FRANCISCO, June 15, 1864—3 p. m.

General ALVORD,  
*Fort Vancouver, via Portland:*

Authority contained in letter of 29th of April, 1863, is revoked.  
By order of General Wright.

E. SPARROW PURDY, *Acting.*

[Copy of telegram from Brig. Gen. George Wright, commanding Department of the Pacific.]

SAN FRANCISCO, June 24, 1864—7.30 p. m.

Brig. Gen. B. ALVORD, U. S. Volunteers,  
*Commanding District of Oregon, Fort Vancouver, Wash.:*

You can accept the detachment of cavalry. Muster in by one of your own officers. Particulars by mail.

G. WRIGHT,  
*Brigadier-General.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, November 21, 1864.*

GENERAL: I have just received the following telegram from Lieutenant Underwood, of Jacksonville:

"Will enlistments in cavalry be deducted from quota of Jackson County?"

I suppose not. I made up the quota from Captain Kuler's return and see a difficulty in allowing enlistments for both regiments at the same time. I should be pleased to have your views on the subject.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. B. ALVORD,  
*Commanding.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., November 22, 1864.*

His Excellency A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon:*

GOVERNOR: Your letter of 21st November has been received. As I understand it, all recruits for any companies of any organization in the service of the United States are credited to any locality in which they enlist. If a surplus enlist beyond any call it would go to the credit of that locality in any future call. I know of no authority for saying that only one regiment of infantry will be called for from Oregon.

I send a copy of your letter to Colonel English, who is better authorized to answer it than myself.

I am, very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*



STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, November 26, 1864.

GENERAL: I have the honor to request that Capt. George B. Currey be granted a leave of absence, if consistent with the interests of the service, for the purpose of assisting in raising the First Regiment of Oregon Infantry. You are probably aware of the fact that I intend to commission him colonel of the regiment when it is filled. He is well and favorably known in the Willamette Valley, and will be of great service if he can be spared.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. B. ALVORD,  
Commanding.

[Published by authority.]

LAWS OF OREGON.—ACTS PASSED AT THE THIRD REGULAR SESSION OF THE LEGISLATIVE ASSEMBLY.

AN ACT for the relief of the commissioned officers and enlisted men of the Oregon volunteers in the service of the United States.

*Be it enacted by the legislative assembly of the State of Oregon:*

SECTION 1. A sum not exceeding one hundred thousand dollars is hereby appropriated and set aside, to constitute a separate fund to be known as the commissioned officers' and soldiers' relief fund, for the purpose of paying a compensation to the soldiers of the companies of Oregon volunteers raised in this State for the service of the United States, to aid in repelling invasion, suppressing insurrection, enforcing the laws, and protecting the public property, in addition to the pay allowed them by the United States. All liabilities created by this act shall be paid out of said fund.

SEC. 2. There shall be paid out of the fund created and set apart by the first section of this act, to each and every commissioned officer and enlisted soldier of the companies of Oregon volunteers raised in this State for the service of the United States, to aid in repelling invasion, suppressing insurrection, enforcing the laws, and preserving and protecting the public property, from the time of their enlistment to the time of their discharge, the sum of five dollars per month.

SEC. 3. No money shall be drawn out of the soldiers' relief fund, herein provided for, except as is provided for in section four of this act.

SEC. 4. The captains or commanding officers of companies of Oregon Volunteers shall, after each and every muster, file in the office of the adjutant-general of this State a complete muster roll, duly certified, of their companies from the date of their enlistment, noting desertions, discharges, and dismissals, and stating the causes of such discharges and dismissals from the service. No non-commissioned officer or private shall be entitled to the benefit of this act who shall not obtain an honorable discharge from the service, and no money shall be drawn from the fund hereby authorized and set apart, until he has been honorably discharged the service: *Provided, however,* That the monthly amount hereby appropriated may be drawn by such enlisted married men as have families depending upon them for support, who shall have power to allot the whole or a portion of the same for the support of their families. The amount of pay thus allotted shall be paid to the person to whom the same is legally allotted, upon the following certificate of the adjutant-general of this State (with the seal of office attached) being endorsed thereon, namely:

"I hereby certify, that \_\_\_\_\_ is a \_\_\_\_\_ in Company \_\_\_\_\_, Regiment \_\_\_\_\_, Oregon Volunteers \_\_\_\_\_, and that he is entitled to the benefit of the act entitled 'An act for the relief of the commissioned officers and enlisted men of the Oregon Volunteers in the service of the United States,' approved October, 1864, and that allotment is made according to law."

After the term of enlistment shall have been served, or an honorable discharge granted to any commissioned officer or enlisted man, a certified copy of this final statement shall be transmitted to the adjutant-general of this State, who shall certify upon the back of the same the amount due under this act to the person discharged, and the secretary of state shall draw his warrant upon the treasurer of state for the amount so certified, payable out of the fund thereby created: *Provided,* That in case a volunteer be discharged for disability that existed at the time of his enlistment, he shall not be entitled to the benefit of this act.

SEC. 5. To enable all concerned to avail themselves of the benefits of this act, muster-out rolls of the respective companies of Oregon Volunteers shall be duly filed in

the adjutant-general's office of this State, and a certified copy thereof filed in the office of the secretary of state.

SEC. 6. For the purpose of carrying into effect the provisions of this act, and providing for the fund created by Sec. 1 of this act, the secretary of state of Oregon shall cause to be prepared bonds of the State to the amount of one hundred thousand dollars, in such sums as hereinafter provided, redeemable at the office of the treasurer of the State on the first day of July, 1875. The said bonds shall bear interest, payable semi-annually, at the rate of seven per cent. per year from the date of their issue; which interest shall be due and payable at the office of the treasurer of the State on the first day of January and July of each year: *Provided*, That the first payment of interest shall not be made sooner than the first day of January, 1866. The said bonds shall be signed by the governor and countersigned by the secretary of state and endorsed by the treasurer of State and shall have the seal of State affixed thereto. And such bonds shall be issued from time to time as they may be required for use. The expenses of preparing such bonds shall be audited as a claim on the general fund of the State.

SEC. 7. Coupons for the interest shall be attached to each bond, consecutively numbered and signed by the treasurer of state; and it shall be the duty of the secretary and treasurer of the State each to keep a separate record of all such bonds as may be issued, showing the number, date, and amount of each bond, and to whom the same was issued.

SEC. 8. All demands against the soldiers' relief fund shall be audited by the board of military auditors in like manner as other claims against the State are or may be directed to be ordered.

SEC. 9. On expiration of the term of enlistment, the adjutant-general of the State shall certify to the amount due each man, under the provisions of this act, and on production of such certificate it shall be the duty of the secretary of state to issue a bond of the State, with coupons attached, as provided for in this act, for such amount as the certificate calls for, taking his receipt for the same; said bonds shall be paid to the recipient, or order.

SEC. 10. For the payment of the principal and interest of the bonds issued under this act there shall be levied and collected annually, until the final payment or redemption of the same, and in the same manner as other State revenue is or may be directed by law to be levied and collected, a tax of one-half of one mill on the dollar for the years A. D. 1865 and 1866, and annually thereafter, of taxable property in this State, in addition to the taxes for general State purposes; and the fund derived from this tax shall be set apart and applied to the payment of the interest accruing on the bonds herein provided for, and the final redemption of the principal of said bonds; and the faith of the State of Oregon is hereby pledged for the payment of the bonds issued by virtue of this act, and the interest thereon; and, if necessary, to provide other and ample means for the payment thereof.

SEC. 11. Whenever, on the first day of January of July, 1866, or upon the first day of January or July in any subsequent year, there shall remain a surplus, after the payment of the interest as hereinbefore provided, of ten thousand dollars or more, in the fund created by the tenth section of this act, it shall be the duty of the treasurer to advertise in one newspaper published in each of the cities of Salem, Portland, Dallas, and Jacksonville for sealed proposals for the surrender of bonds issued under the provisions of this act. He shall state in such advertisement the amount of money on hand applicable to the redemption of bonds, and he shall accept such proposals, at rates not exceeding par value, as may redeem the greater number of bonds, until the amount of cash on hand for redemption is exhausted.

SEC. 12. Full and particular account and record shall be kept by the treasurer of the condition of the funds collected, in accordance with the provisions of this act, open at all times to the inspection of the governor and secretary of state, and of any committee appointed by the legislature or either branch thereof.

SEC. 13. It shall be the duty of the treasurer of this State to make arrangements or the payment of the interest of the said bonds when the same falls due; and in the event that the said interest fund shall be insufficient the said treasurer shall make up the deficiency from the general fund, and in the event of the insufficiency of the general fund the said treasurer is authorized and required to make such contracts and arrangements as may be necessary for the payment of said interest and the protection of the credit of the State. And in case there should at any time be in the fund created by this act for the payment of said interest and the redemption of said bonds any surplus moneys not needed for the payment of said interest or the redemption of any bonds it shall be the duty of the treasurer of State to transfer such surplus moneys to the general fund of this State. Said bonds shall be redeemed and the interest paid in the gold and silver coin of the United States.

Approved, October 24, 1864.

[Telegram.]

SAN FRANCISCO, CAL., November 30, 1864.

Hon. E. M. STANTON,  
Secretary of War:

With a view to manning in part the sea-board works in this department we are, for want of artillery, raising the Eighth California Regiment of Infantry, and wish it officered by Maj. A. Boist, [Van Voast?] Eighteenth, and Capts. Charles O. Wood and William H. Jordan, Ninth United States Regiment Infantry, as colonel, lieutenant-colonel, and major, respectively. Those promotions would not change their status or duties. We do not wish to displace them, and therefore ask that they may have leave to accept.

F. F. LOW,  
Governor, California.  
IRVIN McDOWELL,  
Major-General, Commanding.

[Telegram.]

SAN FRANCISCO, December 14, 1864.

Adjutant-General:

No answer yet received to telegrams of Governor Low and myself to Secretary of War, of November 30, about leave for Major Van Voast and Captains Jordan and Wood to accept positions of field officers of California Volunteers. It is of importance. Can you see if any answer has yet been given?

IRVIN McDOWELL,  
Major-General.

[Telegram.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
December 17, 1864.

Major-General McDOWELL,  
Commanding, San Francisco, Cal.:

Leave granted Captains Jordan and Wood. Major Van Voast has been ordered East to command his regiment. Leave therefore not granted in his case.

E. D. TOWNSEND,  
Assistant Adjutant-General.

[Telegram.]

SAN FRANCISCO, CAL., January 5, 1865.

Hon. EDWIN M. STANTON,  
Secretary of War:

With the concurrence of Governor Low, I wish leave of absence for Capt. Allen S. Anderson, Fifth United States Infantry, to enable him to become the colonel of the Eighth California Infantry, now organizing at this place. If granted, please send order for captain (who is now in Arizona) to me by telegraph and I can send it to him by express.

IRVIN McDOWELL,  
Major-General.

[Telegram.]

ADJUTANT-GENERAL'S OFFICE,  
January 7, 1865.

Maj. Gen. IRVIN McDOWELL,  
San Francisco, Cal.:

Leave granted Captain Anderson, Fifth U. S. Infantry, with view to his being colonel Eighth California Infantry.

THOMAS M. VINCENT,  
Assistant Adjutant-General.

SUBSISTENCE OFFICE, U. S. ARMY,  
Sansame street, San Francisco, Cal., October 25, 1864.

COLONEL: I have the honor to return herewith the letter you referred to me September 30th, which was addressed by Capt. William Kelly, First Cavalry, Oregon Volunteers, commanding Fort Klamath, Oregon, to the acting assistant adjutant-general, district of California, September 8th, stating that he had directed the assistant commissary of subsistence of that post to sell to such of certain emigrants, who had just arrived there destitute of provisions, as could buy, and give to those who could not, as much as would subsist them to Rogue River Valley, "there being no other place in the valley where it could be procured," and which was indorsed September 16th, by Brig. Gen. G. Wright, commanding district of California, as follows: "I recommend that the issue be approved; I shall direct Captain Kelly not to sell or give provisions to emigrants, except in extreme cases. Emigrants must not expect the Government to supply them unless some great calamity has befallen them."

I have indorsed upon it, October 1st, the following: "Respectfully returned. There is no authority in the subsistence regulations for giving or selling subsistence stores to citizens not employed by the Government. This is the second time Captain Kelly has come to the relief of indigence at the expense of the Government without authority. I would recommend that the issue be disapproved."

My indorsement is in accordance with the regulations of the present day, but it is believed that old regulations or orders authorized commanding officers in like cases to that reported by Captain Kelly to issue and sell, or at least to sell, subsistence stores to destitute emigrants when they could not otherwise procure food.

There is certainly much claim, on the score of humanity, that the discreet exercise of such authority should be permitted. Instances arise, though happily they are rare, when emigrant parties fail to supply themselves with enough food to subsist them through to their destination, or to a place where they can replenish their supply, the failure being due to an imperfect knowledge of the duration of the journey undertaken (which may be protracted by sickness) and its vicissitudes, or sometimes to the mistaken ideas of the distance from their starting point of places where they can replenish when nearing their destination, by which they intend to save in means of transportation and in liability to loss of stores by accident on the way. Emigrant parties, too, who have started with full supplies, may be attacked or robbed by Indians of both money and provisions, or lose stores by any of the numerous accidents they are subject to in crossing streams, etc. Others there are who are too poor to but meagerly supply themselves, and have to trust to providential circumstances against starvation before reaching their promised land. Such unfortunates as any of these should not be turned away without succor from the posts at which they appeal for it. They should be relieved by sale to those who could buy of such stores as might be needed with or without cost of transportation added, according to their means, or limited issues to those who could not buy; the issues should be made after the sales, and care taken to prevent its being known that any provisions would be given away lest poverty should be feigned.

I would therefore recommend that authority to make sales and issues of stores to indigent emigrants, be obtained.

Very respectfully, your obedient servant,

THOS. C. SULLIVAN,  
Captain and Commissary Subsistence.

Lieut. Col. RICHARD C. DRUM,  
Assistant Adjutant-General, Department of the Pacific, San Francisco.

Official:

R. C. DRUM,  
Assistant Adjutant-General.

[Indorsement.]

HEADQUARTERS DEPARTMENT PACIFIC,  
San Francisco, Cal., December 7, 1864.

Respectfully forwarded to the War Department with the recommendation that authority be given "to make issues and sales of commissary stores to indigent and suffering emigrants." Attention is invited to the letter of Captain Sullivan inclosed herewith. The authority now asked for has heretofore been given and exercised.

IRVIN McDOWELL,  
Major-General, Commanding Department.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, December 9, 1864.

Hon. J. CONNESS,  
*United States Senator for California, Washington, D. C.:*

MY DEAR SIR: I inclose a copy of a letter from my chief commissary of subsistence on the subject of issues and sales of subsistence stores from the commissary department at military posts to indigent and suffering emigrants, and an extract of my letter on the subject of issues of subsistence stores by the United States Commissary Department to Indian prisoners; both these papers have been sent to the War Department. Both are of the deepest interest to the people whom you represent, and the whole of the Pacific coast.

Authority has heretofore been granted in both cases, and in both it is of importance to be granted now. You will see that the commissary here is helpless to do anything except against the existing regulations.

The question is with the Secretary of War or Congress.

I think you will find the Commissary Department at Washington unfavorable to the granting of this authority, as it takes from their stores and they fear abuses. Abuses may occur, but not if I can help it, and even if they do, it is no reason to withhold the authority asked. In case of the Indians it saves thousands of dollars to the United States for the tens it cost, and in case of the emigrants, commanders of posts can not refuse to help starving men, women, and children. One of the principal benefits derived from many of our military stations on the line of emigration, is to assist as well as protect the worn down and exhausted emigrants who come to make a return for the help thus given by developing the wealth of the country of which the Government reaps the advantage. However, the case must be too plain to you who know all the circumstances.

I bespeak it your active co-operation, and am yours, truly and sincerely,  
IRVIN McDOWELL,  
*Major-General.*

[Telegram.]

WAR DEPARTMENT,  
*Washington City, December 8, 1864.*

Maj. Gen. IRVIN McDOWELL,  
*San Francisco, Cal.:*

Please order no draft in Oregon without special directions from this Department.

EDWIN M. STANTON,  
*Secretary of War.*

[Telegram.]

SAN FRANCISCO, CAL., *December 10, 1864.*

Hon. EDWIN M. STANTON,  
*Secretary of War:*

I have to report in answer to your telegram that I have not, and have not had the slightest intention to order a draft in Oregon or in any part of my command, nor have I indicated any such purpose to any one. Under the special authority you have given me in connection with the governors of Oregon, California, Nevada, Idaho, and Utah, and the State bounties given by California and Oregon, I hope to raise sufficient force without drafting, which in any case I would not think of doing without your knowledge and orders.

IRVIN McDOWELL,  
*Major-General, Commanding.*

SALEM, OREGON, *December 8, 1864.*

GENERAL: Second Lieut. Charles Lafollette has raised a company of 94 men. They will all be here to-morrow ready to be mustered into the service. As the accommodations are not very good for them here I urgently recommend that they be sent to some post as soon as possible after they are received. For a number of reasons I would recommend that they be sent to Fort Hoskins or Yamhill—perhaps part at each. I

would prefer to have Captain Scott's company sent to Vancouver or some other place rather than have Lafollette's men sent away. I understand there are plenty of stores at Fort Hoskins and that it is a good place to keep and drill men.

I am, sir, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. BENJ. ALVORD,  
*Commanding District of Oregon.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, Oregon, December 10, 1864.*

GENERAL: I have been informed that Company A, First Oregon Infantry, has been mustered into the service of the United States. I write to request that you will order it to such military post within your district as you may think proper, without waiting for the completion of the regiment. I have to make the same request in reference to all companies and officers of the regiment who may hereafter be mustered into the service of the United States.

I am, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. BENJ. ALVORD,  
*Commanding District of Oregon, Fort Vancouver, Wash.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, December 10, 1864.*

COLONEL: I have the honor to inform you that Lieut. Charles Lafollette, lieutenant Oregon Infantry, has enlisted 97 men under my proclamation of October 24, 1864, and that the men are assembled at Salem, Oregon, ready to be mustered into the service of the United States.

I am, sir, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Lieut. Col. T. C. ENGLISH,  
*First Washington Territory Infantry and  
Assistant Provost-Marshal General, Portland, Oregon.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, December 15, 1864.*

COLONEL: I have the honor to inform you that Lieut. Thomas H. Reynolds, First Oregon Infantry, has enlisted 83 men under my proclamation of October 24, 1864, and that the men are assembled at Salem ready to be mustered into the service of the United States.

I am, sir, very respectfully, your obedient servant,

A. C. GIBBS,  
*Governor of Oregon.*

Lieut. Col. T. C. ENGLISH,  
*First Washington Territory Infantry, Assistant Provost-Marshal General.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, December 15, 1864.*

SIR: I have the honor to inform you that I have appointed Clark P. Crandall, a captain in the First Regiment of Oregon Infantry, and respectfully request that he be mustered into the service of the United States and assigned to the command of Company B, First Oregon Infantry, raised in Marion County, Oregon.

I have also appointed Thomas H. Reynolds a first lieutenant, and Charles B. Roland



a second lieutenant in the First Regiment of Oregon Infantry, and desire that they be mustered into the service of the United States and assigned to duty with Captain Crandall's Company.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Lieut. Col. T. C. ENGLISH,  
First Washington Territory Infantry and  
Assistant Provost-Marshal-General, Portland, Oregon.

---

EXECUTIVE DEPARTMENT, STATE OF OREGON,  
December 16, 1864.

GENERAL: I have the honor to inform you that I have appointed Henry Catley first lieutenant and regimental quartermaster in the First Regiment of Oregon Infantry.

I am, sir, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. B. ALVORD,  
Commanding District of Oregon.

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, December 15, 1864.

SIR: I have the honor to inform you that I have appointed the following-named officers in the First Regiment of Oregon Infantry, viz: Ephraim Palmer, captain; Cyrus A. Walker, first lieutenant; and John W. Cullen, second lieutenant. I respectfully request that they be mustered into the United States service as commissioned, and assigned to duty with C Company, lately raised in Yamhill and Washington Counties, for the First Oregon Infantry Regiment.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Lieut. Col. T. C. ENGLISH,  
First Washington Territory Infantry,  
Assistant Provost-Marshal-General, Portland, Oregon.

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, December 17, 1864.

The Adjutant-General of the Army, Washington City, D. C.:

SIR: In forwarding the application of Brigadier-General Connor, of October 14 for a leave of absence for sixty days, I am constrained to notice the remark of the general, "that the present quiet which reigns throughout his district is due to his policy."

A reference to the correspondence between him and the headquarters of this department, a copy of which was transmitted with my letter of August 17 to the Adjutant-General of the Army, will show, I think, that the general is mistaken, and that had he been allowed to pursue "his policy" this department would have been involved in war with the Mormons.

General Connor bears the reputation of being an excellent soldier, and his ready acquiescence in the instructions I had to give him, checking the policy he desired to follow, shows his reputation is merited; but I think it only right and prudent that it be well understood to what the quiet his district now enjoys is due, lest by an approval of his policy trouble may come.

This application was detained to wait the return of General Connor from his trip to Colorado, where he had gone with the object of inaugurating a winter campaign against the Indians in General Curtis's department, which he was about to set on foot under some instructions he had received direct from Major-General Halleck. I do not think these instructions required General Connor to leave his district and to go and take command of forces so far away from this department, and that they do not contemplate the carrying on systematically of operations against Indians east of

the Rocky Mountains by troops from this coast; that the protection to the overland route beyond the limits of this command was to be temporary, and was not, as General Halleck says, intended to transfer troops or change commands.

The general has now reported his return, and states that in consequence of the severity of the storms and lack of forage for the animals of the command he had halted the two companies he expected to take with him at Fort Bridger; that he "found but few available troops in the vicinity of Denver to co-operate with his small command, even could the latter reach the scene of the difficulties, nor could he discover a very zealous disposition, even had the ability existed to co-operate with his forces; that it was apparent to him that to attempt to transport his command across the mountains at this season of the year would result not only in much hardship to the men, but in rendering two-thirds of the horses entirely unfit for service after reaching the Platte plains."

As, therefore, there is no probability of General Connor's services being needed this winter, I approve of his having the leave asked.

I am, very respectfully, your most obedient servant,

IRVIN McDOWELL,  
*Major-General, Commanding Department.*

HEADQUARTERS DISTRICT OF UTAH,  
CAMP DOUGLAS, UTAH, NEAR GREAT SALT LAKE CITY,  
October 14, 1864.

GENERAL: I have the honor to ask from the honorable Secretary of War, leave of absence from my district for sixty days in order to enable me to visit New York City on important private business.

In preferring this request at this time I beg leave respectfully to represent that I have since my manhood been nine years in the military service of the United States, for the last two years stationed in this district, and during all of that time have not received a leave of absence from my post of duty. I deem it proper also to add that the policy inaugurated by me in the conduct of affairs in this district has worked so beneficially and its results are now so apparent that I am satisfied that the granting of this request at this time would not be detrimental to the public service.

Since my advent to this Territory it is the first time when I could reconcile my convictions of duty with a prolonged absence from the district. But I now feel assured that for the time mentioned as the period of my absence no danger can reasonably be apprehended from the hostility of Indians or the machinations of the foes of the government of Utah. Hence the foregoing request is preferred with the hope that it may be granted.

I have the honor to remain, very respectfully, your obedient servant,  
P. EDW. CONNOR,

*Brig. Gen. U. S. Volunteers, Commanding District of Utah.*

Brig. Gen. L. THOMAS,  
*Adjutant-General U. S. Army, Washington, D. C.*

(Through Maj. Gen. Irvin McDowell, Commanding Department of the Pacific, San Francisco, Cal.)

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, December 22, 1864.

Hon. E. M. STANTON,  
*Secretary of War, Washington, D. C.:*

SIR: I have the honor to inclose herewith Mr. M. O. Davidson's letter to me of November 29, reporting the assemblage of a band of the enemy in the Mexican State of Sonora, who are awaiting re-enforcements from Texas, Durango, and Chihuahua to attack our advanced military posts in Arizona.

Mr. Davidson is the superintendent of one of the largest mines in the Territory.

I have it from many sources that numbers of disaffected men from this department are going and have gone to Sonora, and there is a general impression, in which I concur, that that country is, under Dr. Gwynne, to become the rendezvous of our enemies.

I beg to represent that if difficulties should arise in Arizona the men and the supplies to meet it must all come from this department; that Arizona is dependent on California; that part of the posts in Arizona still, from their position and the means of communicating with them, belong to this military department, and that thus that Territory is now divided between the Department of the Pacific and that of New

Mexico; that supplies are sent now, for the service in Arizona, from California, and that requisitions for those posts, instead of coming here direct, have first to be sent across the country and up the Rio Grande to Santa Fé for the approval of the department commander and then sent here to be filled. All the operations heretofore undertaken against the enemy in Arizona had to be set on foot from this department.

Under all these circumstances I respectfully call attention to the application made to you by my immediate predecessor under the date of March 28, 1864, for the Territory of Arizona to be re-annexed to the Department of the Pacific.

I have the honor to be, very respectfully, your obedient servant,

IRVIN McDOWELL,  
Major-General, Commanding Department.

GUAYMAS, November 29, 1864.

Major-General McDOWELL:

DEAR SIR: Mr. Elihu Baker, major domo of the Arizona Mining Company, has just come down from Arizona to escort me to the Territory. He informs me that a band of Confederates are encamped in Sonora, between Magdalena and the boundary, awaiting re-inforcements from Texas, Chihuahua, and Durango, to make an attack upon the advanced military posts of Calaba, Tubar, and Tucson.

If they are successful in such a raid they will for a while have the southern portion of Arizona at their mercy.

Although you may not be the military commander of that department, I think it proper to give you this information, as it may be in your power to communicate with those who have the power to re-inforce speedily the limited garrisons of the posts so seriously threatened.

I remain, very respectfully, your obedient servant,

M. O. DAVIDSON.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, December 22, 1864.

SIR: I have the honor to report that William S. Powell, second lieutenant, First Oregon Infantry, has enlisted 85 men under my proclamation of October 24, 1864. I respectfully request that the men be mustered into the service of the United States as Company D.

I am, sir, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Lieut. Col. T. C. ENGLISH,  
First Washington Territory Infantry,  
Assistant Provost-Marshal-General, Portland, Oregon.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, December 23, 1864.

GENERAL: I have the honor to acknowledge the receipt of your favor of the 20th instant. It was received this morning. In reply I have to say that the State of Oregon was divided into districts as follows, for the purpose of recruiting the regiment of Oregon infantry, to wit:

- (1) Jackson, Josephine, and Curry Counties, F. B. Sprague, recruiting officer.
- (2) Lane, Douglas, and Coos, Stephen Rigdon, recruiting officer.
- (3) Linn County, A. W. Waters, recruiting officer.
- (4) Benton and Polk Counties, Charles Lafollett, recruiting officer.
- (5) Marion County, Thomas H. Reynolds, recruiting officer.
- (6) Yamhill and Washington Counties, E. Palmer, recruiting officer.
- (7) Multnomah County, William S. Powell, recruiting officer.
- (8) Wasco and Grant Counties, A. J. Boreland, recruiting officer.
- (9) Clackamas, Columbia, Clatsop, and Tillamook Counties, F. O. McCown, recruiting officer.
- (10) Umatilla, Union, and Baker Counties, A. B. Ingram, recruiting officer.

That makes up the number, and you will see Mr. Gale is not included. The explanation of that is that Mr. Gale went into the service with the understanding that he was to be second lieutenant in McCown's company when it was mustered in. His appointment as recruiting officer was to be revoked in time to muster in an officer

from the tenth district, and it was expected he could canvass Columbia, Clatsop and Tillamook Counties before a person could get down from Baker County to be mustered in.

At the time of Gale's appointment I did not know who to appoint for the tenth district, nor could the members of the legislature advise me before their return home.

On their return they recommended the appointment of Mr. A. B. Ingram, of Union County, and I wrote to him to come down and be mustered in. As was anticipated, all this took considerable time, and in the meantime Mr. Gale was enlisting men in the river counties, and Mr. McCown was at work with excellent success in Clackamas.

On the 16th instant Mr. Ingram arrived from Union County, and on that date I revoked the appointment of Mr. Gale, so as to have but ten second lieutenants and recruiting officers at a time. Mr. Ingram has been mustered in and has returned to his district. Mr. McCown has filled the quota in Clackamas County, and has gone down the river to relieve Mr. Gale. By a letter received this morning I learn the quota of the river counties will be full by Saturday night. Powell's company here is ready to be mustered in, and McCown will fill the balance of his company in this county.

Very respectfully, etc.,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. B. ALVORD,  
*Commanding, etc.*

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, December 24, 1864.*

GENERAL: I have just received General Orders, No. 55, dated San Francisco, November 30, 1864.

As General McDowell, acting under special instructions from the War Department, has ordered the First Regiment of Oregon Cavalry to be filled up, I suppose it is an "authorized organization" and that its officers can not be mustered out under the above-named orders unless they prefer to leave the service. If this is a correct interpretation and you concur, I have the honor to request that all officers who desire to remain be retained, and that immediate steps be taken to fill up the regiment. As a preliminary step I would respectfully suggest that it be ascertained what officers are willing to remain in the service and who desire to go out.

I have just been officially notified that A. W. Waters, second lieutenant, Oregon Infantry, has enlisted 84 men and that he is ready, with his company, to be mustered into the service. Hence, recruiting for the cavalry can be commenced in Washington, Yamhill, Clackamas, Union, Linn, Benton, and Polk Counties without any interference with other recruiting officers on duty.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. BENJ. ALVORD,  
*Commanding District of Oregon.*

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, December 26, 1864.*

SIR: I have the honor to inform you that I have appointed Abernethy W. Waters a captain, Darius B. Randall first lieutenant, and James A. Balch second lieutenant of the First Regiment of Oregon; and I respectfully request that they be mustered into the service of the United States as officers of the company lately raised in Linn County for the First Regiment of Oregon Infantry.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Lient. Col. T. C. ENGLISH,  
*First Washington Territory Infantry,*  
*Assistant Provost-Marshal-General, Portland, Oregon.*

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, December 28, 1864.*

COLONEL: I have the honor to inform you that Maj. Gen. Irwin McDowell has called upon me to raise a regiment of cavalry. A copy of the call you will find inclosed.

Recruiting for the regiment can now be commenced in Washington, Yamhill, Clackamas, Union, Linn, Benton, and Polk Counties without interfering with any other recruiting officer on duty. I desire to raise the regiment as soon as possible. It is proposed to retain most of the present officers of the First Regiment Oregon Cavalry, and I suppose some of them will be ordered to report to you for duty in the recruiting service. When it is known what officers are so detailed I shall be pleased to have an opportunity to confer with you as to which counties they had better be sent. Owing to the acquaintance or influence of some of the officers in certain localities, they will be more efficient in such counties than they might in others.

I have the honor to be, sir, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Lieut. Col. T. C. ENGLISH,

First Washington Territory Infantry, Superintendent Volunteer  
Recruiting Service, Oregon and Washington Territory, Portland, Oregon.

Copy respectfully furnished for information of Brig. Gen. B. Alvord, commanding district of Oregon.

[Inclosure.]

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, November 26, 1864.

His Excellency ADDISON C. GIBBS,  
Governor of Oregon, Portland, Oregon:

SIR: \* \* \* I have received a telegram, dated the 9th instant, from General Alvord, asking authority might be given to call into service of the United States the militia in his district for nine months in case of insurrection. As you can call out the militia in the case he refers to, I have not thought it necessary to delegate this authority to him on account of the United States, even if I have the right to do so; and from your letter I do not infer you judge there is imminent danger of insurrection and civil war in your State, nor do I believe in the adjoining Territories.

I am glad there is a fair prospect of raising the troops called for in Oregon.

\* \* \* \* \*

There was no excuse for any difficulty. None certainly as far as the military was concerned.

I am, governor, very respectfully, your obedient servant,

IRVIN McDOWELL,  
Major-General, Commanding Department.

Copy respectfully furnished General Alvord, commanding district of Oregon.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, December 30, 1864.

GENERAL: As five companies of Oregon Infantry have been raised and the sixth company is now nearly full, I propose to appoint Capt. John M. Drake, First Oregon Cavalry, major of the First Oregon Infantry. Therefore, I have the honor to suggest that the necessary steps be taken to insure his muster into the service as soon as the six companies have been mustered in.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. BENJ. ALVORD,  
Commanding District Oregon, Fort Vancouver, Wash.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, December 29, 1864.

GENERAL: Your proposition for consolidation of companies in the Second and Fourth Infantry meets my approbation.

General Mason suggests and Captain Unny requests that Company F, Eighth Infantry, when filled be put into the Second Infantry in place of Company C, which it is proposed to consolidate with others.

To this arrangement I am quite agreeable, as it will nearly or quite fill the Second Infantry, and allow Lieutenant-Colonel Wright to be mustered in as colonel, thereby obviating all the difficulties, as explained to you in my letter of yesterday.

I remain, general, your obedient servant;

F. F. LOW,  
Governor.

Major-General McDOWELL,  
Commanding Department of Pacific, San Francisco.

1865.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, January 3, 1865.

SIR: I have the honor to inform you that I have appointed John L. Boon first lieutenant and adjutant of the First Oregon Infantry, and I respectfully request that he be mustered into the service of the United States as soon as practicable. He resides at Salem, Oregon.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Lieut. Col. T. C. ENGLISH,  
First Washington Territory Infantry,  
Superintendent Volunteer Recruiting Service, etc., Portland, Oregon.

Copy respectfully furnished General Alvord.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, December 30, 1864.

COLONEL: I have just been informed that certain officers of the First Oregon Cavalry have been ordered to report to you for duty on recruiting service for that regiment.

I therefore recommend that Capt. R. S. Caldwell be sent to Washington County; Lieut. J. T. Apperson to Clackamas; Lieut. John M. McCall to Marion; Lieut. Silas Pepon to Linn; and that Second Lieut. John Bowen remain in Portland to enter on duty after McCowan's company is filled.

I have the honor to be, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Lieut. Col. T. C. ENGLISH,  
First Washington Territory Infantry,  
Superintendent Volunteer Recruiting Service, etc., Portland, Oregon.

General ALVORD.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, January 4, 1865.

GENERAL: As Captain McCowan's company of Oregon infantry is now ready to be mustered into the service of the United States, I have appointed Sergeant John B. Dimmick, First Oregon Cavalry, a first lieutenant in the First Oregon Infantry. I therefore respectfully request that he be honorably discharged from the service of the United States and permitted to appear before a board of officers for examination.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. BENJ. ALVORD, \\  
Commanding District Oregon, Fort Vancouver, Wash.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, January 4, 1865.

SIR: I have the honor to inform you that I have appointed the following officers of the First Oregon Infantry, viz: F. O. McCowan, captain; John B. Dimmick, first lieutenant; and Joseph M. Gale, second lieutenant.



I respectfully request that they be mustered into the service of the United States as soon as practicable, as officers of the company lately raised in Clackamas, Columbia, Clatsop, and Multnomah Counties, Oregon.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Lieut. Col. T. C. ENGLISH,  
*First Washington Territory Infantry, etc., Portland, Oregon.*  
Brigadier-General ALVORD,  
*Commanding District of Oregon.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, January 4, 1865.*

SIR: I have the honor to inform you that Second Lieut. F. O. McCowan, First Oregon Infantry, is ready, with the minimum of his company, to be mustered into the service of the United States, and I respectfully request that the muster be made as soon as practicable.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Lieut. Col. T. C. ENGLISH,  
*First W. T. Infantry, Superintendent Volunteer  
Recruiting Service, etc., Portland, Oregon.*  
General ALVORD,  
*Commanding District of Oregon.*

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., January 5, 1865.*

Hon. A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon:*

GOVERNOR: I recommend that you fill the vacancy occasioned by the mustering out of Surgeon Watkins, First Oregon Cavalry. Dr. Edward Storrer, acting assistant surgeon, now at San Juan Island, was mentioned by you. If you appoint him, I shall order him to Portland for the purpose of being mustered in by Colonel English.

I think Colonel English will have to muster in all the officers appointed, considering the Oregon Cavalry now as a new organization in process of being raised.

Very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, January 7, 1865.*

GENERAL: I have the honor to inform you that I have appointed Dr. Edward Storrer surgeon of the First Regiment of Oregon Cavalry.

I am, sir, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*

Brig. Gen. BENJ. ALVORD,  
*Commanding District Oregon, Fort Vancouver, Wash.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, January 16, 1865.*

GENERAL: I had a conversation yesterday with Lieutenant McCall in relation to trouble in Oregon. I do not think there is any occasion for immediate alarm, as I am satisfied no outbreak is contemplated unless a draft is ordered, and I think a draft can be enforced without bloodshed.

The discovery of the plot to fit out a pirate vessel in San Francisco and the arrest of the leaders will have a tendency to check the operations of traitors on this coast.

I am, sir, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. BENJ. ALVORD,  
Commanding District Oregon, Fort Vancouver, Wash.

---

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash.; January 10, 1865.

His Excellency A. C. GIBBS,  
Governor of Oregon, Portland, Oregon:

SIR: I learn from Colonel Maury on his return from Portland that the idea is entertained by some persons that the act of the Oregon legislature of 24th October, 1864, providing for payment of \$150 bounty, "to every soldier who shall hereafter enlist for three years or during the war in any regiment, battalion, or company now organized or hereafter to be organized or raised as part of the quota of volunteers of this State, etc.," was not intended by the members of the Oregon legislature for any but the First Oregon Infantry.

I desire to say that this must be a mistake, as at the first of the session I saw that a bill had been introduced by Mr. Donnell providing for bounties only to the Oregon Cavalry. I instantly wrote to Mr. Donnell begging him to modify the language of the bill so as to apply to any troops which might be called for, as no one then knew what kind of troops would be called for. The bill passed so as clearly to include either cavalry or infantry.

It is essential in the new effort to raise the Oregon cavalry that the same bounties shall be promised as have been promised the Oregon infantry. The law clearly and unmistakably provides for them.

I have the honor to be, very respectfully, your obedient servant,

BENJ. ALVORD,  
Brigadier-General, U. S. Volunteers, Commanding District.

---

[Telegram.]

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, Cal., January 18, 1865.

Governor H. G. BLAISDEL,  
Carson City, Nev.:

Your telegram concerning Captain Ketchum is received. I have no objection to his appointment, provided it does not interfere with Major McDermit, whom I wish may be promoted.

What is the prospect of your raising the regiment? Under present regulations no field officers can be received until the regiment is full.

I have accepted Captain Hassett's resignation.

IRWIN MCDOWELL,  
Major-General, Commanding.

---

STATE OF NEVADA, EXECUTIVE DEPARTMENT,  
Carson City, January 20, 1865.

Maj. Gen. IRWIN MCDOWELL,  
Commanding Department Pacific, Headquarters San Francisco, Cal.:

DEAR SIR: Your telegram of yesterday is received and contents noted. The raising of the new regiment is progressing very slowly. My reasons for desiring to appoint Captain Ketchum, as stated in my telegram, were that I thought doing so might advance the raising of the regiment. I know he could not be mustered into service until its completion.

I wish you to write me fully and freely your views and any suggestions you deem proper on these matters.

I am, very truly, your obedient servant,

HENRY G. BLAISDEL,  
Governor.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, January 19, 1865.

GENERAL: I have the honor to inform you that I have this day appointed Capt. John M. Drake, First Oregon Cavalry, Major of the First Oregon Infantry, and I respectfully request that the necessary steps be taken to insure his muster into the service of the United States as early as practicable.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. BENJ. ALVORD,  
Commanding District Oregon, Vancouver, Wash.

HEADQUARTERS DEPARTMENT OF PACIFIC.  
San Francisco, January 26, 1865.

His Excellency F. F. LOW,  
Governor of California:

SIR: I am instructed by the major-general commanding the department to inform you that two companies (A and F) of the Fourth California Infantry have been broken up and consolidated (by transferring the enlisted men) with the remaining eight companies.

The general has the honor to request that you will raise and organize two companies to take the place, of those broken up.

Very respectfully, your obedient servant,

R. C. DRUM,  
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, January 30, 1865.

His Excellency F. F. LOW,  
Governor of California:

SIR: As the organization of the Eighth Infantry, California Volunteers, has sufficiently advanced to justify the mustering in of certain field officers, the major-general commanding the department respectfully requests that you will forward to these headquarters the commissions, for Captains Charles O. Wood and William H. Jordan, of lieutenant-colonel and major, respectively, of that regiment.

Very respectfully, your obedient servant,

R. C. DRUM,  
Assistant Adjutant-General.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Salem, February 1, 1865.

GENERAL: I have the honor to respectfully request that you make an order requiring First Lieut. John L. Boon, adjutant of First Regiment Oregon Infantry, to report to Col. C. A. Reed, adjutant-general of Oregon, for temporary duty, until such time as it shall be necessary to order him to join his regiment. The issuing of "back pay" and "bounty bonds" to Oregon volunteers has very much increased the work in the adjutant-general's office, and the services of Mr. Boon are much needed.

I have the honor to be, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. BENJ. ALVORD,  
Commanding, etc.

[Telegram.]

SAN FRANCISCO, February 3, 1865.

Governor F. F. LOW,  
Sacramento Cal.:

Mason reports Grant's company full. Please send commissions.

R. C. DRUM,  
Assistant Adjutant-General.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
*Sacramento, February 6, 1865.*

GENERAL: The Eighth Infantry is now substantially full. The three companies for the Fourth Infantry are now being recruited, one each in San Francisco, Sacramento, and Marysville. If another company is wanted for the Fourth it can be raised easily in San Francisco.

Inclosed I beg to hand you copy of a telegram received from the Provost-Marshal-General some time since, but upon which I have deferred acting until the troops needed for your department were nearly ready. I now propose to raise them while recruiting is favorable and men can be got. After they are recruited I shall form the plan I mentioned to you of putting them and the native cavalry together and making them up to a regiment for service in Arizona. I only propose to raise the four companies of cavalry. Their plans have been changed so that I shall not do anything about the four companies of infantry at present.

Respectfully, yours,  
 Major-General McDOWELL.

F. F. LOW,  
 Governor.

WASHINGTON, November 11, 1864.

*Governor of California:*

You are authorized to raise four companies of infantry to complete the First Veteran Regiment Infantry, California Volunteers, and four companies cavalry to complete First Cavalry, California Volunteers. Recruitment and organization to conform to existing regulations. Companies as soon as ready to be sent General Carleton, New Mexico, at whose request this authority is granted.

J. B. FRY.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, February 7, 1865.*

SIR: I have the honor to inform you that I have appointed Sergeant William M. Rand, Company D, First Oregon Cavalry, a first lieutenant in the First Oregon Infantry, and I respectfully request that he be mustered out of the service of the United States as soon as practicable.

I have the honor to be, sir, very respectfully, your obedient servant,  
 ADDISON C. GIBBS,  
 Governor of Oregon.

Brig. Gen. BENJAMIN ALVORD,  
*Commanding District Oregon, Fort Vancouver, Wash.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, February 7, 1865.*

COLONEL: I have the honor to inform you that I have appointed the following officers in the First Oregon Infantry, viz: Andrew J. Boreland, captain; William M. Rand, first lieutenant; A. B. Power, second lieutenant.

I respectfully request that they be mustered into the service of the United States, as soon as practicable, as officers of the company of infantry recently raised in Wasco and Grant Counties, Oregon.

I am, sir,

\* \* \* \* \*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, February 7, 1865.*

COLONEL: I have the honor to inform you that Second Lieut. A. J. Boreland has enlisted 82 men for the infantry.

I therefore respectfully request that they be mustered into the service of the United States as soon as practicable.

I am, sir, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
 Governor of Oregon.

Lieut. Col. T. C. ENGLISH,  
*First Washington Territory Infantry, etc., Portland, Oregon.*  
 Brigadier-General ALVORD,  
*Commanding District Oregon.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, February 7, 1865.

SIR: You are hereby appointed second lieutenant of the First Regiment of Oregon Cavalry, for the purpose of engaging in the recruiting service for said regiment.

I have the honor to be, sir, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

GEORGE W. LARRISON,  
Second Lieutenant First Oregon Cavalry, Eugene City, Oregon.  
Brigadier-General ALVORD,  
Commanding District Oregon.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,  
Carson City, February 10, 18—.

Maj. Gen. IRVIN MCDOWELL,  
Commanding Department Pacific, Headquarters, San Francisco, Cal.

DEAR SIR: I would respectfully present to your consideration that at this date this State is without any infantry arms or accouterments to issue to newly organized militia companies. All infantry arms which have heretofore been supplied to the Territory have been issued, and are now in possession of old, organized uniformed companies. There is at date a company duly organized at Austin, Lander County, also one in Nye County. Neither of these companies has been supplied with arms, for the reason that I have none at command. I deem it highly essential that arms should be issued to these companies, which are composed of our most estimable and loyal citizens. They have duly requested them, and I think, for various reasons, they should have them; and prominent among these reasons is the imminent danger of Indian troubles, these counties being on our border, hence more exposed than most, of our State. There is no telling how soon these "sons of the forest" may give trouble on this, as they are doing on the other, side of the Rocky Mountains.

I would, therefore, most respectfully solicit that you take such steps and issue such proper orders as will place in the possession of this State at least 300 stand of infantry arms and accouterments.

I have just seen Major-General McDermit, who says there are arms at Fort Churchill which can be loaned to these companies until the arms due the State, at Benicia, can be forwarded, if ordered by you.

I have the honor to be, your obedient servant,

HENRY G. BLASDELL,  
Governor of Nevada.

[Telegram.]

BENICIA, February 13, 1865—7 p. m.

To Lieut. Col. F. HAVENS,  
Acting Assistant Adjutant-General:

All stores due Nevada from this arsenal forwarded except 31 Sharps carbines and appendages, and 144 rounds for mountain howitzers, not yet received at this arsenal.

R. A. WAINWRIGHT,  
Lieutenant-Colonel Ordnance.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, February 21, 1865.

GENERAL: While at Salem recently I brought before the military board the matter of granting State bounties to recruits for the brigade band. A majority of the board were of the opinion that such bonds can not be issued under the law.

The meeting was informal and the decision may be reversed on application for bonds, but I do not think it will.

I have the honor to be, sir, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. BENJAMIN ALVORD,  
Commanding District of Oregon, Fort Vancouver, Wash.

PORTLAND, February 23, 1865.

Governor of Oregon suggests that all company commanders of First Oregon Infantry, and Captains Currey, Reinhart, and Drake, be authorized to recruit for the Tenth Company of First Oregon Infantry.

(Paper not on file.)

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, March 4, 1865.

GENERAL: I shall appoint the officers for the Lane County Company as soon as possible. It is my desire that a board of officers be detailed to examine the applicants. They will be ready by the first of next week or soon thereafter.

I have the honor to be, sir, very respectfully, your obedient servant,  
A. C. GIBBS,  
Governor of Oregon.

Brig. Gen. B. ALVORD,  
Commanding District Oregon, Fort Vancouver, Wash.

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, March 7, 1865.

GENERAL: I have the honor to request that, as soon as Company H, First Infantry, is mustered into the service of the United States, it be ordered from Camp Russell to Fort Vancouver and assigned to duty under your command.

Very respectfully, your obedient servant,  
A. C. GIBBS,  
Governor of Oregon.

Brig. Gen. B. ALVORD,  
Commanding District Oregon, Fort Vancouver, Wash.

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, March 7, 1865.

SIR: I have the honor to request that 80 of the men recently enlisted in Lane, Douglas, and Coosé Counties, for the first Oregon Infantry, be mustered into the service of the United States as Company H, and that the remainder of the recruits obtained from the counties named above be retained for Company K, First Oregon Infantry, now raising in northern Oregon by Lieut. J. B. Ingram.

Very respectfully, your obedient servant,  
ADDISON C. GIBBS,  
Governor of Oregon.

Lieut. Col. T. C. ENGLISH,  
First Washington Territory Infantry,  
Superintendent Volunteer Recruiting Service, Portland, Oregon.  
General ALVORD.

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, March 7, 1865.

GENERAL: Your telegram recommending Lieutenant Clawson was received, but I had already appointed L. L. Williams captain of the company. He has stood fire and was wounded in an Indian fight at the mouth of the Coquill River. I have appointed William Grant, of Company A, first lieutenant, and sent two telegrams to General McDowell asking his discharge, but have received no answer yet. To-day I have written him by express, repeating the request and asking for the discharge of captains Drake and Currey.

I respectfully request that Sergeant Grant be ordered down to Vancouver so that he may be ready to be mustered when the order comes. Perhaps you can assign to some appropriate duty there. Lieutenant Kapus goes up on Thursday to muster in the company.



I have appointed Daniel W. Applegate second lieutenant. He is a son of Jesse Applegate. He received an appointment at West Point at large about two years ago, but did not accept the position, as he wished to be appointed from Oregon.

The company will be mustered with a captain only.

I am, sir, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Brig. Gen. B. ALVORD,  
Commanding District Oregon,  
Fort Vancouver, Wash.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, March 7, 1865.

GENERAL: The company of First Oregon Infantry, raised in southern Oregon from the counties of Jackson, Josephine, and Currey, is now stationed at Camp Baker in Jackson County. The officers have been appointed and the company is ready to be mustered into the service. Those counties are not in the military district of Oregon. I am informed by Colonel English that he can not subsist the men after the company is mustered into the service of the United States. The mustering officer is ready to go to Camp Baker to muster the company.

I respectfully call your attention to this matter, that the men may receive proper attention after muster, and be assigned to duty.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Maj. Gen. IRVIN MCDOWELL, U. S. Army,  
Commanding Department of Pacific, San Francisco, Cal.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, March 7, 1865.

GENERAL: I have the honor to inform you that seven companies of infantry have been raised under your call and mustered into the service. Two more are full and ready to be mustered in.

I have appointed Capt. George B. Currey, First Oregon Cavalry, lieutenant-colonel, and Capt. John M. Drake, First Oregon Cavalry, major of the First Oregon Infantry. I respectfully request that they be discharged from the cavalry to enable them to accept the promotion tendered them. I made this request some time ago through General Alvord, and have heard nothing from it since.

The tenth company for the infantry is about half full, as it is being raised in the mining districts. I fear it will be some time before it is filled.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Maj. Gen. IRVIN MCDOWELL, U. S. Army,  
Commanding Department of Pacific, San Francisco, Cal.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, March 8, 1865.

His Excellency H. G. BLASDELL,  
Governor of Nevada Territory, Carson City, Nev.:

MY DEAR SIR: \* \* \* What progress is making in recruiting the Nevada volunteers? I will need them for the protection of the State, and trust you may meet with success in your efforts to raise them. I hope the legislature may assist you by some such measures as have been adopted by California and Oregon.

I have the honor to be, general, very respectfully, your most obedient servant,  
IRVIN MCDOWELL,  
Major-General, Commanding.

[Telegram.]

SAN FRANCISCO, March 10, 1865.

Governor F. F. Low,  
Sacramento, Cal.:

I have received authority to muster out the mountaineers, and shall do so. I have to-day called on you for an additional regiment of infantry. Orders have been received appointing Major Andrews to relieve General Mason. I have suspended execution of the order till I can make representations to the War Department. Can not you join me in making them?

IRVIN McDOWELL,  
Major-General, Commanding.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, March 10, 1865.

His Excellency F. F. Low,  
Governor of California, Sacramento, Cal.:

SIR: I have the honor to request, under the special authority granted to that effect from the War Department, a copy of which has been furnished you, that a regiment of California volunteers, infantry, be raised as soon as possible in addition to these now in service.

Very respectfully, your obedient servant,

IRVIN McDOWELL,  
Major-General, Commanding Department.

[Telegram.]

SAN FRANCISCO, CAL, March 13, 1865.

Secretary of War:

One company of the four called for to complete organization of First Cavalry is already organized. When these companies were called for Arizona formed part of the Department of New Mexico. Since that Territory has been transferred to the Pacific Department. Please authorize their transfer to General McDowell for service in Arizona. The company already organized is needed for immediate service.

F. F. Low,  
Governor of California.

[Telegram.]

HEADQUARTERS OF THE ARMY,  
Washington, D. C., March 17, 1865.

F. F. Low,  
Governor of California, San Francisco:

The four new companies of First California Cavalry will be turned over to General McDowell for service in Arizona.

H. W. HALLECK,  
Major-General, Chief of Staff.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, March 18, 1865.

Lieut. Col. S. G. WHIPPLE,  
Russ House, San Francisco:

DEAR SIR: Since last I saw you Lieutenant-Colonel Pollock and Lieutenant-Colonel Coult, and many others of lesser note with little claims, have made formal and strong applications for the colonelcy of the new regiment. I have given the matter much consideration and have concluded not to embarrass myself by a definite promise of the colonelcy to any one.

I will, however, say that if you desire it I will when four companies are raised commission you as major, and when six companies are full you shall be lieutenant colonel, and while I am not willing to make a distinct promise that you shall be pro

moted higher than lieutenant-colonel, I will say that your character and qualifications as an officer are in every way satisfactory, and if I can see my way clear to make you a colonel of the regiment without overriding the just claims of others it will give me great pleasure to do so.

If this proposition is agreeable to you let me know, so that the matter may be understood before you go north.

Very respectfully, your obedient servant,

F. F. LOW,  
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, March 21, 1865.

GENERAL: Referring to our conversation had a few days since in relation to the two companies of the Second Cavalry, California Volunteers, now in Utah, I have to say that from information received yesterday I learn that they are still at Fort Bridger and will not move from there until spring opens, at any rate. As all the balance of the regiment is within your department, can not some action be taken by which these two companies may be sent back? I think you suggested that you would be willing to exchange and give General Connor two companies of Nevada cavalry, if no better arrangement could be made.

It is really unjust to the officers and men that they should be detached and sent out of this department, away from the headquarters of the regiment and beyond the control of the regimental officers.

Please let me know if you think anything can be done to remedy the evil.

Very respectfully,

F. F. LOW,  
Governor.

Major-General McDOWELL.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, March 24, 1865.

Maj. Gen'l. IRVIN McDOWELL,  
Commanding Department of the Pacific:

DEAR SIR: A dispatch of which the following is a copy has just been received:

WASHINGTON, March 23, 1865—6.45 p. m.

F. F. LOW, Governor of California:

The four new companies of First California Cavalry will be turned over to General McDowell for service in Arizona.

H. W. HALLECK,  
Major-General, Chief of Staff.

Very respectfully, your obedient servant,

F. F. LOW,  
Governor.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, March 24, 1865.

SIR: In order to hasten the completion of the First Regiment of Oregon Infantry, permission is hereby granted you to recruit for your company at any place in this State. Recruits will be accredited, as heretofore, to the counties whence they are obtained.

I have the honor to be, sir, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Second Lieut. J. B. INGRAM,  
First Oregon Infantry, Recruiting Officer, Portland, Oregon.

General ALVORD.

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., March 6, 1865.

His Excellency A. C. GIBBS,  
Governor of Oregon, Portland, Oregon:

SIR; I am directed by the general commanding the district to acknowledge the receipt of your communication of the 4th instant in regard to the appointment of officers for the Lane County company, and requesting that a board be appointed for their examination, and to say in reply that there is a standing board, consisting of Capt. J. M. Drake, First Oregon Cavalry, and Dr. Carpenter, ordered to convene at Salem, Oregon, from time to time, for the examination of applicants for commissions in the First Oregon Infantry, before which the officers mentioned can present themselves at any time.

I am sir, very respectfully, your obedient servant,

W. I. SANBORN,  
Second Lieutenant, First Washington Territory Infantry,  
Acting Assistant Adjutant-General.

P. S.—If the applicants are near here and it would be more convenient, a board can be assembled here.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, March 27, 1865.

COLONEL: I inclose a memorandum of the officers already commissioned for the native battalion, as appears from the books of the adjutant-general.

I have the general's recommendation for Mr. Leese and some other man (I think) for a commission in this battalion.

Mr. Leese was commissioned by me as adjutant, but could not be mustered in.

From this data it appears that there are no vacancies to fill; and even one or more of the second lieutenants that I have appointed have not been mustered in for the reason that their companies were below the minimum.

It seems to me that all these companies should be recruited to above the minimum before they leave for Arizona. I am informed that the companies could easily get recruits enough to fill them up in Monterey County if any effort was made to do it. Please call the general's attention to the matter.

Truly, yours,

F. F. LOW,  
Governor.

Lieut. Col. R. C. DRUM.

Company A, Jose R. Pico, captain; Crisanto Soto, first lieutenant; M. E. Jimenez, second lieutenant.

Company B, Porfino Jimeno, captain; John Lafferty, first lieutenant; J. G. Dunavan, second lieutenant.

Company C, Antonio M. de La Guerra, captain; Santiago de La Guerra, first lieutenant; ——— Coddington, second lieutenant.

Company D, Edmund Bale, captain; J. Clement Cox, first lieutenant; Francisco F. Guiraido, second lieutenant.

NOTE.—Company C is the only one that has the minimum number of privates.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, March 30, 1865.

GENERAL: When do you intend to send the order for the disbanding and mustering out of the battalion of mountaineers?

I would be glad if you would apprise me of the fact before the order goes, for I desire to give instructions to the mustering officer in regard to re-enlisting the privates of the battalion for the Ninth Infantry.

Prior to Colonel Whipple's departure I informed him that if one or more companies could be re-enlisted for the Ninth I would commission such of the old officers to command them as he would recommend.

Respectfully, your obedient servant,

F. F. LOW,  
Governor.

Maj. Gen. IRVIN McDOWELL,  
Commanding Department of the Pacific.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, March 31, 1865.

His Excellency F. F. LOW,  
Governor of California, Sacramento, Cal.:

SIR: In answer to your letter of yesterday I have the honor to inform you that one company of the Fourth Infantry, California Volunteers, will be sent to Humboldt district before the 5th proximo. The remaining companies will not be ready to go up before three weeks.

I expect the company which goes up first will relieve two companies of the Mountaineer Battalion. I send up by to-day's mail a copy of the orders on the subject for your information. Captain Fleming relieves, temporarily, Brigadier-General Mason as mustering officer and of the provost-marshal's department.

Can nothing be done for Lieutenant-Colonel Whipple? He has impressed me very favorably. I have thought a good deal about the subject of your letter of the 21st instant, about the two companies of the Second Cavalry, California Volunteers, in the Department of the West—I believe that is the name—and regret to say that I do not see how now the case can be disposed of as suggested. It would take a good while to get the Nevada cavalry over to the other side of the Rocky Mountains. The companies of the Second could not start till relieved, and in the mean time they would have been carried away still farther in the campaign which is now about to open against the Indians who have been interrupting the overland route. It may, however, be possible some time hence. I will not lose sight of it.

I have the honor to be, governor, very respectfully, your obedient servant,  
IRVIN McDOWELL,  
Major-General, Commanding Department.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, April 1, 1865.

GÉNÉRAL: I have to acknowledge the receipt of your favor of yesterday.

I have to-day written Captain Fleming asking that the mustering officer he may send may be instructed to re-enlist and muster in such men of the battalion as may desire to do so and form them into companies to be known as Companies A and B, Ninth Infantry, California Volunteers. I also informed him that I would appoint such officers of the old organization to command the new companies as the mustering officer and Lieutenant-Colonel Whipple might recommend.

In reply to your inquiry, "Can nothing be done for Lieutenant-Colonel Whipple?" I would say that he applied to me for the colonelcy of the Ninth Infantry. Not desiring to embarrass myself by a definite promise of a colonelcy before a regiment is recruited, at the same time wishing to do Lieutenant-Colonel Whipple full justice, I made him the proposition contained in my letter of 18th March, a copy of which I inclose.

This proposition he declined.

It seems to me that my proposition is liberal, and that his demand under the circumstances is unreasonable.

If an officer can gain promotion by getting his original organization disbanded before their legal term of service expires, might we not expect to receive similar applications from others?

I am quite willing to renew the proposition, but farther than that I can not go at present.

Very respectfully, your obedient servant,

F. F. LOW,  
Governor.

Maj. Gen. I. McDOWELL,  
Commanding Department of Pacific, San Francisco.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, April 5, 1865.

His Excellency F. F. LOW,  
Governor of California, Sacramento, Cal.:

SIR: Inclosed you will receive certain papers relative to supplying the troops in Arizona, which General McDowell desires you to examine. After perusal please return them to this office.

I am, governor, very respectfully, your obedient servant,

R. C. DRUM,  
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
Sacramento, Cal., April 8, 1865.

His Excellency F. F. Low,  
Governor of California, Sacramento Cal.:

SIR: In view of the recent decisive victories in the East, I have the honor to request that the requisition made on you for a regiment of volunteer infantry, the Ninth, may be suspended until further orders.

I have the honor to be, governor, very respectfully, your most obedient servant,  
IRVIN McDOWELL,  
Major-General, Commanding Department.

STATE OF OREGON, EXECUTIVE DEPARTMENT.  
Portland, April 22, 1865.

COLONEL: Your letter of the 20th has just been received. I agree with you fully as to the necessity of troops, and have telegraphed to Major-General McDowell on the subject. Inclosed you will please find a copy of his reply, which I have just received. I think he is as much in the dark as to the future as any of us. I hope you will be able to so arrange it that an expedition can be fitted out at Eugene City to go into the Indian country via Diamond Peak. The opening and defense of that route is of vast importance to the citizens of Willamette Valley and Boisé.

I have the honor to be, very respectfully, your obedient servant,  
ADDISON C. GIBBS,  
Governor of Oregon.

[Inclosure.]

SAN FRANCISCO, April 22, 1865.

Governor A. C. GIBBS:

I do not think the War Department will sanction the enlisting any more men at this time. It is more probable there will be a consolidation than an extension.

IRVIN McDOWELL,  
Major-General, Commanding Department.

Respectfully furnished for information of Col. R. F. Maury, First Oregon Cavalry, commanding district Oregon.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
Sacramento, April 22, 1865.

GENERAL: In accordance with instructions from the War Department, the acting assistant provost-marshal-general has issued orders, I understand, stopping recruiting for either old or new organizations. In view of this I desire to ask what will be the effect of this so far as the Fourth Infantry Regiment and the company for the First Cavalry are concerned.

The three companies (new) for the Fourth Infantry are above the minimum; but with these companies added, the regiment is still below the minimum, and if the letter of instructions is adhered to no additional field officers can be mustered in.

The regiment needs the additional field officers and particularly the lieutenant-colonel, whom you intend assigning to an important command in the Humboldt Indian country.

The company for the First Cavalry in process of recruiting in Santa Clara County has 60 or 70 men. What shall be done with them?

I remain, general, your obedient servant,

F. F. Low,  
Governor.

General McDOWELL.

SAN FRANCISCO, CAL., April 26, 1865.

MY DEAR GENERAL: The bearer of this, E. D. Wheeler, esq., has shown me a letter concerning anticipated troubles at Kern River. He will call upon you in relation to the matter. Mr. Wheeler I have known for many years, and any statements he may make you may consider entirely reliable.

In haste,

F. F. Low.



[Inclosure.]

KERNVILLE, April 21, 1865.

BROTHER ED.: I write in great haste, for time is precious. Since the news of the surrender of Lee's army, the assassination of Lincoln and Seward, and the surrender of Johnston's army, etc., reached here, the rebs have been perfectly wild with excitement and rage, and have organized a guerrilla band at Clear Creek, 15 miles from here, and threaten to annihilate us all, and I don't know but they will do it, but we intend to fight them to the bitter end. We expect a raid into this place at any moment. We are preparing for an attack. They outnumber us considerably, and are better armed. We have, however, sent to Visalia for troops to assist us, but whether they will come or not, of course we don't know. I think it is their design to clean us out and then make a break for Mexico. I will write you again in a few days "if I live." If I get killed do the best you can with my business. All I have is in your hands, except some quartz loads here and at Clear Creek, and my traps.

Yours, in great haste,

M. M. WHEELER.

P. S.—Just as I finished the above your letter of the 13th was handed me. In regard to the trunk, Donnell has gone again to San Francisco and will return soon. He will call for it and bring it as his baggage. I don't think the extra charges on it brought in that way will be over \$15. I need it if I remain here, which I now intend doing. If sent as freight it will be knocked to pieces.

MAT.

[Telegram.]

PORTLAND, April 21, 1865—5.10 p. m.

Major-General McDowell: \*

The infantry regiment lacks 34 men. Two new companies of cavalry nearly full. Colonel Maury urges each to be filled. What shall be done?

ADDISON C. GIBBS,  
Governor of Oregon.

HEADQUARTERS DEPARTMENT OF PACIFIC,  
San Francisco, April 28, 1865.

His Excellency ADDISON C. GIBBS,  
Governor of Oregon, Portland, Oregon:

MY DEAR SIR: I have the honor to acknowledge the receipt of your letter asking if "at any time you tried to influence me in making a call for troops to be raised in Oregon, and whether or not such call was made by representations by you that a large force was needed in the State or district of Oregon?"

In reply I have to say that at my instance and request you joined me, as did the governor of California for his State, in asking the Secretary of War to grant authority to raise certain forces in Oregon.

Under the authority granted, I, on my own judgment and without previous solicitation or influence whatever from you, called on you for the troops that have been raised and are now in service.

I have the honor to be, very respectfully, your most obedient servant,  
IRVIN McDOWELL,  
Major-General, Commanding Department.

[Telegram.]

PORTLAND, OREGON, May 4, 1865.

Brig. Gen. JAMES B. FRY,  
Provost-Marshal-General:

Neither regiment of Oregon volunteers is full. Infantry has nine companies mustered in this; 45 enlisted in tenth company not mustered. Cavalry regiment has seven old companies, all incomplete, and 108 enlisted in two new companies not mustered in. Shall the men already enlisted be mustered, and what shall be done with them?

L. C. ENGLISH,  
Major, Fifth Infantry, Superintendent Volunteers.

[Telegram.]

WAR DEPARTMENT,  
PROVOST-MARSHAL-GENERAL'S OFFICE.

May 9, 1865.

Maj. T. C. ENGLISH,  
*Portland, Oregon:*

Referring to your telegram of 4th, if General McDowell wants services of the men already enlisted, muster them in and place them subject to his orders. If not, discharge them.

J. B. FRY,  
*Provost-Marshal-General.*

[Telegram.]

PORTLAND, OREGON, *May 12, 1865.*Brig. Gen. J. B. FRY,  
*Provost-Marshal-General:*

Referring to my telegram of the 4th, General McDowell wishes the men mustered in. He also requests me to ask authority for filling up the tenth company, Oregon infantry. Shall this be done by recruiting, or shall recruits of the cavalry be transferred sufficient for this purpose.

T. C. ENGLISH,  
*Superintendent Volunteer Reserve Service.*

[Telegram.]

WAR DEPARTMENT,  
PROVOST-MARSHAL-GENERAL'S OFFICE,

May 17, 1865.

Maj. T. C. ENGLISH,  
*Portland, Oregon:*

Fill tenth company by transfer of cavalry recruits.

J. B. FRY,  
*Provost-Marshal-General.*STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Eugene City, May 22, 1865.*

SIR: I have the honor to inform you that in accordance with instructions from Brig. Gen. James B. Fry, provost-marshal-general, Washington, D. C., I have this day transferred 40 men, enlisted by Second Lieut. George W. Larrison for the First Oregon Cavalry, to Company K, First Oregon Infantry.

I have telegraphed General McDowell requesting that Captain Rinehart, First Oregon Cavalry, be discharged in order that I may appoint him major of the infantry.

I am, sir, very respectfully, your obedient servant,

ADDISON C. GIBBS,  
*Governor of Oregon.*Maj. T. C. ENGLISH,  
*Fifth United States Infantry,*  
*Assistant Provost-Marshal-General, Portland, Oregon.*

Respectfully furnished for the information of Col. R. F. Maury, First Oregon Cavalry, commanding District Oregon.

EUGENE CITY, *May 23, 1865.*

COLONEL: I hope the disposition of the 40 men, transferred yesterday from the cavalry to the infantry by direction of Brigadier-General Fry, will not prevent troops being sent out on the military road now being surveyed and opened. I consider this expedition one of the most important that can be made.

I suppose the remainder of the men enlisted for the cavalry will be mustered in as such and assigned to the different companies now in the service. Perhaps they can be mustered in here, assigned to the various companies, and kept together until fall and then sent to their respective companies.

Colonel English informed me that he could muster one man at a time if necessary.

If you are unable to furnish the escort for Mr. Pengra it will delay the completion of the road for a year and prevent the settlement of the country through which it passes, and greatly disappoint a large number of persons interested in the road and the general prosperity of the country.

Very respectfully, your obedient servant,

A. C. GIBBS,  
Governor of Oregon.

Col. R. F. MAURY,  
Commanding.

---

[Telegram.]

EUGENE CITY, May 22, 1865—9.35 p. m.

Maj. Gen. IRVIN MCDOWELL:

Infantry regiment now full; I have appointed Capt. W. V. Rinehart major; please discharge him from cavalry.

A. C. GIBBS,  
Governor of Oregon.

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, June 2, 1865.

COLONEL: I have the honor to inform you that Company K, First Oregon Infantry, is now full, and as soon as it is mustered into the service I respectfully request that it be assigned to duty as part of your command.

This company completes the regiment, and I have this day appointed the following-named field officers: George B. Currey, colonel; John M. Drake, lieutenant-colonel; W. V. Rinehart, major.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

R. F. MAURY,  
Colonel, Commanding.

---

HEADQUARTERS DISTRICT OF OREGON,  
Fort Vancouver, Wash., June 10, 1865.

Gov. A. C. GIBBS,  
Portland, Oregon:

GOVERNOR: I was sorry that I was so much pressed for time yesterday that I could not have further conversation with you.

I saw Dr. Watkins and talked with him as regards Dr. Arnew, and requested him to confer with you on the subject.

It is important that there should be a surgeon at Eugene as soon as possible, as I presume the superintendent of recruiting service will discharge the one in his employ when the men are mustered in. I will make a contract with the doctor for the summer immediately and send him to Eugene.

Very respectfully, your obedient servant,

R. F. MAURY,  
Colonel First Oregon Cavalry, Commanding District.

---

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, August 1, 1865.

SIR: I have the honor to inclose herewith a petition just received from the citizens of Albany and vicinity, asking that a military force be furnished for the protection of the road recently constructed across the Cascade range of mountains connecting the Willamette Valley with the country east of the Des Chutes River. Thinking it possi-

able that you might consider it judicious to furnish a detachment of troops from Camp Watson for this important service, I have forwarded the petition to you, with a favorable indorsement thereon.

Very respectfully, your obedient servant,

ADDISON C. GIBBS,  
Governor of Oregon.

Col. GEORGE B. CURREY,  
First Oregon Infantry, Commanding District Oregon, Fort Vancouver, Wash.

[Inclosure.]

PETITION.

To his Excellency A. C. GIBBS,  
Governor of Oregon :

SIR: The undersigned petitioners would most respectfully represent that a wagon road is now being constructed by an incorporated company and near completion, connecting the valley of the Willamette with that of the Des Chutes, on the east side of the Cascade Mountains, crossing the Cascade range of mountains a short distance north of the "Three Sisters;" thence in an estward direction leading to the "John Day Mines," Cañon City, and various mining localities east of the Cascade Mountains.

This road will soon be completed for all kinds of travel, and already much travel has been done over this road eastward, and ere long it will become the great thoroughfare of this upper country, connecting and combining the interests of the State east and west.

Your petitioners would further represent that there is a large section of country susceptible of easy settlement and cultivation, and adapted for grazing, etc., just east of the summit of the Cascade Mountains, extending nearly 40 miles to the Des Chutes River, and far beyond and along said river, through which this road passes, and would be rapidly settled up by enterprising men were it not for the fear of hostile Indians, who have for years been committing depredations upon the traveling community and the persons who have already endeavored to settle and make for themselves homes in that country.

Your petitioners would most earnestly pray for the protection of the Government through your excellency, and that a military force of sufficient numbers be immediately sent out and stationed at such point or points as it may be deemed proper for the protection of emigrants who are expected to enter this valley by this road this fall, and travelers and unarmed settlers and laborers now engaged in opening farms along this road, as well as those completing the road for the benefit of the public, and with the hope of general benefit to our whole valley.

Respectfully submitted.

L. Elkins, Walter Monteith, W. A. McPherson, J. H. Lowery, Thomas Monteith, S. C. Alexander, W. F. Alexander, J. G. Norcross, J. C. Powell, John Ganter, J. H. Foster, T. M. Thompson, J. P. Tate, H. N. George, O. W. Richardson, Jacob Mendenhall, Augustus H. Wheeler, James A. Warner, C. C. Godley, Derias Beach, William W. Parrish, John Barrows, Lewis Chinchill James E. Rins, J. C. Mendenhall, Jacob Norcross, S. H. Miller, captain company cavalry, R. C. Miller, Z. B. Moss, Jer. Ralston, jr., W. C. Foren, J. O. Roland, Boston Durr, E. H. Griffin, W. F. Hilliard, A. Sog, A. Saltmarsh, Harvey Smith, Morgan Randolph, S. D. Kees, Moses Bland, S. H. Claughton, J. Ralston, J. Ostrander, C. H. Ralston, Morgan Kelso, J. H. Hardman, John Parker, George M. Long, Company G, first lieutenant.

Respectfully referred to the colonel commanding Department of Oregon, with recommendation that the prayer be granted, if consistent with other interests of the service.

ADDISON C. GIBBS,  
Governor of Oregon.

HEADQUARTERS DEPARTMENT OF CALIFORNIA,  
San Francisco, August 11, 1865.

Lieut. Gen. U. S. GRANT,  
Commanding the Army of the United States, Washington, D. C. :

GENERAL: Owing to the interruption of the telegraph line between this and the East, and, further, to my absence from headquarters on a tour of inspection beyond

the Sierra Nevada to Owens River Valley, your telegram of the 10th ultimo, asking if I need troops for Arizona, and, if so, what number and kind should be sent, was not received by me until the latter part of July, since when I have been waiting from day to day for the telegraph to work to send an answer. But as there seems now no prospect of the line being in order for an indefinite time to come, I answer this by the next steamer, sending a duplicate to take its chances overland.

In the last dispatches received from him, Brigadier-General Mason, commanding the district of Arizona, writes as follows:

"I would respectfully request that, if possible, two additional regiments of infantry be sent to this Territory. In the end it will be more economical. A sharp, quiet, active campaign against the Indians during the coming fall and winter will be all that is needed, provided we have troops enough.

"The extent of country (Arizona) is so great and the number of Indians comparatively so small, that they can evade the troops. Whilst we are scouting in one section they are depredating in another, but with troops enough to operate in all sections at the same time a short campaign will suffice."

I can not agree with the general in his estimate of the short duration of hostilities in his district, though I do in the economy, in every point of view, of his having as large a force as can be used and supplied.

I therefore wish two regiments of infantry for Arizona. I can spare from the troops at the Presidio some companies and a company from southern California, and shall immediately order them to proceed to Arizona. Ultimately I will send four other companies from southern California, making in all thirteen companies, all of which in a few months' time will not amount to more than a regiment.

For the other regiment I beg to suggest as follows:

There are in New Mexico, parts of the First and Fifth California Volunteer Infantry and part of the First California Volunteer Cavalry, which it is desirable should be drawn into Arizona, where they will be nearer their homes by the time their terms of service expire.

That this may be done, and at the same time the brigadier-general commanding in New Mexico may have sufficient force to co-operate efficiently with the commander in Arizona. Two full regiments of infantry, or their equivalent, and two squadrons of cavalry should be sent to New Mexico, as it may be too late by the time this communication reaches you, and can be acted upon for these troops to go from Kansas either by the Cimarron or Raton routes, it may be necessary to send them from or through Texas, if that State is in a condition to admit of it.

I have as yet received no reports or returns from New Mexico, and can not write with any precision as to the number, disposition, or kind of troops in that district, and the number I have named is therefore a matter of conjecture, but can not, I think, be far out of the way.

In connection with this subject I beg to ask that authority be given to consolidate the regiments of volunteer infantry in California with each other as they fall below the minimum; instead of reducing the regiments into battalions, so that some of the colonels, who are very necessary for holding commands, may be retained.

I have the honor to remain, general, very respectfully, your most obedient servant,

IRVIN McDOWELL,

*Major-General, Commanding Department.*

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,  
*Sacramento, September 26, 1864.*

GENERAL: I am informed that the troops at Fort Ruby (a portion of Third Infantry, California Volunteers) have not moved as yet toward Salt Lake.

If such be the case, the correctness of which you can ascertain by telegraph, I would suggest and urge that, instead of those men being marched 250 miles away from home in order to reach headquarters to be discharged, that you give instructions to the post commander at Fort Ruby to retain them at that point until their time expires, which will be in a few days, and let them be discharged and mustered out at that post in order that they may be able to return home before winter sets in.

Very respectfully, your obedient servant,

[Not signed.]

*Governor.*

Maj. Gen. IRVIN McDOWELL,  
*Commanding Department of Pacific.*

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
Washington, October 9, 1865.

Maj. Gen. H. W. HALLECK, U. S. Army,  
*Commanding Military Division of the Pacific, San Francisco, Cal.*

The First Battalion, Fourteenth United States Infantry, has been ordered to embark at New York for your division on the steamer of the 16th instant, and the Third Battalion to follow in the next steamer which sails from that port.

You will muster out all volunteers on the Pacific coast, as many as possible, at once; the balance on the arrival of the Third Battalion, Fourteenth United States Infantry.

The district of New Mexico was transferred on the 7th instant to the Department of the Missouri.

By command of Lieutenant-General Grant.

E. D. TOWNSEND,  
*Assistant Adjutant-General.*

[Telegram.]

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
Washington, October 10, 1865.

Maj. Gen. IRVIN McDOWELL,  
*Commanding Department of California, San Francisco, Cal.:*

Lieutenant-General Grant authorizes the companies of the Arizona regiment already mustered in to be retained until further orders, but prohibits the muster-in of any more.

All California regiments in New Mexico have been ordered to California to be mustered out.

Please acknowledge receipt by telegraph.

E. D. TOWNSEND,  
*Assistant Adjutant-General.*

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,  
*San Francisco, Cal., October 19, 1865.*

Brig. Gen. E. D. TOWNSEND,  
*Assistant Adjutant-General, Washington, D. C.:*

GENERAL: \* \* \* I must respectfully urge the sending of a regiment of regular cavalry to this coast as early as possible. The services of mounted troops are absolutely necessary. The horses and equipments of the volunteer cavalry will serve to remount any regiment that may be sent here. This cavalry can not be mustered out till some other comes to take its place.

Very respectfully, your obedient servant,

H. W. HALLECK,  
*Major-General, Commanding.*

Respectfully returned, with the information that no regular cavalry regiment can be sent to the Pacific coast until next spring.

By command of Lieutenant-General Grant.

E. S. PARKER,  
*Brevet Colonel, Military Secretary.*

HEADQUARTERS ARMY, November 23, 1865.

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE,  
Washington, November 24, 1865.

Maj. Gen. H. W. HALLECK,  
*Commanding Military Division of the Pacific, San Francisco Cal.:*

SIR: Your communication of the 19th ultimo, urging upon the Department the necessity of sending a regiment of regular cavalry to your command as early as possible, has been received.

The Lieutenant-General, to whom your request was submitted, directs me to say that no regular cavalry regiment can be sent to the Pacific coast at present.

I am, sir, etc.,

E. D. TOWNSEND,  
*Assistant Adjutant General.*



PORTLAND, OREGON, November 8, 1865.

COLONEL: I have recently received letters from prominent men in Wasco County stating that the Indians are again committing depredations on the Canyon City road and urging me to do something to prevent it. I can only call your attention to the subject; and yet that is doubtless unnecessary, as I suppose you are fully posted, and are doing all in your power with the men you have, to chastise those Indians and prevent such depredations.

The people are disposed to blame somebody for having the companies, or any of them, mustered out of the service. As I understand that matter the order comes from the War Department and neither you nor myself have anything to do with it. I should be glad to see men enough sent out on that road to bring those rascals to terms. It must be done some time and it won't cost any more now than at any other time. If McCown's company could be sent out there and be of service in bringing those Indians onto reservations, I should much prefer to see it done than to have them mustered out of the service, while our citizens are being robbed and murdered. Depredations of the kind are getting so frequent that they do not attract as much attention as they formerly did. The people interested of course expect me to do or say something and if what I have written is unnecessary and will do no good, certainly it can do no harm. I have perfect confidence in your skill and ability as well as your disposition to do the very best that can be done in the premises.

Very respectfully, your obedient servant,

ADDISON C. GIBBS.

Col. GEORGE B. CURREY,  
*Commanding.*

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
*Portland, November 11, 1865.*

GENERAL: Allow me to call your attention to the condition of the country between Dallas City, Oregon, and Boise City, Idaho.

The road connecting these two points, especially that part of it between The Dalles and Canyon City, has been infested by marauding bands of Indians for more than two years. Although the troops in that vicinity have done everything in their power to check them still more lives have been lost and more property destroyed during the last year than for a year preceding our great Indian war of 1855-'56.

Owing to the frequency of these occurrences and other exciting causes these depredations have not attracted the attention that they otherwise would.

Summer campaigns have been made against these Indians from year to year, but as the Indians at that season of the year are able to obtain subsistence anywhere in their vast country, as they have plenty of horses and are perfectly familiar with the geography of the country, they are enabled to disperse themselves in small parties, to elude the soldiers at pleasure, and when winter approaches and the troops return to the forts they renew their depredations with increased energy and skill.

Last year the citizens of The Dalles went to great expense to raise and mount a detachment of cavalry to keep open the road between The Dalles and Cañon City. Even this force commanded by Lieut. Nathan Olney, co-operating with these companies of the First Oregon Cavalry, was unable to give security to that country.

Hence I concur in the general opinion expressed by people acquainted with the facts, that the winter is the best time to bring these Indians to terms. Certainly all the summer campaigns have not accomplished the object.

Colonel Currey, commanding Department of the Columbia, has wisely, as I believe, established posts in the Indian country with a view to operating against the Indians during the coming winter.

Now, it is rumored that an order has been received in this department requiring all the Oregon volunteers to be mustered out of the service. I should like to see the volunteers relieved as soon as the circumstances will justify it, but I think it would be very unwise to do it at present, while our citizens are being robbed and murdered.

And to attempt to bring in those volunteers this fall and winter and supply their places with other troops will defeat the object of a winter campaign. The commanders of the troops now in the field have a practical knowledge of the country and of the nature and habits of the Indians, which men from the East can not acquire in time to be of much service this winter.

I therefore urgently but respectfully recommend that the order directing that the Oregon volunteers be mustered out be suspended until spring.

The Indians have possession of a large and rich mineral country now needed for settlement, and the travelers and traders are constantly annoyed by the Indians. These marauders must be whipped and secure on reservations sooner or later, and it won't cost any more to do it at one time than another.

I should have pressed this matter upon the attention of the authorities more urgently heretofore had it not been for the necessity of troops in the East to crush the rebellion.

I have the honor to be, sir, very respectfully, your obedient servant,  
ADDISON C. GIBBS,  
*Governor of Oregon.*

Maj. Gen. H. W. HALLECK, U. S. Army,  
*Commanding Division of the Pacific, San Francisco, Cal.*

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,  
*San Francisco, Cal., November 17, 1865.*

His Excellency A. C. GIBBS,  
*Governor of Oregon, Portland:*

GOVERNOR: Your letter of the 11th instant in regard to Indian hostilities in the north and the mustering out of the Oregon volunteers is just received.

The order for mustering out the Oregon volunteers was received from Washington and leaves me no option in the matter.

It is believed that the troops left in service on this coast and those expected from the East will be sufficient to guard the most important points on the frontiers, and as many of them as can properly be spared will be sent to replace the volunteers in Oregon, Idaho, and Washington Territory.

It is very possible that these changes may interfere with the prosecution of the winter operations proposed by the commanding officer of the Department of the Columbia, but, if so, I see no way of avoiding it.

The officer selected by General Grant for that command has had much experience on this coast and with the Indians, and he will receive all the assistance which I can give with the means at my disposal.

Very respectfully, your obedient servant,

H. W. HALLECK,  
*Major-General U. S. Army, Commanding.*

HEADQUARTERS DEPARTMENT OF CALIFORNIA,  
*San Francisco, Cal., December 6, 1865.*

Lieut. Col. ROBERT N. SCOTT,  
*Assistant Adjutant-General, Military Division of the Pacific,  
San Francisco, Cal.:*

SIR: In answer to your letter of yesterday I have to report that, in compliance with General Order No. 10 from division headquarters, "to immediately muster out of service such volunteers as could be dispensed with from my command," the following corps were ordered to be mustered out, to wit:

The Sixth California Volunteer Infantry.

The Eighth California Infantry.

Six companies of the Fourth California Volunteer Infantry.

The three companies of Nevada infantry, the two companies of Nevada cavalry, serving in the department.

The battalion of four companies native California cavalry.

Of these the field and staff and seven companies of the Sixth Regiment have been mustered out (October 25 and 31).

Two of the companies of the Sixth were at Summit Lake, beyond the Sierra Nevada, on the road to Idaho. A small company of the Ninth United States Infantry (regulars) is on the march to relieve them, and when last heard from was beyond the Sierra. The lateness of the season and the heavy storms will, I fear, obstruct the road and retard the line of march of the companies of the Sixth, and make it impossible to give a date for their arrival and muster-out. Another of the companies of the Sixth Regiment was at Camp Lincoln, near the Indian reservation on Smith River; a company of the Ninth has gone up to relieve it, but the storms were so heavy that the steamer could not bring the volunteers back. They are expected by the next steamer. The field and staff and all the companies of the Eighth Regiment mustered out October 24, except four of the officers on a court-martial. These were mustered out November 7. Five of the companies of the Fourth Regiment mustered out November 30. The other company ordered to be mustered out was serving in Oregon, and has not yet arrived under the orders given at division headquarters.

The company of Nevada infantry serving at Fort Ruby, on the overland route, will be mustered out as soon as the company of the Ninth (regular) Infantry, now on the march, arrives to relieve it. When last heard from this company was one day's

march beyond Fort Churchill. The company of Nevada infantry at Fort Churchill will be mustered out as soon as the company of cavalry ordered there from northern Nevada arrives. The company of Nevada infantry at Fort Independence, Owens River Valley, will be mustered out of service as soon as relieved by the company of California volunteer cavalry, now en route. As in the case of companies at Summit Lake, this post lies beyond the Sierra Nevada, which is now covered with snow. The relieving company has been obliged to march to the south through Walker's Pass, instead of direct across the mountain. It has, however, arrived by this time, and the company of Nevada infantry will soon be on the march to Fort Churchill to be mustered out, which will be towards the end of the month. The battalion of native California cavalry was serving in southern Arizona and will not be able to reach its place of muster-out for some time, as it has to make a march of over 500 miles, much of it over a desert.

In addition to these corps, a detachment at Fort Churchill belonging to the Nevada cavalry serving in Utah, and detachments at the Presidio belonging to the Second California Volunteer Infantry, and native California volunteer cavalry in Arizona have been mustered out. As I do not consider that they can be "dispensed with" I have not given orders for the muster-out of the Second California Volunteer Cavalry, for there is no regular cavalry in the department that could be sent to relieve it, and it is stationed in California and Nevada at points that require protection, and some of it engaged in active hostilities against the Indians. Nor have I given orders for the muster-out of the volunteer regiments and companies serving in Arizona; for the reason that they are now occupied in a vigorous campaign against the Apaches, for which large and expensive preparations have been made, and to carry on which the two battalions of the Fourteenth, even when they reach that far-off country, will be wholly inadequate. The First Battalion, recently arrived, will proceed there as soon as practicable, moving two companies at a time, which, on account of the scarcity of water on the desert, is the largest number that can march with comfort. There remains in the district of Humboldt, at Hoopa Valley and at the Indian reservation at Round Valley, two companies of the Second and one company of the Fourth California Volunteer Infantry. A long and expensive Indian war was waged in that section, which required from two to three regiments. A large number of the hostile Indians were made prisoners and sent to the Round Valley Reservation, and others have been located on the Hoopa Valley Reservation; I do not think it prudent at this time to withdraw the volunteer companies from those reservations.

I have nothing but two small skeleton companies of the Ninth, not over one third of the force, and if they should be sent I should be without a single company of infantry for any service; the two small skeleton companies referred to being the infantry reserve for the whole department. The force in Nevada is represented by the district commander and by his subordinates as inadequate to the service required of it. In northern Nevada a very active campaign has been carried on all last summer, and the Indians have been driven off the main routes and overland mail road. We have lost one of our best officers, Lieutenant-Colonel McDermit, the district commander, and several men. In a recent engagement on the route from Nevada to Idaho an entire band of the hostile Bannocks were almost totally annihilated, one hundred and twenty having been killed. To withdraw troops from these distant posts this winter and to abandon the campaign in Arizona, concerning which so much expectation has been excited and on which so many interests and so many lives depend, would be very disastrous to the country, and I trust it may not be done. Next year I hope and believe it may be done if a regiment of cavalry should, in the meantime, be sent out.

I have the honor to be, very respectfully, your most obedient servant,

IRVIN McDOWELL,  
Major-General, Commanding Department.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,  
San Francisco, Cal., December 8, 1865.

Lieutenant-General GRANT,

Commanding Armies of the United States, Washington, D. C.:

GENERAL: In compliance with your directions, I inclose herewith maps of the Departments of California and the Columbia, on which are marked the several posts at present occupied by troops of this military division. The following remarks are submitted by way of explanation:

#### COAST DEFENSES.

I presume that it is the wish of the Government to have the fortifications on the sea-coast occupied with some kind of garrisons, however small they may be. I shall there-

fore keep garrisons in the several forts in the Bay of San Francisco, and at the mouth of the Columbia River. There is at the present time a company of artillery at San Diego, for the purpose of enforcing our neutrality laws.

When the Mexican difficulty shall be solved, there will be no necessity for a garrison at that place; at least not until the harbor is fortified. At Wilmington, Los Angeles County, a very large and expensive depot and barracks have been established. I can perceive no good reason for the enormous expenses which have been incurred at that place; but as the establishment exists, it will probably be best to keep it up till some other base for supplying the troops in Arizona is determined on. This will be discussed in another place.

Until the boundary question in regard to San Juan Island is definitely settled it will be necessary to keep a garrison at that place. A company of artillery is now stationed there. There is also a small garrison at Fort Steilacoom. Forts Townsend and Bellingham are without garrisons. The territory bordering Puget Sound is now so thickly settled by the whites that no danger is apprehended from Indian depredations, except in canoes from the British possessions on the north. These parties usually land at places distant from any military post, commit their robberies and murders, and are off in their canoes before their presence is known to the garrisons, which have no means of pursuing them by water. To prevent these depredations, there should be a small naval steamer kept cruising in the Straits and Sound.

I respectfully request that the attention of the Navy Department be called to the necessity of this precaution. I see no use of military posts on these waters except at points where permanent fortifications are to be established. Probably the points to be so defended are Port Discovery, Point Defiance, Deception Passage, and perhaps Admiralty Head. Should a navy-yard be established in these waters, perhaps it may be necessary to fortify some other points for its defense.

It is important that the proper localities for these purposes be selected and reserved or purchased without delay. The value of these lands and the difficulty of purchasing the sites are rapidly increasing, and in a few years they can be secured only at enormous cost. Moreover, all expenses incurred for military posts in that vicinity should be made on sites which are to be permanently occupied.

Those at Steilacoom, Fort Bellingham, and probably Port Townsend, should be abandoned as a useless expense. I, however, shall order no changes there till General Steele arrives and has time to investigate the matter. I think a board of engineers should be ordered without delay to select the necessary sites for permanent fortifications.

#### INDIAN FRONTIER.

In regard to the protection of the Indian frontier on the east, the policy should be to keep the troops in advance, retain them in rear of the white settlements, and to make the posts as temporary and cheap as possible. These should be maintained as depots of supplies for expeditions against the Indians and the temporary camps which may be established in their country. As these camps will be continually changing, they should be of the most temporary character. Tents and huts constructed by the troops will usually be sufficient.

#### DEPARTMENT OF THE COLUMBIA.

The most northerly post on this frontier line is Fort Colville; next is Fort Lapwai near Lewiston. Probably it will be necessary to establish an intermediate temporary post in the vicinity of Cœur d'Alene Lake or Mission, and perhaps another pretty well up the Salmon River and between the Lapwai Mountains and Fort Bois . The latter post will serve as a center of operations to Fort Hall on the east, and to near the southern boundary of Idaho Territory.

Camp Lyon serves as a temporary protection to the mining operations on the Owyhee River, but it will probably be necessary to establish a post near the head waters of that river, say somewhere near the northern boundary of Nevada or near Pete's Butte, so as to connect with Fort Ruby and the settlements on Humboldt River. All Indians west of this line should be removed or placed in reservations, so as to prevent their marauding expeditions upon the white settlements. Much of this can be accomplished in the course of the coming year.

There is a belt of rather poor country extending from Fort Klamath to the Owyhee River, over which the Indians pass on their robbing expeditions into southern Oregon and northern California, and to receive and purchase horses stolen by the local tribes. In order to check these depredations Camps Polk, Watson, Curry, Wright, and Alvord were established in Oregon, and Fort Bidwell, and Camps McDermit, Summit Lake, Snake Creek, and Dun Glen, in California and Nevada. These are of a very temporary character, and when the more advanced line is completed most of them can be dispensed with. Fort Klamath must for the present, on account of the Indians in

that vicinity, be retained. The expenses of its construction were entirely disproportionate to its importance. Forts Yamhill and Walla Walla can probably be dispensed with very soon, and Fort Dalles immediately. It is not impossible to conceive any military necessity for the enormous expenditures at Fort Dalles. Fort Vancouver serves as the depot for the supply of the Department of the Columbia, and the military establishment at the Dalles seems more like a private speculation than a public necessity.

## NEVADA.

Fort Ruby will serve as a center of operations for the protection of the overland mail and emigrant roads to Salt Lake and the settlements on Humboldt River beyond Dun Glen. An inspecting officer has been sent to examine its condition, and will probably report in a few days. Fort Churchill is simply a depot. Some of the temporary camps near the boundary (northern) of the State must depend on it for supplies.

## CALIFORNIA.

Forts Crook, Wright, Humboldt, and Gaston, and the adjacent camps in the northern part of California must be maintained for the present winter, but it is probable that some of these posts may be dispensed with next season. Several artillery garrisons, as already remarked, will be kept in the forts of the Bay of San Francisco simply as sea-coast defenses. Monterey and Camp Union have been abandoned, and I can see no necessity for a garrison at Benicia. The construction of barracks, storehouses, and stables at that place was most ill-advised, and the enormous sums of money expended there were of little or no benefit to the Government, however advantageous they may have been to private speculations. San Francisco always has been and always will be the depot of supplies for California and Nevada.

Visalia is the only military post maintained at present in the San Joaquin Valley, and General McDowell is of opinion that this camp may soon be dispensed with. The mining settlements on Owen's River and Lake, and in that vicinity, will require military protection for some years. A substantial post must therefore be established in that district of country, from which temporary camps may be thrown out as the population advances. Its maintenance will be very expensive, and its garrison should therefore be kept as low as may be consistent with safety and the proper protection of the district. Camp Independence is probably the best location. Camp Cady was established and is kept up for the protection of the road from Cajon Pass to Fort Mohave. The discovery and development of valuable minerals between the Sierra Nevada and the Colorado, and the numbers of Indians which inhabit or roam over that region of country will render it necessary to keep up a considerable military force for its security and protection.

## ARIZONA.

The map will show the present disposition of military posts in the Territory of Arizona. Probably the winter campaign against the Apaches will cause some considerable changes. The most important problem to be solved is that of supplying the posts in that Territory.

At present there are four routes of supply: First, by sea, the Gulf of California, and the Colorado River; second, from Wilmington to Fort Yuma; third, from Wilmington to La Paz; and fourth, from Wilmington to Fort Mohave. There is no great difference in the expense of reaching Arizona by either route from San Francisco, which is the main source of supplies. But the great difficulty is in supplying the interior posts, which can be reached from the Colorado River only by crossing barren and sandy deserts, where there is great scarcity of water for men and animals.

The natural line of supply for Las Calabasas and Tucson and their dependencies is from some port on the Gulf of California, and it is of the greatest importance for the future prosperity of Arizona that some good port should be obtained in the gulf. It is hoped that this matter will be kept constantly in view in all future negotiations with Mexico. The boundary line should at least be carried so far south as to include the port of La Libertad. From that point to Las Calabasas the route is short and easy for the transportation of supplies.

## TROOPS.

I must again urge upon you the necessity of sending a cavalry force to this division. We have now no mounted troops in Washington, Oregon, Idaho, and Nevada, and in California and Arizona only the California volunteers, who regard their term of enlistment as having expired and wish to be mustered out. These troops are made up of most excellent material, but men who regard themselves as unjustly retained in service will not be very efficient in the field.

You will bear in mind that when your orders for mustering out the volunteers are completely carried out, the only forces in this entire division will be the Second Artillery and Ninth and Fourteenth Infantry. The Ninth is only a small regiment. The artillery will be required to garrison the forts on the coast, and the Ninth Infantry in the interior of California and Nevada.

This leaves only one battalion of the Fourteenth Infantry for the Department of the Columbia and two battalions for Arizona. The hostile character of the Indians in the latter Territory requires more posts and larger garrisons than in Oregon, Washington, and Idaho; but circumstances may render it necessary to re-enforce the troops in the latter department. With the present forces in the division it would be difficult to do this without seriously exposing other districts to Indian depredations. A regiment of cavalry would do much to relieve this embarrassment. The accompanying report of Major-General McDowell will explain the necessity of retaining certain volunteer troops for the present. It also contains a list of those mustered out.

Very respectfully, your obedient servant,

H. W. HALLECK,  
Major-General, Commanding.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
Washington, December 19, 1865.

Maj. Gen. H. W. HALLECK,  
Commanding Military Division of the Pacific, San Francisco, Cal.:

GENERAL: I have respectfully to inform you that the muster-out roll of a detachment of Oregon cavalry, commanded by First Lieut. Nathan Olney, has been received at this office.

The men were enrolled in June and July, 1864, at Fort Dalles, Oregon, and mustered into service for one hundred days, July 12, 1864.

As no muster-in rolls of this organization have been filed here, I am directed to request that you will please forward to this department the original muster-in rolls of the same, and the authority under which it was raised.

Please also report the cause of the retention of these rolls.

I have the honor to be, general, very respectfully, your obedient servant,  
THOMAS M. VINCENT,  
Assistant Adjutant-General.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,  
San Francisco, Cal., January 18, 1866.

To the Commanding Officer, Department of the Columbia, Fort Vancouver, Wash.:

SIR: The Adjutant-General of the Army has called upon this office for the original muster-in rolls of a detachment of Oregon cavalry (commanded by First Lieut. Nathan Olney) enrolled in June and July, 1864, at Fort Dalles, Oregon, and mustered into service for one hundred days, July 12, 1864.

The records of "Department of the Pacific" furnish the following papers in connection with this matter:

Letter of April 29, 1863, from department headquarters to General Alvord, authorizing him to call for troops from Oregon.

Telegram of June 15, 1864, revoking authority given April 29, 1863.

General Alvord's letter of June 11, 1864, transmitting copy of call upon governor of Oregon for troops.

Letter of June 25, 1864, from department headquarters, in answer to General Alvord's communication of June 11, 1864.

Major-General Halleck directs you to report upon the disposition of these muster-in rolls, and to furnish such other information upon the subject as can be obtained from your records, or from Maj. T. C. English, Fifth Infantry, and not already furnished as herein indicated. It is desirable that the authority by which these troops were raised be distinctly stated.

Very respectfully, your obedient servant,

ROBERT N. SCOTT,  
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
San Francisco, April 29, 1863.

Brig. Gen. BENJAMIN ALVORD, U. S. Volunteers,  
Commanding District of Oregon, Fort Vancouver, Wash.:

GENERAL: In reply to your letter of the 15th instant, relative to the want of troops in the district of Oregon, I am instructed by the department commander to say that



the exigencies of the service will not permit of a reduction of the force now in this State.

The general gives you full powers to call upon the governors of Oregon and Washington for such troops as you may deem necessary to preserve the peace and quiet of your district. \* \* \*

Very respectfully, your obedient servant,

R. C. DRUM,  
*Assistant Adjutant-General.*

---

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., June 10, 1864.*

GOVERNOR: Pursuant to authority, dated April 29, 1863, received from the general commanding the Department of the Pacific, I have to request that you call out, for the State of Oregon, a detachment of cavalry volunteers, to be mustered into the service of the United States, to serve until the 1st of November next, unless sooner discharged. Said detachment must consist of a first lieutenant, second lieutenant, and 40 privates. The non-commissioned officers will be appointed after they are mustered into service of the United States. The men will furnish their own horses and horse equipments, for the use and risk of which they will be entitled to receive 40 cents a day. They will receive the pay and allowances of all cavalry in the service of the United States.

I have found myself under the necessity of making this call on account of the continued murders and robberies by the Snake Indians upon the road from The Dalles to Canyon City, Oregon.

If you will appoint a suitable person he will be conditionally mustered into the service of the United States as a second lieutenant and recruiting officer of said detachment.

If the detachment is raised and mustered in at Fort Dalles, a first lieutenant and second lieutenant will be mustered in at the same time.

The recruits, as fast as raised, will be mustered at Fort Dalles.

I am, very respectfully, your obedient servant,

BENJ. ALVORD,  
*Brigadier-General, U. S. Volunteers, Commanding District.*

His Excellency A. C. GIBBS,  
*Governor of Oregon, Portland, Oregon.*

---

HEADQUARTERS DISTRICT OF OREGON,  
*Fort Vancouver, Wash., June 11, 1864.*

COLONEL: Herewith I inclose to you a copy of a call for troops which I yesterday addressed to the governor of Oregon. I ask for a detachment of 40 cavalry volunteers, to serve until the 1st November next, for the protection of the road from The Dalles to Cañon City, Oregon, from the incursions of the Snake Indians.

I have made this call pursuant to the authority given me by the general commanding the Department in your letter of the 29th April, 1863, saying, "The general gives you full power to call on the governors of Oregon and Washington for such troops as you may deem necessary to preserve the peace and quiet of the district."

I had written you on the 15th April, 1863, referring to General Wright's call on the governor of California for troops to serve for a limited period and for a special service against the Indians in Humboldt and other counties. I had seen Governor Stanford's proclamation of the 7th February, 1863, to that effect.

Incessant murders and robberies continue on the road to Canyon City, so much so as to seriously interrupt the trade and travel of that region. A mass-meeting of the citizens was held at Dalles City day before yesterday, and a gentleman deputed (Mr. William Newell) to call on me and ask for this call for troops. The request is one worthy of my serious attention.

I have strained every nerve to place all the available cavalry in the field against the Snakes, whilst Captains Curry and Drake are pushing their troops far into the interior of their country. Stragglers Indians present themselves in their rear, and have never failed to infest the road to Canyon City.

Captain Drake has already taken away the cavalry detachment left at the Warm Spring Reservation. I have to-day ordered a detachment of infantry to take their place at that reservation. I have come to the conclusion that it is indispensably necessary to make this requisition.

I trust that the general commanding the department will approve of this requisition, and obtain, if necessary, the express approval of the War Department.

Paragraph No. 121 of circular on mustering service No. 1 from Adjutant-General's office, dated January 1, 1864, says: "Mustering officers will muster into service such regiments or recruits as may present conclusive evidence of their acceptance by the War Department.

I take for granted that General Wright, commanding the department, had the authority of the War Department for the instructions given me on the 29th April, 1863 (above quoted).

I have in my call acted upon the presumption as a matter of course. This I think is the "conclusive evidence" referred to, but for the satisfaction of Maj. N. H. McLean, assistant adjutant-general, mustering officer of volunteers for Oregon and Washington Territory, I have respectfully to request that you will telegraph me if such calls have not only the sanction of your office, but also that of the War Department. Major McLean is not under my orders, and I can not order him to muster them into service. His decision is not yet known. I shall, in any event, accept of the volunteers, for I consider their services indispensable for the security of a road traveled by hundreds of our mining population. There is a population of two or three thousand people in the country around Cañon City.

I am, very respectfully, your obedient servant,

BENJ. ALVORD,  
*Commanding District.*

Lieut. Col. R. C. DRUM,  
*Assistant Adjutant-General, Headquarters  
Department of the Pacific, San Francisco, Cal.*

---

[Telegrams.]

SAN FRANCISCO, June 15, 1864.

General B. ALVORD,  
*Fort Vancouver, Wash.:*

Authority contained in letter of 29th of April, 1863, is revoked.  
By order.

E. SPARROW PURDY,  
*Assistant Adjutant-General.*

---

HEADQUARTERS DEPARTMENT OF THE PACIFIC,  
*San Francisco, June 25, 1864.*

Brig. Gen. B. ALVORD,  
*Commanding District of Oregon, Fort Vancouver, Wash.:*

GENERAL: I have the honor to acknowledge the receipt of your communication of the 11th instant, and in reply am directed by the general commanding to say that he had no special authority from the War Department to call out troops (volunteer) for a limited time, but that power was given to him, while in command of the district of Oregon, before the present war, to meet any emergency which might arise on account of Indian difficulties, and under that authority you can accept the services of the detachment of cavalry which you have called for; but, inasmuch as the mustering officers now under the provost-marshal-general are for the special purpose of mustering in troops under the laws for suppressing the rebellion, the detachment you have called for to serve till the 1st November can be mustered in by a special officer, under your orders, and for their payment a special appropriation will be necessary by Congress.

Very respectfully, your obedient servant,

R. C. DRUM,  
*Assistant Adjutant-General.*

---

OFFICE OF THE COMMISSARY OF MUSTERS,  
*San Francisco, Cal., January 19, 1866.*

Lieut. Col. R. N. SCOTT,  
*Assistant Adjutant-General, Headquarters Military Division of Pacific,  
San Francisco, Cal.:*

SIR: In reply to your communication of the 18th instant, requesting information as to the disposition of the original muster-in rolls of a detachment of Oregon Cavalry, mustered in July 12, 1864, for one hundred days, I have the honor to state that no information concerning these rolls can be found, either among the records of the of-

file of the commissary of musters, or acting assistant provost-marshal-general of this department.

There is, however, a copy of the muster-out roll of the detachment referred to on file in the office of the commissary of musters (the rolls for the Adjutant-General of the Army, etc., having been forwarded on the 14th November, 1864), which as the detachment had not been paid prior to muster-out, contains, I presume, all the information embraced in the original muster-in roll.

I am, colonel, very respectfully, your obedient servant,

W. SEAWELL,

*Colonel and Brevet Brigadier-General, U. S. Army, Commissary of Musters.*

U. S. MUSTERING AND DISBURSING OFFICE,  
*Portland, Oregon, February 20, 1866.*

*The Assistant Adjutant-General,  
Headquarters Department of Columbia, Fort Vancouver, Wash.:*

SIR: I herewith respectfully return the letter of Maj. R. N. Scott, assistant adjutant-general, Military Division of the Pacific, and transmit a certified copy of the muster-in roll called for by him. One of the original copies is on file in this office, but I am not at liberty to part with it or any other of the records in my possession without the special order of the Adjutant-General of the Army or the Provost-Marshal-General.

The information required by General Halleck as to the disposition made of the remaining rolls and the authority under which these troops were raised is contained in the red-ink notes of Maj. N. H. McLean and in the copies of the telegrams certified to by him on the roll.

One copy of the enlistment of each man in the detachment is also on file in this office.

Very respectfully, your obedient servant,

T. C. ENGLISH,

*Brevet Lieutenant-Colonel, U. S. Army, Major Fifth Infantry,  
Chief Mustering and Disbursing Officer, Oregon and Washington Territory.*

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,  
*San Francisco, Cal., March 6, 1866.*

Respectfully returned to Adjutant-General of the Army, with copy of muster-in roll and other papers in reference to this organization.

H. W. HALLECK,  
*Major-General, Commanding.*

1866.

GENERAL HEADQUARTERS, STATE OF NEVADA,  
 ADJUTANT-GENERAL'S OFFICE,  
 Carson City, January 24, 1866.

GENERAL: I have the honor to transmit herewith copy of a resolution lately passed by the Nevada legislature.

The resolution, no doubt, was called out by complaints from volunteers from Company B, Infantry, mustered out of the service at Fort Ruby, in this State, on the 15th of December last.

They complain that after being mustered out it was impossible to procure provisions at the fort or within very long distance therefrom and of having suffered on that account. They also complain that the amount received for commutation of rations was wholly inadequate to bring them to their homes.

The justice of their complaints can only be appreciated by those who are acquainted with the high prices and scarcity of provisions on that part of the route from Fort Ruby into Austin and to this place. It is, doubtless, in view of this fact and the probability that the remainder of our volunteers, now numbering something over three hundred, who are in the vicinity of Salt Lake, will soon be discharged, and to provide against like complaint on their part, that the resolution was adopted.

In calling your attention to this matter, in view of the difficulties with the Indians of the Humboldt during the past year and their continued unfriendly and hostile disposition, I would most respectfully suggest that I believe much good could be accomplished by our volunteers being brought back *en force* and making an early campaign through the upper Humboldt country.

The bands of Indians in that section that have been committing depredations are not large. It occurs to me that if one company should march down the Humboldt River, another north of it, and the other south they would make an effective campaign that would subjugate the Indians to such an extent that we would have but little trouble with them during the balance of the year, and there certainly could be no great additional expense in having them brought back in this way.

I am, sir, very respectfully, your obedient servant,

JOHN CRADLEBAUGH,  
*Adjutant-General.*

Col. R. C. DRUM,  
*Assistant Adjutant-General, Department of California.*

CONCURRENT RESOLUTION relative to transportation of troops.

*Resolved by the senate (the assembly concurring),* That the adjutant-general of the State be requested to communicate with the major-general commanding Department of the Pacific, asking that the Nevada volunteers, now at Camp Douglas, Utah, when discharged, or before being mustered out of service, be furnished with transportation by the Federal Government from the present post to the place of their recruiting.

J. S. CROSMAN,  
*President of the Senate.*  
 GEO. R. AMMOND,  
*Secretary of the Senate.*  
 JAS. A. BANKS,  
*Speaker of the Assembly.*  
 N. E. ALLEN,  
*Clerk of the Assembly.*

Senate concurrent resolution No. 24, introduced in the senate January 11th, 1866.  
 Passed the senate January 13th, 1866.

GEO. R. AMMOND,  
*Secretary of the Senate.*

Passed the assembly January 22nd, 1866.

N. E. ALLEN,  
*Clerk of the Assembly.*

STATE OF NEVADA,  
Secretary's Office, ss:

I, C. N. Noteware, secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original "concurrent resolution relative to the transportation of troops," now on file in my office.

In witness whereof I have hereto set my hand and affixed the great seal of State. Done at office in Carson City, Nevada, this 24th day of January, A. D. 1866.

[SEAL-]

C. N. NOTEWARE,  
Secretary of State.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,  
San Francisco, Cal., February 23, 1866.

His Excellency H. G. BLASDEL,  
Governor of Nevada, Carson City, Nev.:

GOVERNOR: Your letter of January 29, transmitting a copy of "Senate memorial and joint resolution relative to Indian depredations" in Nevada, has been received, and the matters therein referred to duly considered.

The muster-out of the volunteer cavalry in your State was made under the orders of Lieutenant-General Grant. The substitution of infantry was necessary and unavoidable, there being at the time not a single regular cavalry soldier on the Pacific coast, and none arrived here till the roads became impassable by the snows. The claims of your State for military protection are fully appreciated, and such troops as may be available for that purpose will be sent there at the earliest date practicable.

It should, however, be observed that almost precisely the same complaints in regard to Indian depredations and the want of troops made by Nevada have been received from Arizona, Oregon, Idaho, and Washington Territory. The entire military force in this division, after the volunteers are mustered out, will consist of only one small regiment of cavalry, two regiments of infantry, one of them very small, and a small regiment of artillery. The latter is required to garrison forts on the coast. This, you will perceive, leaves us but two regiments of infantry and one of cavalry for operations against the Indians and the protection of routes of travel in Arizona, California, Nevada, Oregon, Washington, and Idaho. The inadequacy of this force for the service required of it has been represented to Washington, but I am not advised that any more can be sent here before Congress increases the Army.

Special attention has been given to the various routes of travel and trade likely to be used during the coming season through your State to Utah, Idaho, and Montana and preparations have been made to afford them all the military protection in our power. Nevertheless it can scarcely be expected that all Indian depredations will be immediately suppressed in the vast regions of country now so sparsely populated, but which will be rapidly filled up with pioneer settlers and miners.

I hope to be able at an early date to confer personally with your excellency in regard to the best means of carrying out the objects of the memorial and resolutions.

I am, governor, very respectfully, your obedient servant,

H. W. HALLECK,  
Major-General, Commanding.

HEADQUARTERS DEPARTMENT OF CALIFORNIA,  
San Francisco, Cal., March 19, 1866.

His Excellency F. F. LOW,  
Governor of California, Sacramento, Cal.:

SIR: All the California troops in the district of Arizona having been ordered to be mustered out of the service, except the companies of the first regiment of cavalry, Major-General McDowell desires that no action may be taken on any recommendation for promotion in those regiments.

Very respectfully, your obedient servant,

R. C. DRUM,  
Assistant Adjutant-General.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
Portland, March 24, 1866.

GENERAL: My attention has just been called to the condition of Company —, First Oregon Infantry, commanded by Captain Borelon. From what I have heard—which I consider reliable—the company is on the way down to Fort Vancouver, and now between Umatilla and Le Grand. Some of the men have been frozen, and all have suf-

ferred more or less for want of clothing and supplies. All this was caused by a severe storm which overtook them on their way down last winter. They are now short of clothing. I therefore respectfully recommend that a messenger be sent to meet said company on the road, and have them go to Umatilla, and there take the steam-boat and come the balance of the way thereon. This will save the company a march of ten or fifteen days at this inclement season of the year. If they are to be immediately mustered out of the service they will be mustered out enough sooner in this way to pay for the extra expense of the trip, or at least a part of it.

I have the honor to be, very respectfully, your obedient servant,  
ADDISON C. GIBBS,  
*Governor of Oregon.*

Brigadier-General STEELE,  
*Commanding Department of Columbia.*

HEADQUARTERS DISTRICT OF ARIZONA,  
*Tucson, Ariz., March 27, 1866.*

Bvt. Brig. Gen. R. C. DRUM,  
*Assistant Adjutant-General, Department of California, :*  
*San Francisco, Cal.:*

SIR: I have the honor to inform you that upon the receipt of the inclosed dispatch late on the night of the 25th instant, I at once sent a special messenger to Fort Grant, directing the commanding officer of that post to send out a strong force to try and succor the survivors and to bury the dead. I also sent all of the available force from this post to the same point; also the only surgeon at my disposal; both of these parties would arrive there on the 27th. I sent also a good guide who is accustomed to trailing.

A few hours after the detachment left here a man arrived from the Pima villages. He reported having found one of the two men who were left with Dr. Tappan in the road about 22 miles from here. He was completely bewildered, but on getting some water soon revived, and was able to point out the direction and something near the spot where he left the doctor and the other man.

He reports that he left the doctor on the 25th, and that he was badly but not mortally wounded; could walk a little, talked intelligently, and had ordered him on to find water. He was too near crazy to return or to be of any service at the time of his being found.

I at once dispatched Capt. John Green with a party to search for the missing ones. The country is one vast plain, covered with cactus and cut up with dry ravines. This party returned last night, having found the trail of that man who had come in, but as he had wandered so much, they were unable to follow it or to find the others. They returned very much exhausted.

Not willing to give the matter up, I at once had a party of Mexicans mounted, men who are accustomed to the country, with one good trailer, a party of citizens, and the man who left the doctor. They started last night, and from the fact that we have found traces of the one man I have strong hopes of finding the doctor. I fear, however, he has not been able to survive. His suffering must have been terrible, as he has been without water or food. This is the sixth day. Yet, as the cactus is both nutritious and very watery, I still have hopes. I will hold this letter until the return of the party now out.

March 31.—The party has returned, having found the trail of one man, which I supposed was the doctor, but it is uncertain. They found the track of a man wearing boots, who was living on cactus, and who had found water in the mountains, but they were unable to find the man.

The parties sent out from here and Fort Grant have returned. They found and buried Major Miller and three soldiers. They found that Dr. Tappan had cut the boot from the wounded foot, and tracked the party for many miles, the doctor having one bare foot, but could not find them. Both of the men left with the doctor have come in. The last one states the doctor told him to look out for himself as he did not expect to live. He left the doctor on Sunday the 25th. I have engaged another party to go out with the best guides and trailers in the country, and still have hopes of finding the doctor and missing man. Capt. John Green accompanies this party, and they will remain out about ten days, unless they find the parties sooner.

Very respectfully, your obedient servant,

JNO. S. MASON,  
*Brigadier-General Volunteers, Commanding District of Arizona.*

Respectfully forwarded, May 1, 1866,

H. W. HALLECK,  
*Major-General, Commanding.*



HEADQUARTERS DEPARTMENT OF CALIFORNIA,  
San Francisco, Cal., May 1, 1866.

Respectfully forwarded to the Adjutant-General, through division headquarters, I also send herewith a letter from my aide-de-camp, Lieutenant Carter, giving some further particulars.

Very respectfully,

IRVIN McDOWELL,  
Major-General, Commanding Department.

PICACHO, ARIZ., March 25, 1866—3 o'clock p. m.

Capt. JOHN GREEN,  
Assistant Adjutant-General, District of Arizona, Tucson, Ariz.:

CAPTAIN: I impress myself, under the circumstances, to make you the following report related to me by Corporal John Berg, Company F, First Battalion Fourteenth United States Infantry, and Stevens Sumner, a teamster in the employ of Brevet Major Hooper, acting quartermaster, whom I found here at the station on my arrival. The corporal was in a bewildered and exhausted condition; the teamster with an arrow wound in his scalp, not serious.

They report to me as follows:

Corporal Berg and six privates of the Fourteenth United States Infantry left Fort Yuma on March 7, 1866, as escort to Assistant Surgeon Tappan and Major Miller, Fourteenth United States Infantry (third battalion), en route to Fort Grant, and on reaching Cottonwood Springs, 45 miles from White's Ranch and 12 miles from Old Fort Breckenridge, on March 22, 1866, at 2 o'clock p. m., the command was attacked by about 200 Indians. Major Miller, Private Richards, Private Powell, and Private Donnell, all of the Fourteenth United States Infantry, were killed outright. Assistant Surgeon Tappan received two wounds through the body and one in the foot.

The corporal and teamster whom I have here left Assistant Surgeon Tappan yesterday about 9 o'clock a. m., about 35 miles northeast from here, to go in search of water, and after a fruitless search of several hours endeavored to return to the spot where they left the doctor, but they became bewildered and lost themselves. Teamster Stevens Sumner recognized the peak at this place and made for it, leading the corporal. They both report that Dr. Tappan was in a dying condition when they left him.

Two privates of the Fourteenth United States Infantry, not wounded, remained with Dr. Tappan and were told of this point by Stevens Sumner. They have not as yet arrived, but I shall remain here to-night and build a large fire by the way of signal for them. As there is no water at this point I shall move to "Blue Water" station to-morrow and remain there until the return of my messenger, Private William Lattimer, Company L, First Cavalry, California Volunteers, belonging to my detachment en route to San Francisco, Cal., for muster-out.

As I have no animals but my team mules, I furnish him the best one in the team, with instructions to reach Tucson as soon as possible. I would very respectfully request that a fresh team mule be given him to return with and complete my team. I shall await his return at Blue Water.

Corporal Berg and Stevens Sumner I shall take with me to Blue Water and await your instructions as to their further disposal.

The transportation, consisting of one wagon and four mules, together with all the public and private property (except that hereinafter mentioned) of the command of Major Miller, was captured by the Indians.

I am told by Corporal Berg that Private Sanchez, Company F, First Battalion Fourteenth United States Infantry, received from the hands of Dr. Tappan, after the doctor was wounded, one army six-shooter and one watch. Sanchez was one of the men left in charge of the doctor by Corporal Berg and Teamster Sumner. The doctor also gave Corporal Berg a plated derringer, which I have now in my possession, and await your instructions as to its disposal. Corporal Berg, when I found him here, was much bewildered and exhausted, and I am of the opinion that he could not have survived many hours longer. The teamster, though wounded, was not so much worn out. These men were three days and nights without water or food, wandering over the country. They had been here about two hours when I arrived.

I have the honor to be, very respectfully, your obedient servant,

JOHN E. KUNKLER,  
Assistant Surgeon First Cavalry, California Volunteers.

SPECIAL ORDER, }  
No. —. }

HEADQUARTERS DISTRICT OF ARIZONA,  
Tucson, Ariz., March 25, 1866.

Captain Hager, Fourteenth United States Infantry, with at least one non-commissioned officer and twenty men of his company, will proceed at once to the scene of

attack on the party of Brevet Major Miller, Fourteenth Infantry, near "Cottonwood Springs," on the road from Pima villages to Fort Grant. He will use every exertion to find Assistant Surgeon Tappan and the two soldiers left with him, and succor them if still alive. If dead, he will see that they, as well as all of them reported dead, are decently interred and their graves properly marked. He will employ two or three reliable guides or trailers, men who are accustomed to hunting by sign, that no effort be spared to rescue any of the survivors. He will see that his men are provided with fifteen days' rations and sixty rounds of ammunition per man.

Captain Smith, assistant quartermaster, will furnish the necessary pack animals and Captain Hager a horse, that the command may move promptly.

Acting Assistant Surgeon Meyer will accompany the command, prepared with proper remedies and instruments.

By order of Brigadier-General Mason.

JOHN GREEN,  
Captain and Assistant Adjutant-General.

TUCSON, ARIZ., March 31, 1866.

CAPTAIN: In compliance with your order of March 25 to proceed with at least twenty enlisted men to the scene of attack upon Brevet Major Miller and party, and endeavor to find Assistant Surgeon Tappan and the men reported with him, and rescue them if alive, or to bury them decently if dead, as well as to bury Major Miller and those killed with him, I have the honor to report:

That I left this post at 6 a. m., March 26, with twenty-three enlisted men, and reached "Cottonwood Springs" on the evening of March 27 at 7 o'clock, where I found Lieutenant Burgoyne encamped with thirty-five men of his command from Fort Grant, with four days' rations.

Next morning at an early hour I left the Springs in the direction of Round Valley with thirty-eight men and three days' rations, leaving twenty men at "Cottonwood Springs" to guard the provisions, as I expected to return that way. About 10.30 o'clock we reached the place of attack, which is about 13 miles from the Springs. I found there Major Miller and the three enlisted men, as reported. They were in an advanced stage of decomposition, and were buried as they lay in separate graves, it being impossible to move them.

The number of Indians estimated to have participated in the attack was between seventy-five and one hundred, and belonged to the Tonto and Pinal Apaches. The place of attack is where the cañon became narrow, and rendered more narrow by high piles of rock standing out from the banks of the cañon, making the passage-way less than thirty paces. The Indians were concealed under the bank of a small arroyo, which crossed the road a small distance in front of where the major was attacked, and then ran parallel with it and about thirty paces from it. They were also concealed by the thick brush which covers all the ground between the two piles of rocks, except that portion occupied by the road itself. The main attack was from the arroyo parallel with the road, and was with guns and bows and arrows. After plundering the wagon and stripping the bodies of the dead and securing the flesh of one mule which had been killed, they hastened north, and did not attempt to pursue those who had escaped on the south side of the road.

After the interment of the bodies was completed it was 2 o'clock p. m. We started upon the trail of Dr. Tappan. I pursued the trail of the doctor and four men with him for a distance of 10 miles to a water-hole in the mountains, near which we bivouacked, it being nearly sundown.

This morning, March 29, I pursued the trail over the mountains to the desert south of them. The trail was difficult to follow on that portion of the desert and the progress was exceedingly slow, but it was finally followed to a point about 5 miles from the water-hole in the mountains. At this point the men were all together, but here they divided, each taking a different direction. By this time the command was out of water, and the day very warm. It being impossible for want of water to follow up either of these trails I determined to cross the desert to Picacho, about 30 miles, hoping to find some trace of them and also to find water there. I intended, if water was obtained there, to prosecute the search from that point. I found no trail during our transit through the desert, and was so unfortunate as to find no water at Picacho. The men were suffering dreadfully. Some fell fainting by the way-side, and another showed some symptoms of insanity. We reached Picacho at 7 o'clock in the evening.

I dispatched a man to point of mountain with all the canteens of the detachment, with orders to return as soon as possible and meet the command, which would leave Picacho at 12 o'clock at night for that well. This man was met returning not until long after sunrise, and not until many of the men had arrived within a few miles of the well. I have no doubt this supply of water saved the lives of several men.

By noon of the 30th all had arrived in a worn-out condition, and reached this point at an early hour this morning.

The greater portion of this detachment is of troops belonging to Fort Grant, and will leave for that post to-morrow. Those belonging to this post and left at Cottonwood Springs will arrive here to-morrow.

I have the honor to be, very respectfully, your obedient servant,

J. B. HAGER,

*Captain Fourteenth Infantry, Commanding Department.*

Capt. JOHN GREEN,

*Assistant Adjutant-General, Department of Arizona, Tucson.*

*Report upon the bodies of four men consisting of Major Miller and three men of the Fourteenth United States Infantry as found 13 miles west from the "Cottonwood Springs" on the road from Pima villages to Fort Grant, as seen by the undersigned on the 28th of March, 1866.*

First. The body identified as that of Major Miller by Captain Hager and Lieutenant Burgoyne, was found lying north of the road and within about 40 feet of the wagon, with a bullet wound in the left side, the ball entering between the fifth and sixth ribs, passing through the heart and passing out of the body under the right arm. Another bullet wound between the shoulders, passing clear through the body, and in its course breaking the spinal column. From the situation of the wounds and their effects, death must have been instantaneous. The Indians stripped the body, cut off the "genital organs" and the upper part of the ears, then turned over upon its face and shot nine arrows into the back, which were sticking in it when I saw the body.

Second. The body of a man found immediately behind the wagon, stripped by the Indians, except the shoes and stockings, not identified, with four bullet wounds in the upper part of the body. One ball penetrating the ascending aorta, two through the right lung, and one through the left shoulder. From the nature of the wounds and their effect, the man could not have lived more than two or three minutes after receiving the same; apparently was shot and died in the wagon, to judge from the amount of blood found therein; was thrown out by the Indians, and had a gaping lance wound inflicted in the left loin after death, as there were no indications of said wound having bled after infliction.

Third. The body of a man, unknown, found lying about 60 feet west from the wagon and close to the road, with three bullet wounds in the upper part of the body and one in the right thigh. From the nature of the wounds said man might have lived several hours. From indications this man must have fought before he died, for he is the only one who I believe was tortured after he fell into the hands of the Indians. His left arm was broken close to the shoulder and twisted until it assumed the appearance of a twisted rope; his whole scalp was skinned off from the eyebrows upward down to the back of his neck; whereas in scalping a victim after death the Indians merely cut the central portion of the scalp, and from the above indications, therefore, it is almost certain that this man was tortured before he died. After stripping the body the Indians fired seven arrows into the back, which were in it when seen by me.

Fourth. The body of a man supposed to be Donnell, about 250 yards west of the wagon, upon a spur of the mesa about 20 feet above the level of the valley. Found two bullet wounds in the upper part of the body, one in the right breast and one penetrating the stomach; also an arrow wound in the region of the heart. From the appearance of the wounds and their nature, said man might have lived about ten or fifteen minutes. He evidently received them while fighting, as the wounds were all in the anterior part of the body, and by the man's side was found paper of the cartridges he had torn, and also the marks of the butt of the musket, while loading. After death the body was stripped by the Indians.

Respectfully submitted.

CHAS. H. MEYERS,  
*Acting Assistant Surgeon.*

TUCSON, ARIZ, March 31, 1866.

Official:

JNO. T. MASON,  
*Brigadier-General Volunteers, Commanding District of Arizona.*

[Copy of telegram.]

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,  
San Francisco, Cal., April 4, 1866.

*Adjutant-General of the Army, Washington, D. C.:*

Of the First Cavalry six companies have been sent to Arizona, two to Nevada, and four are ordered to Department of the Columbia.

Dispatches just received from General Steele of serious Indian difficulties in Oregon and Idaho; he wants more cavalry. Another regiment is greatly needed on this coast.

H. W. HALLECK,  
*Major-General.*

HEADQUARTERS DEPARTMENT OF CALIFORNIA,  
San Francisco, April 6, 1866.

His Excellency F. F. Low,  
*Governor of California, San Francisco, Cal.:*

SIR: The department commander instructs me to inform you that he has had no intentions of mustering out the California troops at Fort Churchill, or at any place outside of this State.

Very respectfully, your obedient servant,

R. C. DRUM,  
*Assistant Adjutant-General.*

HEADQUARTERS DEPARTMENT OF THE COLUMBIA,  
Fort Vancouver, Wash., April 28, 1866.

GOVERNOR: Your letter in regard to the mustering out of the Oregon volunteers was received this morning. In reply I have the honor to state that most of the small camps occupied by said volunteers have been abandoned, or, at least, the orders for their abandonment have gone forward, and the troops occupying them are directed to proceed to stations where they will be more accessible when the final order for their muster out of service shall be given. The volunteers at Camp Alvord have been ordered to Camp Lyon, with the view of their being ordered to this post for muster-out as soon as they can be relieved by regulars. I agree with you that it would be well for the volunteers from southern Oregon to march across the country to Fort Klamath, if they have the necessary transportation and supplies for the trip at hand, which they have not, and which could not now be sent them in time. Two companies of cavalry have been ordered from California into southern Oregon, and I have recommended the establishment of a post at the north end of Goose Valley, and have no doubt but that it will meet with the approval of the division commander. It is designed to have troops enough at the contemplated post to protect the various lines of travel running through that valley. It is supposed that the "Oregon central military road" will be safe for small parties as soon as this post is established. With the assurance that the Oregon troops shall be returned to their homes as soon as practicable,

I have the honor to be, governor, very respectfully, your obedient servant,

F. STEELE,  
*Major-General. Commanding.*

His Excellency A. C. GIBBS,  
*Governor of Oregon.*

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,  
San Francisco, Cal., June 2, 1866.

*The Adjutant-General of the Army:*

SIR: I have the honor to report muster-out of following companies of Second California Cavalry: Company C, May 30, 1866; Company D, May 29, 1866.

The following volunteer organizations are still in service in this division:

In Department of California: One company First California Cavalry, three companies Second California Cavalry, three companies Second California Infantry, three companies Seventh California Infantry, five companies Arizona Infantry. Under orders and en route for muster-out.

In Department of the Columbia: Four companies First Oregon Cavalry, six companies First Oregon Infantry.

Major-General Steele reports that the volunteers in his department can probably be mustered out by the 1st proximo.

Very respectfully, your obedient servant,

H. W. HALLECK,  
Major-General Commanding.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,  
San Francisco, Cal., June 13, 1866.

Hon. E. M. STANTON,  
Secretary of War, Washington, D. C.:

Authority to retain volunteers had already been given to General Steele, but they are dissatisfied and of very little if any use. Another regiment of cavalry is much needed. I leave to-day for Idaho and Oregon.

H. W. HALLECK,  
Major-General.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,  
Fort Boise, Idaho, July 4, 1866.

Major-General STEELE,  
Commanding Department of the Columbia:

GENERAL: Fort Boise seems to be useless as a military post, being too distant from hostile Indians and entirely out of the line of military supplies. The troops now there will take the field, leaving only a non-commissioned officer and ten or twelve men to guard the public property at the depot. It will be determined hereafter whether they will return to winter here.

A camp will be immediately established on the Bruneau River preparatory to active operations against the Indians in the Owyhee Mountains. This post can be supplied by steamer on the Snake River from Old's Ferry, instead of taking the supplies by land to Fort Boise. This camp will be constructed by the troops, and no buildings except of a temporary character need be erected.

A camp of a similar character will be established at or near the forks of the Owyhee River. From these two points all the available cavalry and infantry will operate against the hostile Indians until they are destroyed or driven out of the country. If sufficient grass can be found in these localities the cavalry can winter there; if not they can return to Camp Lyon and Fort Boise. I think that Camp Lyon and the camps at White Horse Creek and Forks of the Owyhee can be best supplied from San Francisco, at least after next September. Colonel Taylor has been directed to order commissary stores from California to Camp Lyon. A part of these can be diverted to the forks of the Owyhee. Captain Walker has been directed to make his requisitions on San Francisco for Camp C. F. Smith.

So long as the Humboldt road is exposed to Indian depredations a detachment of ten mounted men should be stationed at the Owyhee Ferry to escort trains from Ives' Cañon to the Jordan, and as far as may be necessary up that creek. Col. John P. Baker will send escorts from Camp McDermitt to the Cañon. You can best judge what protection will be required for this end of the Chico route. It is believed that Captain Walker's company will be sufficient for that purpose. Of course Captain Mullan will ask for a great deal more, but his wishes can not be gratified.

There are many things at Fort Boise which can be removed with advantage to the new post on Bruneau River, as for example the lumber of the incomplete cavalry stables, etc. Perhaps the machinery of the post saw-mill may also be removed and re-erected on that river. If not, it will be duly advertised and sold at public auction.

The failure of Major Marshall's recent campaign to the Forks of the Owyhee, I am satisfied from my intercourse with the civil authorities and the citizens generally, has caused great dissatisfaction and has emboldened the Indians to commit new outrages. Men are being killed and stock stolen to within a few miles of Ruby and Silver cities. To obviate these evils the Indians in the Owyhee Mountains must be immediately and actively pursued and punished. All the captured Indians will be held as prisoners of war. If old Winnemucca or Paulina should be captured they will be placed in close confinement for having violated their engagements and run away from the reservations.

It is reported that the Pintes who joined the hostile Snakes are now making war on the friendly Bruneau Indians. It is believed that the latter are willing to join our troops on the war-path. I have, therefore, authorized Major Marshall to raise-

100 men from this tribe for the campaign, giving them rations, blankets, and shirts, while in the field, but no pay.

There is also a lot of tobacco at this post which can not be issued to the soldiers, but may be issued to these Indians in small quantities. It may be well to also promise them a part, at least, of the booty, which they may capture from the enemy.

I think that the only serious Indian difficulties to be apprehended in southern Oregon and Idaho and northern Nevada are from the hostile bands of Piutes and Snakes now in the Owyhee Mountains, between the Snake and Humboldt Rivers, and peace will not be restored on these borders until they are thoroughly subdued. Hence the necessity of a prompt and vigorous campaign against them.

I beg leave to call your particular attention to the deficiency of supplies at this post and Camp Lyon and the enormous prices now paid for flour and bacon. The same deficiency occurred last summer, and special instructions were then given that annual supplies should be sent sufficient to last till those for this year could arrive. As the quota of troops in this district during the year has been less than actually estimated for, the present deficiency seems to have resulted from gross neglect or criminal design. If it be true, as reported to me, that the train from this post to the Columbia for supplies was sent back empty, and that to this date no Government stores have been brought over the road, while the contractors are bringing forward and selling at enormous prices to the Commissary Department their own private stores of flour and bacon, there can be no doubt that the present deficiency of provisions at these posts have resulted from a well-contrived plan for their pecuniary benefit. This matter will be immediately investigated and reported on. In the meantime you will suspend the payment of all vouchers of that firm, whether for supplies or for transportation.

And if it be found that the present deficiency has resulted from their contrivance or neglect, a sufficient deduction will be made on their vouchers to indemnify the Government for its losses. Hereafter in all contracts for transportation the times within which the deliveries are to be made should be specified, and deductions made for all failures to comply with the conditions of the contract.

I notice that the quartermaster at Fort Boise has advertised for 300 cords of wood to be delivered at Camp Lyon, and 200 cords at Camp C. F. Smith. There is abundant timber near the former place from which the troops can supply fuel for the post. None will be purchased. It is believed that the troops can supply themselves in part or wholly at Camp C. F. Smith. Fuel will be purchased only in case of absolute necessity.

The removal of most of the garrison from this place will require a modification of the proposals for supplies.

These instructions will be given to Major Marshall, to be executed by him in case of your non-arrival.

Very respectfully, your obedient servant,

H. W. HALLECK,  
Major-General, Commanding.

---

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,  
Fort Boise, Idaho, July 4, 1866.

Brig. Gen. E. D. TOWNSEND,  
Adjutant-General of the Army:

GENERAL: General Steele left Fort Vancouver on the 4th of June to meet me between the Owyhee and the Snake Rivers. I have now waited for him nine days, but not being able to obtain any intelligence of his whereabouts, I shall start tomorrow morning for Fort Walla Walla. I inclose a copy of instructions left here to be delivered on his arrival.

Indian hostilities seem to be limited to the section of country between Owyhee and the Snake Rivers. It is possible, however, that General Steele's delay in reaching here has been caused by hostilities on Warner's Lake or Stein's Mountains. A company of infantry is now en route from this post to Warner's Lake.

Very respectfully, your obedient servant,

H. W. HALLECK,  
Major-General, Commanding



[Circular.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
Washington, July 9, 1866.

Adjutant-General of California, Sacramento:

SIR: I have the honor to request that you will favor me, from the records of your office, with certain information as indicated by the annexed form.

I am, general, very respectfully, your obedient servant,

THOMAS M. VINCENT,  
Assistant Adjutant-General.

Exhibit of the number of organizations—volunteers and militia—mustered into the United States' service during the rebellion from the State of \_\_\_\_\_.

Call under which furnished.		Infantry, number of.		Cavalry, number of.		Artillery, number of.			
Date.	For—	Regiments.	Independent companies.	Regiments.	Independent companies.	Regiments.		Independent companies.	
						Light.	Heavy.	Light.	Heavy.
1861.									
Apr. 15 .....	75,000 militia .....								
May 3 .....	39 regiments of infantry and 1 of cavalry.								
Acts of July 22, 25.	500,000 volunteers .....								
1862.									
July 2 .....	300,000 volunteers .....								
Aug. 4 .....	300,000 militia .....								
1863.									
June 15 .....	100,000 six months militia (from Maryland, Pennsylvania, Ohio, and West Virginia) .....								
Oct. 17 .....	300,000 volunteers .....								
1864.									
Feb. 1 .....	500,000 men .....								
Mar. 14 .....	200,000 men .....								
Apr .....	"100-day troops" .....								
July 18 .....	500,000 men .....								
Dec. 19 .....	300,000 one, two, and three year men.								
1861, '62, '63, '64.	Volunteers or militia under special calls or offers.								
	Total .....								

NOTE.—The strength, or designation, of the organizations is not desired. Where organizations were furnished for local service, or emergencies, under "special calls" through the War Department, or offers by governors of States, it is requested that the source and date of each call or offer may be given with the number of organization furnished under each.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA,  
ADJUTANT-GENERAL'S OFFICE,  
Sacramento, August 4, 1866.

GENERAL: In obedience to the instructions contained in your circular of date July 9, 1866, I have the honor to report that there has been mustered into the service of the United States the following regiments and organizations, to wit:

Five regiments of infantry, fifty companies; one regiment, twelve companies; and one battalion, five companies of cavalry, under the act of Congress of July, 1861.

One regiment, ten companies of infantry, and seven companies of cavalry, under the authority of the President, dated December 2, 1862.

Four companies of native cavalry and six companies mountaineers, under authority of War Department, dated January 20, 1863.

Two regiments, twenty companies of infantry, under authority from the War Department in 1864.

Making in all fifty companies infantry and seventeen cavalry in 1861; ten infantry and seven companies of cavalry for 1862; six infantry and four companies of cavalry for 1863; twenty infantry companies in 1864. Total, eighty infantry and twenty-eight cavalry companies, as follows, viz:

1861: First, Second, Third, Fourth, Fifth, Régiments Infantry, fifty companies.  
 1861: First Battalion Cavalry, five companies.  
 1861: Second Regiment Cavalry, twelve companies.  
 1862: Sixth Regiment Infantry, ten companies.  
 1862: First Battalion Cavalry, seven companies.  
 1863: First Battalion Native Cavalry, four companies.  
 1863: First Battalion Mountaineers, six companies.  
 1864: Seventh and Eighth Regiment, Infantry, twenty companies.  
 Total eight régiments, and one battalion cavalry, and two régiments, and one battalion of cavalry.

In addition I have the honor to report that by authority of the War Department, at the expiration of the term, the First Infantry reorganized by re-enlisting seven companies, and the Third Infantry reorganized by re-enlisting and consolidating into four companies, called the First and Third Veteran Battalions, respectively, in 1864, thus increasing the number of infantry companies raised in California and mustered into the service of the United States to ninety-seven, as per form annexed.

Very respectfully, your obedient servant,

GEO. S. EVANS,  
*Adjutant-General California.*

Brig. Gen. THOMAS M. VINCENT,  
*Assistant Adjutant-General, U. S. Army.*

*Exhibit of the number of organizations, volunteers and militia, mustered into the United States service during the rebellion from the State of California.*

Date.	Call under which furnished. For—	Infantry, number of.		Cavalry, number of.		Companies, number of.	
		Regiments.	Battalions.	Regiments.	Battalions.	Infantry.	Cavalry.
1861.							
April 15.....	75,000 militia .....						
May 3.....	39 régiments of infantry and 1 of cavalry ..						
Acts of July 22, 25.	500,000 volunteers .....	5	2	1	1	50	17
1862.							
July 2.....	300,000 volunteers .....	1			1	10	7
August 4.....	300,000 militia .....						
1863.							
June 15.....	100,000 six months' militia (from Maryland, Pennsylvania, Ohio, and West Virginia).						
October 17.....	300,000 volunteers .....		1		1	6	4
1864.							
February 1.....	500,000 men .....						
March 14.....	200,000 men .....						
April.....	100-day troops .....						
July 18.....	500,000 men .....						
December 19.....	200,000 one, two, and three year men .....	2				20	
1861, 1862, 1863, 1864.	Volunteers or militia under special calls or offers .....						
	Reorganized veterans .....					11	
	Total.....	8	1	1	3	97	28

The two battalions of cavalry make the First Regiment complete after muster-in of the seven companies.

NOTE.—The strength or designations of the organizations is not desired. Where organizations were furnished for local service or emergencies, under "special calls," through the War Department, or offers by governors of States, it is requested that the source and date of each call or offer may be given, with the number of organizations furnished under each.

CAMP WATSON, OREGON, July 31, 1866.

Bvt. Lieut. Col. E. M. BAKER,

*First United States Cavalry, Commanding Camp Watson, Oregon:*

COLONEL: I have the honor to report the result of the scout sent out from this post July 4, 1866, under my command.

My march from this point was south to Beaver Creek; then east to headwaters of Sylvie's Creek; then south to Harney Lake; passed around its west and south sides, crossing Thunder River close up under "Stein's" Mountain; then northeast, passing along the south side of Malheur Lake, crossing a low divide, to the headwaters south fork of the Malheur River; then northeast to the main or middle branch of the Malheur River. Here I struck Indian signs.

As I thought there were Indians camped in this vicinity I sent a small party of men on a trail of four ponies; they captured two of them. These Indians were apparently out hunting. I then marched up the river 15 miles, camping in a secure place, for the purpose of scouting the country for Indian camps. With a party of fifteen men I made a scout to the west and north the same day and night; returning to camp about 8 o'clock a. m. the following day, starting a party of twenty men out immediately to the south, with orders to chastise the Indians should they find them.

The party came upon a large camp about 8 o'clock on the morning of the 18th. They attacked them at once with a charge, driving them to the hills, and, as the sergeant reports, killed thirteen and wounded many more, capturing four horses and two mules; the remainder of the party got away with their equipage. The party returned to camp in the evening of the same day, having been out about thirty-six hours. Our loss in the engagement was one corporal killed.

This morning (July 18) a company of forty-seven men (citizens) from Auburn and Powder River Valley came into camp. They were in pursuit of the same band of Indians. The morning of the 19th I marched for the place of action of the day before, the citizens accompanying me. On the morning of the 20th we arrived upon the ground, and presently found that the Indians had only moved about a mile, encamping in a deep cañon, the sides of perpendicular rock. This place they fortified to some considerable extent, but by the time we discovered their whereabouts they were in full retreat, leaving everything they had behind except their horses and arms. With thirty men I followed their trail in close pursuit for about 60 miles over a very broken country covered with pine timber thickly set with underbrush.

The citizens were left back guarding the pack-train and destroying the Indian camp equipage. In the chase I ran by everything except the mounted men, the foot party hiding in the rocks and brush. At night I camped on a small tributary of Sylvie's River. During the night the foot party came near camp and turned off through some low hills covered with high, craggy cliffs of rock and cedar trees. I followed the trail for a short distance and came upon them; they scattered like so many quail, hiding in the rocks and brush. Here I captured two women and two children, hid away in the rocks.

I camped at this point and sent for the pack-train, sending word to the citizens that they could do no good by coming farther. They returned home from the battleground, which was on a small stream near the divide between Harney Lake Valley and the Malheur River; the stream is called Rattlesnake Creek.

The Indians lost in this affair all their provisions, which was considerable, as they had just killed about twenty head of beef cattle and jerked the meat; all their equipage, which was an immense supply for Indians; two women and children, and three horses; themselves being badly scattered over a large scope of country, and the horses they have can be but of little service to them for riding purposes for weeks.

After the pack train came up, I followed a few Indians to the headwaters of the east branch of the Sylvie's River. Here they dispersed, so that I could only trail one at a time.

From this point I marched north, striking the headwaters of the south fork of John Day's River, marched down it to the Cañon City road, thence to this post.

Distance traveled, about 630 miles.

Our total loss is one man, killed in action—Corporal William B. Lord, of Company I, First United States Cavalry, shot in the breast with a rifle-ball.

One man, a citizen employed in the quartermaster's department cooking for packers, became delirious and ran off, taking a revolver with him. Two horses, broken down and left on the road on the south fork of John Day's River, about 40 miles from Camp Watson, can be sent for.

There are white men in this band of Indians; one by the name of Brown is known to be with them. Men amongst the Indians during the fight talked good English to the troops while the fight was going on. The Indians had very little stock with them; the number can not exceed sixty horses and mules.

The Indians (prisoners) report their loss on the 18th was eleven killed and many wounded; on the 20th and 21st all their camp equipage, nine horses, two mules, two women, and two children taken prisoners.

The number of Indians in camp was about three hundred, men, women, and children. The fighting men numbered about eighty.

Sergeant Thomas W. Connor, of Company I, First United States Cavalry, with nineteen men whipped this number badly, in a place of their own selection.

The guide, A. J. Boyd, who has guided many military expeditions through this country, says he never saw men fight with the gallantry that the little number who formed this expedition did. Sergeant Connor and the nineteen men under his command deserve the thanks of their commanders for their conduct on July 18, 1866.

The Indians can not repair damage in two years, if left alone that time.

If I had had ten Warm Springs Indians with me I could have killed or captured the most of this band of Indians. The chief of this band is Te-ow-ah.

The country traveled over is well watered and a splendid grazing region. The chief resorts of the Indians in this country is around Harney Lake, Malheur Lakes, Stein's Mountains, headwaters of the Malheur River, and the south fork of John Day's River.

The prisoners report Paulina upon the waters of the Owyhee fighting the soldiers.

Very respectfully, your obedient servant,

R. F. BERNARD,

*First Lieutenant, First United States Cavalry, Commanding Expedition.*

Respectfully submitted to General Grant.

E. D. TOWNSEND,

*Assistant Adjutant-General.*

Adjutant-General's Office, Washington, September 25, 1866.

Respectfully returned to Adjutant-General for file.

By command of General Grant.

GEO. K. LEET,

*Assistant Adjutant-General.*

HEADQUARTERS ARMY, *October 4, 1866.*

HEADQUARTERS DEPARTMENT OF THE COLUMBIA,  
*Fort Vancouver, Wash., August 8, 1866.*

Respectfully forwarded to the major-general commanding Military Division of the Pacific for his information.

T. STEELE,

*Major-General, Commanding.*

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,  
*San Francisco, Cal., August 24, 1866.*

Respectfully forwarded to the Adjutant-General of the Army—

ROBT. N. SCOTT,

*Assistant Adjutant-General.*

General Halleck being absent.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
*August 1, 1866.*

Maj. Gen. H. W. HALLECK, U. S. Army,  
*San Francisco, Cal.*

Maj. Gen. P. H. SHERIDAN, U. S. Army,  
*New Orleans, La.*

You are authorized to organize two hundred Indian scouts under authority of the act approved July 28, to enlist and employ in the Territories and Indian country a force of Indians to act as scouts, who shall receive the pay and allowances of cavalry soldiers, to be discharged whenever the necessity for their further employment is abated or at the discretion of the department commander.

Please acknowledge receipt.

E. D. TOWNSEND,

*Assistant Adjutant-General.*

Copy by mail.

HEADQUARTERS MILITARY DIVISION OF THE PACIFIC,  
San Francisco, August 2, 1866.General E. D. TOWNSEND,  
Washington, D. C.:

Telegram in relation to Indian scouts received. Indian hostilities in the Owyhee country very serious. General Steele asks for re-enforcements, but I have none to give. Can not authority be given to raise a regiment of cavalry, under recent law, on this coast?

H. W. HALLECK,  
Major-General.WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
August 7, 1866.Maj. Gén. H. W. HALLECK, U. S. Army,  
San Francisco, Cal.:

Telegram of 2d received. You are authorized to recruit one of the new regiments regular cavalry on the Pacific coast. Same organization as old regiments, except company commissary sergeant abolished. Sixty-four privates to a company. Take officers from your own command to recruit and command detachments until appointments are made and officers ordered to you. Acknowledge receipt.

By order of the Secretary of War.

E. D. TOWNSEND,  
Assistant Adjutant-General.

Copy by mail.

List of California organizations enrolled and mustered into the military service of the United States from April 15, 1861, to August 20, 1866, as shown by the records of the office of the Adjutant-General of the Army.

## FIRST CALIFORNIA CAVALRY VOLUNTEERS.

	Date of earliest enrollment.	Date of muster-in.	Date of muster-out,
Field and staff.....		(*)	No muster-out roll on file.
Company A.....	Aug. 12, 1861	Aug. 16, 1861	May 22, 1866.
Company B.....	Aug. 10, 1861	Oct. 31, 1861	September 10, 1866.
Company C.....	Aug. 15, 1861	Oct. 31, 1861	September 21, 1866.
Company D.....	Sept. 6, 1861	Sept. 9, 1861	Mustered out by detachments at various dates in October, 1864.
Company E.....	Aug. 14, 1861	Aug. 15, 1861	March 6, 1866.
Company F.....	May 4, 1861	Dec. 15, 1863	Mustered out by detachments in August and September, 1866.
Company G.....	Jan. 15, 1863	June 13, 1863	September 15, 1866.
Company H.....	Nov. 14, 1863	Dec. 31, 1863	September 20, 1866.
Company I.....	Mar. 2, 1863	Nov. 12, 1863	May 22, 1866.
Company K.....	Feb. 23, 1863	May 16, 1863	August 17, 1866.
Company L.....	Mar. 11, 1863	Aug. 15, 1863	June 28, 1866.
Company M.....	Mar. 10, 1863	May 16, 1863	September 30, 1866.

\* No muster-in roll on file.

## FIRST BATTALION NATIVE CALIFORNIA CAVALRY.

Field and staff.....	Dec. 9, 1863	Aug. 25, 1864	July 20, 1866.
Company A.....	Mar. 2, 1863	Sept. 7, 1863	March 20, 1866.
Company B.....	Nov. 1, 1863	Mar. 29, 1864	March 15, 1866.
Company C.....	July 25, 1864	July 28, 1864	April 2, 1866.
Company D.....	Jan. 13, 1864	Mar. 3, 1864	March 20, 1866.

*List of California organizations enrolled and mustered into the military service of the United States, etc.—Continued.*

## SECOND CALIFORNIA CAVALRY VOLUNTEERS.

	Date of earliest enrollment.	Date of muster-in.	Date of muster-out.
Field and staff.....	Sept. 12, 1861	Oct. 17, 1861	July 31, 1866.
Company A.....	Sept. 5, 1861	Oct. 2, 1861	April 7, 1866.
Company B.....	Sept. 14, 1861	Oct. 30, 1861	June 13, 1866.
Company C.....	Sept. 21, 1861	Oct. 22, 1861	May 30, 1866.
Company D.....	Sept. 10, 1861	Oct. 18, 1861	May 29, 1866.
Company E.....	Sept. 20, 1861	Oct. 7, 1861	June 2, 1866.
Company F.....	Sept. 6, 1861	Oct. 10, 1861	June 27, 1866.
Company G.....	Sept. 23, 1861	Oct. 11, 1861	February 1, 1866.
Company H.....	Sept. 5, 1861	Oct. 14, 1861	April 26, 1866.
Company I.....	Sept. 25, 1861	Oct. 22, 1861	June 24, 1866.
Company K.....	Sept. 27, 1861	Oct. 22, 1861	May 18, 1866.
Company L.....	Sept. 23, 1861	Oct. 14, 1861	July 12, 1866.
Company M.....	Sept. 25, 1861	Oct. 10, 1861	July 12, 1866.

## FIRST CALIFORNIA INFANTRY VOLUNTEERS.

Field and staff.....	Aug. 5, 1861	(*)	No muster-out roll on file.
Company A.....	Aug. 15, 1861	Aug. 31, 1861	September 9, 1866.
Company B.....	Aug. 26, 1861	Dec. 4, 1861	September 15, 1866.
Company C.....	Aug. 16, 1861	Aug. 26, 1861	September 17, 1866.
Company D.....	Aug. 17, 1861	Aug. 28, 1861	September 15, 1866.
Company E.....	Aug. 26, 1861	Aug. 26, 1861	September 15, 1866.
Company F.....	Aug. 16, 1861	Aug. 31, 1861	Company broken up Mar. 16, 1865, and men transferred to other companies.
Company G.....	Aug. 1, 1861	Aug. 31, 1861	September 15, 1866.
Company H.....	Aug. 17, 1861	Aug. 17, 1861	August 31, 1864.
Company I.....	Aug. 17, 1861	Aug. 26, 1861	August 31, 1864.
Company K.....	Oct. 20, 1861	Jan. 10, 1862	November 29, 1864.

NOTE.—Regiment was consolidated into a battalion of seven companies in November, 1864.  
\* No muster-in roll on file.

## FIRST BATTALION OF CALIFORNIA MOUNTAINEERS (INFANTRY).

Field and staff.....	June 22, 1863	June 22, 1863	June 15, 1865.
Company A.....	Apr. 13, 1863	May 30, 1863	April 25, 1865.
Company B.....	Apr. 15, 1863	June 2, 1863	May 13, 1865.*
Company C.....	May 8, 1863	Aug. 29, 1863	May 23, 1865.
Company D.....	Sept. 30, 1863	Mar. 16, 1864	May 20, 1865.
Company E.....	May 1, 1863	Aug. 31, 1863	June 14, 1865.
Company F.....	Aug. 25, 1863	Feb. 19, 1864	June 9, 1865.

## SECOND CALIFORNIA INFANTRY VOLUNTEERS.

Field and staff.....	Sept. 2, 1861	Oct. 2, 1861	April 16, 1866.
Company A.....	Sept. 2, 1861	Oct. 11, 1861	June 30, 1866.
Company B.....	Sept. 5, 1861	Oct. 14, 1861	May 10, 1866.
Company C.....	Sept. 6, 1861	Oct. 10, 1861	May 10, 1866.
Company D.....	Sept. 14, 1861	Oct. 14, 1861	April 16, 1866.
Company E.....	Sept. 17, 1861	Oct. 14, 1861	May 10, 1866.
Company F.....	Sept. 12, 1861	(*)	May 4, 1866.
Company G.....	Sept. 5, 1861	Dec. 31, 1861	May 10, 1866.
Company H.....	Oct. 3, 1861	Oct. 21, 1861	July 2, 1866.
Company I.....	Oct. 4, 1861	Oct. 25, 1861	May 10, 1866.
Company K.....	Nov. 1, 1861	Dec. 31, 1861	June 30, 1866.

\* No muster-in roll on file.



List of California organizations enrolled and mustered into the military service of the United States, etc.—Continued.

THIRD CALIFORNIA INFANTRY VOLUNTEERS.

	Date of earliest enrollment.	Date of muster-in.	Date of muster-out.
Field and staff .....	Aug. 31, 1861	Nov. 30, 1861	July 27, 1866.
Company A .....	Sept. 16, 1861	Oct. 31, 1861	July 27, 1866.
Company B .....	Sept. 15, 1861	Oct. 31, 1861	July 27, 1866.
Company C .....	Sept. 14, 1861	Dec. 31, 1861	July 27, 1866.
Company D .....	Sept. 24, 1861	Oct. 31, 1861	Consolidated with Company C, December 9, 1865.
Company E .....	Sept. 20, 1861	Dec. 21, 1861	November 1, 1864, discontinued by consolidation.
Company F .....	Sept. 24, 1861	(*)	Do.
Company G .....	Sept. 15, 1861	(*)	Do.
Company H .....	Sept. 24, 1861	(*)	Do.
Company I .....	Sept. 4, 1861	Dec. 2, 1861	Do.
Company K .....	Sept. 20, 1861	Dec. 3, 1861	Do.

NOTE.—Regiment was consolidated into a battalion of four companies in November, 1864.  
\*No muster-in roll on file.

FOURTH CALIFORNIA INFANTRY VOLUNTEERS.

Field and staff .....	Sept. 6, 1861	Nov. 8, 1861	November 30, 1865.
Company A .....	Sept. 13, 1861	Sept. 21, 1861	September 23, 1865.
Company B .....	Sept. 12, 1861	Oct. 7, 1861	April 18, 1866.
Company C .....	Oct. 2, 1861	Oct. 5, 1861	February 19, 1866.
Company D .....	Sept. 18, 1861	Oct. 15, 1861	December 19, 1865.
Company E .....	Sept. 10, 1861	Oct. 10, 1861	March 31, 1866.
Company F .....	Oct. 9, 1861	Oct. 26, 1861	November 30, 1865.
Company G .....	Oct. 7, 1861	Oct. 26, 1861	March 31, 1866.
Company H .....	Oct. 2, 1861	Feb. 1, 1862	November 30, 1865.
Company I .....	Oct. 7, 1861	Feb. 1, 1862	November 30, 1865.
Company K .....	Sept. 7, 1861	Feb. 1, 1862	November 30, 1865.

NOTE.—The regiment was consolidated into a battalion of five companies November 30, 1865.

FIFTH CALIFORNIA INFANTRY VOLUNTEERS.

Field and staff .....	Sept. 12, 1861	(*)	December 14, 1864.
Company A .....	Sept. 12, 1861	(*)	November 30, 1864.
Company B .....	Sept. 27, 1861	(*)	December 12, 1864.
Company C .....	Sept. 15, 1861	(*)	November 30, 1864.
Company D .....	Sept. 17, 1861	(*)	November 27, 1864.
Company E .....	Sept. 19, 1861	(*)	November 30, 1864.
Company F .....	Oct. 1, 1861	(*)	November 30, 1864.
Company G .....	Oct. 1, 1861	(*)	November 27, 1864.
Company H .....	Oct. 1, 1861	(*)	December 12, 1864.
Company I .....	Oct. 6, 1861	(*)	November 30, 1864.
Company K .....	Oct. 21, 1861	(*)	November 27, 1864.

\*No muster-in roll on file.

SIXTH CALIFORNIA INFANTRY VOLUNTEERS.

Field and staff .....	Feb. 1, 1863	Mar. 14, 1863	October 31, 1865.
Company A† .....	Sept. 15, 1862	Oct. 21, 1862	October 31, 1865.
Company B .....	Feb. 13, 1864	May 11, 1864	October 25, 1865.
Company C .....	Feb. 27, 1863	Oct. 20, 1863	December 15, 1865.
Company D .....	June 8, 1864	Sept. 12, 1864	December 20, 1865.
Company E .....	Mar. 2, 1863	July 11, 1863	October 31, 1865.
Company F .....	Mar. 16, 1864	Aug. 17, 1864	October 25, 1865.
Company G .....	Mar. 7, 1863	Feb. 2, 1864	October 31, 1865.
Company H .....	Feb. 23, 1863	Mar. 4, 1864	October 25, 1865.
Company I .....	June 24, 1864	Sept. 5, 1864	December 20, 1865.
Company K .....	Mar. 20, 1863	Feb. 3, 1864	October 25, 1865.

†Raised in Washington Territory and assigned to this regiment.

List of California organizations enrolled and mustered into the military service of the United States, etc.—Continued.

## SEVENTH CALIFORNIA INFANTRY VOLUNTEERS.

	Date of earliest enrollment.	Date of muster-in.	Date of muster-out.
Field and staff .....	Dec. 14, 1864	Jan. 24, 1865	May 22, 1866.
Company A .....	Sept. 30, 1864	Jan. 5, 1865	April 13, 1866.
Company B .....	Oct. 1, 1864	Dec. 13, 1864	April 26, 1866.
Company C .....	Oct. 1, 1864	Dec. 5, 1864	April 26, 1866.
Company D .....	Oct. 3, 1864	Jan. 23, 1865	May 22, 1866.
Company E .....	Oct. 6, 1864	Dec. 23, 1864	June 23, 1866.
Company F .....	Oct. 4, 1864	Jan. 10, 1865	April 13, 1866.
Company G .....	Oct. 3, 1864	Dec. 14, 1864	June 23, 1866.
Company H .....	Oct. 7, 1864	Jan. 10, 1865	March 1, 1866.
Company I .....	Oct. 10, 1864	Nov. 22, 1864	March 31, 1866.
Company K .....	Oct. 17, 1864	Nov. 25, 1864	April 26, 1866.

## EIGHTH CALIFORNIA INFANTRY VOLUNTEERS.

Field and staff .....	Jan. 30, 1865	Mar. 31, 1865	October 24, 1865.
Company A .....	Nov. 12, 1864	Nov. 29, 1864	October 24, 1865.
Company B .....	Nov. 15, 1864	Dec. 5, 1864	October 24, 1865.
Company C .....	Nov. 15, 1864	Jan. 23, 1865	October 24, 1865.
Company D .....	Nov. 15, 1864	Feb. 14, 1865	October 24, 1865.
Company E .....	Nov. 8, 1864	Jan. 25, 1865	October 24, 1865.
Company F .....	Jan. 7, 1865	Feb. 14, 1865	October 24, 1865.
Company G .....	Nov. 18, 1864	Jan. 5, 1865	October 24, 1865.
Company H .....	Nov. 24, 1864	Feb. 27, 1865	October 31, 1865.
Company I .....	Nov. 28, 1864	Feb. 6, 1865	October 24, 1865.
Company K .....	Nov. 28, 1864	Feb. 25, 1865	October 24, 1865.

NOTE.—The State of California is credited with having furnished 15,725 volunteers during the late war.

In addition to the organizations named in the foregoing list, it appears that five companies of the Second Massachusetts Cavalry Volunteers were enrolled and mustered into service in California, and credited to the State of Massachusetts, viz:

Company A, enrolled from October 28 to December 10, 1862, at San Francisco, Cal., and mustered into service December 10, 1862, at same place. Mustered out July 20, 1865, at Fairfax Court-House, Va.

Company E, enrolled from January 26 to March 17, 1863, at San Francisco, Cal., and mustered in March 20, 1863, at same place. Mustered out July 20, 1865, at Fairfax Court-House, Va.

Company F, enrolled from March 27 to April 23, 1863, at San Francisco, Cal., and part of company mustered in April 22, 1863, at San Francisco, Cal., and part May 10, 1863, at Boston, Mass. Mustered out July 20, 1865, at Fairfax Court-House, Va.

Company L, enrolled from January 26 to March 21, 1863, at San Francisco, Cal., and mustered in March 21, 1863, at same place. Mustered out July 20, 1865, at Fairfax Court-House, Va.

Company M, enrolled from February 3 to March 21, 1863, at San Francisco, Cal., and mustered in March 21, 1863, at same place. Mustered out July 20, 1865, at Fairfax Court-House, Va.

It further appears that eight companies of the First Regiment, Washington Territory Infantry Volunteers were recruited in the State of California, viz:

Company A, mustered in March 12, 1862, and mustered out March 25, 1865.

Company B, mustered in April 1, 1862, and mustered out April 1, 1865.

Company C, mustered in April 7, 1862, and mustered out May 12, 1865.

Company D, mustered in April 12, 1862, and mustered out April 12, 1865.

Company E, mustered in June 19, 1862, and original members mustered out October 24, 1865, to date June 19, 1865.

Company G, mustered in August 31, 1862, and transferred to Company I in March, 1865.

Company H, mustered in October 2, 1862, and mustered out September 22, 1865.

Company I, mustered in October 21, 1862, and mustered out November 20, 1865.

The above-named companies were mustered in at Alcatraz Island, California, and mustered out at Fort Vancouver, Wash.

Company F was recruited in Oregon, mustered in at Fort Vancouver, Wash., September 17, 1862, and mustered out at same place October 16, 1865.

Company K was recruited in Washington Territory, and transferred to Company H in March, 1865.

List of Oregon organizations enrolled and mustered into the military service of the United States from April 15, 1861, to August 20, 1866, as shown by the records of the office of the Adjutant-General of the Army.

FIRST OREGON CAVALRY VOLUNTEERS.

	Date of earliest enrollment.	Date of muster-in.	Date of muster-out.
Field and staff.....		Nov. 7, 1861	Muster-out roll not on file.
Company A.....	Nov. 20, 1861	Nov. 27, 1861	July 26, 1866.
Company B.....	Nov. 13, 1861	Dec. 16, 1861	November 20, 1866.
Company C.....	Nov. 13, 1861	Dec. 20, 1861	August 9, 1866.
Company D.....	Nov. 29, 1861	Dec. 19, 1861	Dropped by consolidation in July, 1865.
Company E.....	Nov. 15, 1861	Jan. 1, 1862	Do.
Company F.....	Jan. 2, 1862	Feb. 24, 1862	Do.
Company G.....	Jan. 22, 1863	Aug. 10, 1863	May 26, 1866.

NOTE.—The regiment was consolidated into a battalion of four companies (A, B, C, and G) in July, 1865.

OREGON CAVALRY VOLUNTEERS.

First Lieut. Nathan Olney's Independent Company.	June 27, 1864	July 12, 1864	October 31, 1864.
--	---------------	---------------	-------------------

FIRST OREGON INFANTRY VOLUNTEERS.

Field and staff.....	(*)		From November 20, 1865, to August 25, 1866.
Company A.....	Nov. 10, 1864	Dec. 15, 1864	June 30, 1866.
Company B.....	Nov. 16, 1864	Dec. 26, 1864	July 23, 1866.
Company C.....	Nov. 17, 1864	Dec. 27, 1864	October 31, 1865.
Company D.....	Nov. 2, 1864	Dec. 30, 1864	January 16, 1866.
Company E.....	Nov. 8, 1864	Jan. 7, 1865	November 22, 1865.
Company F.....	Nov. 22, 1864	Jan. 18, 1865	July 20, 1866.
Company G.....	Nov. 21, 1864	Feb. 17, 1865	April 14, 1866.
Company H.....	Dec. 3, 1864	Mar. 17, 1865	June 19, 1866.
Company I.....	Dec. 17, 1864	Apr. 4, 1865	July 19, 1867.
Company K.....	Jan. 2, 1865	Apr. 30, 1865	June 25, 1866.

\* No muster-in roll on file.

NOTE.—The State of Oregon is credited with having furnished 1,810 volunteers during the late war.



**Index to Senate Executive Document No. 70, Fiftieth Congress, second session, to-wit:**

*Letter from the honorable Secretary of War, December 18, 1888, transmitting to the United States Senate a report relative to organizing volunteer and other State troops in the States of California, Oregon, and Nevada, to defend said States and to guard the Overland and Inland Mail and Emigrant Routes leading thereto, from 1861 to 1866, inclusive, in response to a resolution of the Senate, introduced by Hon. J. N. Dolph, of Oregon, and adopted by the Senate June 11, 1888, and which is as follows, to wit:*

*Resolved, That the Secretary of War be, and he is hereby, directed to furnish to the Senate—*

*First. Copies of all correspondence from April 15, 1861, to August 20, 1866, of the War Department with the division commander of the Pacific, and also with the department commanders of the Columbia and of California, calling for and in relation to the subject of raising and organizing volunteer troops for the purpose of guarding the Overland and Inland Mail and Emigrant Routes, and for preparing their volunteer and militia forces and home guards in camp or field to be ready to perform military service in those States or elsewhere for the United States whenever called upon, and for the improvement and perfection of the defenses of said States for the general defense, and in order to take the places of regular troops of the United States in said States and in adjoining States and Territories; and for protecting all of said States and Territories, and for suppressing Indian hostilities and disturbances therein and upon the borders of any thereof; and also copies of all correspondence of the War Department, and also of said division and department commanders with the governors of the States of Oregon, California, and Nevada in relation to the aforesaid subjects and during the period from 15th April, 1861, to August 20, 1866.*

*Second. A statement of the number and character of volunteer and militia forces and home guards that were raised or organized in the States of Oregon, California, and Nevada for any of the aforesaid purposes; and also those who were recruited, enlisted, enrolled, or mustered in Oregon, California, and Nevada, and who did military service for the United States either in said States or in any other States and Territories from 15th April, 1861, to August 20, 1866, giving the dates of such enlistment and enrollment, and also dates of muster into and muster out of the military service of the United States.*

## CALIFORNIA, ARIZONA, AND NEW MEXICO.

### A.

	Page.
1. Allen to Halleck, June 8, 1863: Requesting arms and equipments to be issued to California militia; have many rebel sympathizers in California; armories in California deemed unsafe, etc.....	174
2. Assistant adjutant-general, U. S. Army, to Wright, February 18, 1864: Telegram; authority given to have two companies California volunteers mustered in, etc.....	215
3. Assistant adjutant-general, U. S. Army, to Wright, March 28, 1864: Recommends Arizona transferred to Military Department of Pacific, and San Diego, Fort Yuma, and line of Colorado receive re-enforcements, etc.....	220
4. Adjutant-general of California to Wright, June 2, 1864: Governor of California did not authorize Don Antonio de la Guerra to raise a company known as the Santa Barbara Company, California Volunteers, etc.....	228
5. Assistant adjutant-general, U. S. Army, to Carleton, November, 11, 1864: Governor of California authorized by telegram to raise the eighth California volunteer companies requested, and to send them to New Mexico for field service, etc.....	247
6. Assistant adjutant-general, U. S. Army, to McDowell, December 17, 1864: Telegram; leave granted Jordan and Wood as requested in telegram of November 30, 1864; Van Voast ordered east, etc.....	271
7. Assistant adjutant-general, U. S. Army, to McDowell, January 7, 1865: Telegram; leave granted Captain Anderson, Fifth U. S. Infantry, in order to become colonel of Eighth California Volunteer Infantry, etc.....	271
8. Assistant adjutant-general, U. S. Army, to McDowell, March 23, 1865: Stating advance of California quota of arms under act of Congress of April 8, 1868, amounts to \$208,575, in excess of legal quota, and supplying deficiencies to the battery turned over to the State, etc.....	259
9. Assistant adjutant-general, U. S. Army, to Halleck, October 9, 1865: Mustering out all volunteers on the Pacific coast; military district of New Mexico transferred to Military Department of Missouri, etc.....	298
10. Assistant adjutant-general, U. S. Army, to McDowell, October 10, 1865: Telegram; retention of all the volunteer companies of the California regiment in Arizona; all California regiments in New Mexico ordered to California to be mustered out of United States military service, etc.....	298
11. Assistant adjutant-general, U. S. Army, to Halleck, November 24, 1865: No regular cavalry regiment can be sent to Pacific coast at present, etc.....	298
12. Assistant adjutant-general Pacific Department to governor of California, March 19, 1866: All California troops in Arizona to be mustered out, except companies of First Cavalry Regiment, and therefore promotion of officers suspended, etc.....	309
13. Assistant adjutant-general Pacific Department to governor of California, April 6, 1866: No intention to muster out California troops at Fort Churchill, or at any place outside of California, etc.....	314
14. Assistant adjutant-general, U. S. Army, to adjutant-general of California, July 9, 1866: Requests from official records, numbers of organizations, volunteers, and militia mustered into the United States service during the rebellion from the State of California, etc.....	817
15. Assistant adjutant-general, U. S. Army, to Halleck, August 1, 1866: Authorized to organize 200 Indian scouts, to receive pay and allowances of cavalry soldiers, etc.....	320
16. Assistant adjutant-general, U. S. Army, to Sheridan, August 1, 1866: Authorized to organize 200 Indian scouts, to receive pay and allowances of cavalry soldiers, etc.....	320
17. Adjutant-general of California to assistant adjutant-general, U. S. Army, August 4, 1866: Relative to the mustering in of California volunteers, and giving account of same; inclose a list of all California volunteer organizations during war of rebellion and Indian disturbances in California from April 15, 1861, to August 4, 1866, etc.....	317
18. Assistant adjutant-general, U. S. Army, to Halleck, August 7, 1866: Authorized to recruit one of the new regiments of regular cavalry for service on Pacific coast, etc.....	321

### B.

1. Buell's General Orders, May 31, 1861: All vessels entering United States waters under secession flag to be sunk, etc.....	3
2. Brown to Sumner, September 10, 1861: Telegram; inquiry as to acceptance of company California cavalry organized at Watsonville, Cal., etc.....	17



	Page.
1. Cameron to Seward, June 8, 1861: That measures were to be taken to prevent Lower California being seized by secessionists, etc.....	4
2. Cameron to governor of California, July 24, 1861: Accepts California volunteers to guard overland mail route, from Carson, Nev., to Fort Laramie, Wyo., via Salt Lake, etc.....	7
3. Cameron to governor of California, August 14, 1861: To organize and equip four California regiments of infantry and one of cavalry, etc.....	8
4. Cameron to governor of California, August 14, 1861: Telegram; order to organize and equip California volunteers, etc.....	8
5. Cameron to governor of California, August 15, 1861: To making General Carleton a colonel of California cavalry, etc.....	8
6. Corwin to Seward, August 28, 1861: Raising volunteers in California and Oregon to pass through Guaymas to prevent invasion of Sonora, Mexico, etc.....	20
7. California citizens to Cameron, August 28, 1861: That California being the chief seat of empire on the Pacific, no precaution should be neglected to insure its fidelity to the Union, etc.....	11
8. California citizens to Cameron, August 28, 1861: That active efforts were brewing to precipitate California into disunion, or to inaugurate civil war therein, etc.....	11
9. California citizens to Cameron, August 28, 1861: Petition to revoke order for military expedition to Texas, etc.....	11
10. California citizens to Cameron, August 28, 1861: That majority of State officials in 1861 in California were in sympathy with secession, etc.....	11
11. California citizens to Cameron, August 28, 1861: That loyalty and patriotism in California embraced the wealth and intelligence of the people thereof, etc.....	11
12. Citizens of Napa County, Cal., etc., October 5, 1861: Affidavits relative to Indian depredations in California, etc.....	25
13. Carleton to West, October 6, 1861: To seize all ferryboats and control all steamers on the Colorado River in California and Arizona, etc.....	24
14. Carleton to West, October 6, 1861: Cross all ferryboats under guns of Fort Yuma, California, etc.....	24
15. Carleton to West, October 6, 1861: To exact oath of allegiance to the United States from all persons entering or leaving California, etc.....	24
16. Carleton to West, October 6, 1861: To confine all who do not subscribe to oath of allegiance to the United States, etc.....	24
17. Carleton to West, October 6, 1861: Ordering California volunteer troops to Fort Yuma, etc.....	24
18. Citizens of Napa and Mendocino counties to governor of California, October 8, 1861: Reporting Indian depredations in California, etc.....	24
19. Cameron to governor of California, November 8, 1861: Reporting tri-monthly conditions of recruiting California volunteers, etc.....	28
20. Carleton's general order, December 23, 1861: Traitors to the United States to be sent to Fort Yuma, California, etc.....	41
21. Carleton to Drum, May 10, 1862: Requesting 5,000 pounds of Indian presents to save money in purchasing grain and flour; murder of 9 men at Sally's mine, Arizona, etc.....	65
22. Carleton's General Order No. 2, May 24, 1862: Explaining disposition of California volunteers and other troops in Arizona and their whereabouts, etc.....	73
23. Carleton to Drum, May 24, 1862: Rebels retired from Arizona to the Rio Grande; Apaches attacked Hunter's company; Apaches murdering people in Arizona, etc.....	71
24. Carleton to Drum, May 25, 1862: First Infantry California Volunteers occupies Tucson, Ariz.; rebels fleeing east to the Rio Grande, etc.....	72
25. Cutler to Eyre, June 8, 1862: Orders to arrest Sylvester Mowry; treasonable charges preferred against him, and arresting all other persons at Patagonia mines in Arizona, etc.....	76
26. Carleton's proclamation, June 8, 1862: Representing United States authority he declares martial law in Arizona; trial of offenses by military courts, etc.....	77
27. Carleton to Drum, June 10, 1862: Withdrawal of California volunteers and other troops from Fort Buchanan to Tucson, Ariz.; troops at Fort Stanford to be withdrawn; sending to Fort Yuma bad characters and enemies of the Union, etc.....	75
28. Carleton's General Order No. 10, July 17, 1862: Movements of California troops to the Rio Grande, and giving necessary order for their movement, subsistence, etc.....	93
29. Carleton to Drum, July 22, 1862: Persons sent by Carleton from Arizona to communicate with General Canby near the Rio Grande attacked by Indians and people killed, etc.....	88
30. Carleton to Confederate commander at San Antonio, Tex., September 1, 1862: Sending sick rebel soldiers to San Antonio and guarding them en route by First California Volunteer Cavalry, etc.....	105
31. Carleton to Drum, September 20, 1862: Reporting events of California column and the operations of same in New Mexico and Arizona, etc.....	100
32. Connor to Halleck, February 15, 1864: California and Nevada volunteers compelled to go in the mountains, distant 20 miles, in mid-winter, to obtain timber; cost of everything very high, etc.....	211
33. Carleton to Wright, March 7, 1864: Requesting thirty first-class six-mule teams, sugar, tea, candles, soap, rice, vinegar, pork, etc., to be sent to him at Santa Fé, N. Mex., from California; wishes to retain all transportation that may accompany the California cavalry companies, etc.....	223

	Page.
34. Cameron to Maynadier, April 4, 1864: Detailed as superintendent of emigration to enlist fifty young men for guards and sen- tries for emigrant parties to California, Oregon, and Nevada; instructions fully given for purchasing everything necessary, \$35,000 placed at his command there- for, etc.....	229
35. Chief of Ordnance indorsement on requisition, April 9, 1864: Recommendation of General Wright, dated March 7, 1864, not approved, etc.....	236
36. Cutler to Wright, April 10, 1864: Sending a letter from Carleton, relative to transportation and subsistence of stores; impossible to purchase mules or wagons in New Mexico; orders of Carleton to concentrate at some convenient point all the cavalry force to operate against rebels in Texas, etc.....	233
37. Carleton to Adjutant-General U. S. Army, October 9, 1864: First and Fifth Infantry California Volunteers hope to raise five or six companies, and designate the same First Veteran Infantry California Volunteers; force being re- duced by expiration of service; wishes governor of California to raise and send Companies A, C, D, and E, First California Cavalry Volunteers; department very much exposed; fears of Indian trouble in Arizona and New Mexico.....	246

## D.

1. Downey, governor of California, proclamation, August 23, 1861: For organizing California volunteers in accordance with the militia laws of Cali- fornia, etc.....	13
2. Downey, governor of California, to Sumner, August 28, 1861: Difficult, if not impossible, to raise California volunteers, if not commanded by their own citizens, etc.....	11
3. Downey, governor of California, to President Lincoln, September 2, 1861: Raising 1,500 California volunteers, etc.....	13
4. Downey, governor of California, to Cameron, September 3, 1861: Reporting filing requisition for California volunteers, etc.....	13
5. Downey, governor of California, to Sumner, September 6, 1861: Fixing rendezvous for California volunteers, as suggested by General Sumner, would be carried out, etc.....	15
6. Downey, governor of California, to Sumner, September 6, 1861: Relative to officers of California volunteers, etc.....	14
7. Downey, governor of California, to Sumner, September 10, 1861: Organizing and officering California volunteer regiments, etc.....	17
8. Drum's General Orders No. 23, October 2, 1861: Relieving regular troops on Pacific coast by volunteers, etc.....	23
9. Downey, governor of California, to Sumner, October 9, 1861: Depredations of Indians at Long Valley, California, etc.....	24
10. Drum's General Orders No. 28, October 20, 1861: Colonel Wright relieves General Sumner and assumes command Department Pacific, etc.....	26
11. Drum's report of troops in California, May 30, 1862: Report of inspection of California troops, etc., at Fort Yuma, Camp Wright, Camp Latham, and San Pedro Depot, Cal., etc.....	79
12. Description of property for sale at Fort Crittenden, September 14, 1862: Old stable, quarters, ice house, etc., for sale in Arizona, etc.....	98
13. Douglas to Drum, December 23, 1862: Sending testimony taken at an investigation relative to Indian affairs at Round Valley, Cal., etc.....	143
14. De Russy to Wright, June 10, 1863: Relating to positions selected for batteries in San Francisco Harbor, and giving rea- sons and inclosing drawings, etc.....	184
15. De Russy to Drum, August 25, 1863: Relating to guns, etc., for protecting harbor of San Francisco, and recommending rifled guns, etc.....	189
16. Drum to governor of California, September 18, 1863: Orders sent to Colonel Whipple to give necessary protection and to Captain Mellen to send a detachment from Fort Crook, etc.....	191
17. Duffield to Wright, November 10, 1863: Requesting three regiments of California troops to be employed in Arizona, etc.....	201
18. Duffield to Wright, November 14, 1863: Governor of Arizona requests three regiments of California troops for protection of the Territory, and principally cavalry, etc.....	201
19. Douglas to Drum, December 12, 1863: Disloyal men in Round Valley, Cal.; whisky shops therein closed, etc.....	143
20. Drum to governor of California, December 24, 1863: Number of Sixth Infantry recruits at Benicia Barracks on December 20, 1863, was 205, etc.....	203
21. Dyer's indorsement on ordnance requisition, March 16, 1864: Indorsement on ordnance requisition on governor of California, etc.....	260
22. Drum's General Orders No. 38, July 25, 1864: No interference by United States authorities with elections; no armed organization permitted in Department Pacific, etc.....	242
23. Drum to governor of California, August 26, 1864: Request granted for California to have one complete battery of six Parrott guns, etc.....	242
24. Drum to governor of California, September 7, 1864: Inclosing War Department circular No. 36, relative to discharge of California volun- teers, etc.....	244
25. Davidson to McDowell, November 29, 1864: Band of Confederates encamped in Sonora, Mexico; awaiting rebel troops from Texas and Durango to attack Arizona posts, etc.....	277
26. Drum to governor of California, January 26, 1865: Two companies (A and F) Fourth California Volunteer Infantry broken up and con- solidated with remaining eight companies of California volunteers; etc.....	263

	Page.
27. Drum to governor of California, January 30, 1865: Requests the forwarding of commissions for certain field officers of the Eighth Infantry, California Volunteers, etc.....	283
28. Drum to governor of California, February 3, 1865: Telegram, Grant's company, California Volunteers, reported full; send commissions, etc.....	291
29. Drum to governor of California, April 5, 1865: Forwarding certain papers relative to supplying California troops in Arizona, etc.....	291
E.	
1. Eyre to Cutler, July 6, 1862: Reporting engagements of California volunteers with hostile Indians; report includes dates from June 21 to July 4, 1862, etc.....	89
2. Eyre to Cutler, July 8, 1862: Re-occupation of Fort Thorn by First California Cavalry Volunteers; reporting events in Southern Arizona, etc.....	91
3. Eyre to Cutler, July 14, 1862: Reporting arrival of express from General Canby; reporting names of California vol- unteers killed by Apaches at Apache Pass, etc.....	93
4. Eyre to Cutler, August 30, 1862: Impossible for California volunteers to cross the Rio Grande at San Diego crossing; rebels at Franklin, Tex., collecting property; wagons of the United States burned by rebels in their retreat, etc.....	104
5. Exhibit, etc., July 9, 1866: Exhibit, etc., of number of organizations, volunteers and militia, mustered in the United States service during the rebellion from the States of California, Oregon, and Ne- vada, etc.....	317
F.	
1. Ferguson to Drum, October 4, 1862: Reporting rebel troops in Arizona; people taking Confederate oath to obtain arms to protect themselves from Apaches; inclosing affidavits of Hon. H. S. Stevens and others, at Tucson, as to relative strength of Union and Confederate forces when Ari- zona was occupied by Confederate troops, etc.....	109
2. Fry to governor of California, November 11, 1864: Telegram; authorized to raise four companies California Volunteer Infantry to com- plete First Veteran Infantry, California Volunteers; four companies California Volunteer Cavalry to complete First Cavalry, California Volunteers; send same to General Carleton in New Mexico, etc.....	247
G.	
1. Governor Stanford, of California, to President Lincoln, January 12, 1863: Will respond to a call for California volunteer troops, etc.....	132
2. Governor Stanford, of California, to Wright, January 22, 1863: Will co-operate in raising and organizing four companies California volunteers for the Humboldt district, etc.....	133
3. Governor Stanford, of California, to Wright, January 25, 1863: Opposing raising volunteers in California for Massachusetts; that such proceedings were irregular and in violation of the rights of California as a State, etc.....	134, 149
4. Governor Stanford, of California, to Secretary of War, March 20, 1863: Telegram; resolution of senate of California requesting War Department to loan guns, small arms, equipments, etc., to authorities of California, etc.....	156
5. Governor Stanford, of California, to Wright, July 16, 1863: By act of California legislature of April 27, 1863, sections 3 and 4, will be impossible to pay out the State appropriations in the manner indicated by Congress in its resolu- tion approved March 19, 1862, etc.....	183
6. Governor Low, of California, proclamation, February 7, 1864: Calling upon the citizens of Humboldt, Mendocino, Trinity, Klamath, Siskiyou, and Del Norte counties, in California, to organize into volunteer companies for United States service against the Indians, etc.....	267
7. Governor Low, of California, to Wright, March 21, 1864: Appreciating the very great importance to the United States, and particularly to Cali- fornia, of the French invasion of Mexico, and will call and confer personally on the subject regarding French invasion of Mexico and occupation of Mexican ports on the Pacific Ocean, etc.....	219
8. Governor Low, of California, to Wright, May 4, 1864: Replying to official inquiry, states that it is of the utmost importance for California militia to be placed in a state of greatest possible efficiency to meet possible com- plications and troubles; that the times are troublous; California militia companies should be supplied with arms by the United States. State authorities of California rely solely on the United States for a supply of arms, and that the loyal people of California have shown commendable zeal in organizing California militia, etc., for the common defense, etc.....	225
9. Geer to Wright, T. F., June 15, 1864: Relative to the report Sergeant Harris, First Battalion Mountaineers California Volun- teers, etc.....	233
10. Governor Low, of California, to McDowell and to Secretary of War, August 17, 1864: Telegram; request consolidation of old California volunteer regiments and to retain such regimental organization and old officers as [the governor of California and General Commanding Pacific Department, may find best; to raise new regiments to make eight regiments of California volunteer infantry and two of California vol- unteer cavalry, in addition to the four companies of native cavalry and six companies of California Mountaineers, etc.....	236
11. Governor Low, of California, to Secretary of War, August 17, 1864: Telegram, requesting one of the field batteries at Benicia, Cal., to arm and uniform a militia company of California volunteer artillery, etc.....	242

	Page
12. Governor Low, of California, to Drum, August 23, 1864: Nothing can be done until General McDowell returns; matter of battery to remain in abeyance for a few days, etc.....	243
13. Governor Low, of California, to acting assistant provost-marshal-general of San Francisco, Cal., October 24, 1864: Mustering the Seventh Regiment California Volunteers at Jackson, Cal.; one volunteer company full at Sacramento, Cal., another full at Placerville, Cal.; volunteer com- panies to remain in their counties until after the election, etc.....	255
14. Governor Low, of California, to McDowell, November 7, 1864: California volunteer troops to be raised will be enlisted and organized according to law and regulations; no regiment will be raised in California for the benefit of any par- ticular officers, etc.....	257
15. Governor Low, of California, to McDowell, November 8, 1864: Companies of California volunteer artillery, cavalry, and infantry authorized by law are full; require pistols, sabers, and swords; requests outfit for battery turned over to the State of California, etc.....	258
16. Governor Low, of California, to Secretary of War, November 30, 1864: Telegram wishing certain officers for the Eighth California Volunteer Infantry to man seaboard works of California; no artillery at hand, etc.....	271
17. Governor Low, of California, to McDowell, December 29, 1864: Consolidation of companies California volunteers in Second and Fourth Infantry ap- proved, etc.....	279
18. Governor Low, of California, to McDowell, February 6, 1865: Eighth Regiment California Volunteer Infantry full; three companies of the Fourth California Volunteer Infantry being recruited; after recruited will be for service in Arizona, etc.....	284
19. Governor Low, of California, to Secretary of War, March 13, 1865: Telegram; one company of the four called for the complete First California Volunteer Cavalry organized; request the transfer of same to Pacific Military Department for service in Arizona, etc.....	288
20. Governor Low, of California, to Whipple, March 18, 1865: Relative to being appointed major of California volunteers when four companies are raised and finally becoming colonel of the regiment when full, etc.....	288
21. Governor Low, of California, to McDowell, March 21, 1865: Requesting that two companies of the Second California Cavalry Volunteers be sent from Fort Bridger, Utah, to California; wish them to be near the regimental head- quarters, and thinks it unjust for said volunteers to be beyond control of regimental officers, etc.....	289
22. Governor Low, of California, to McDowell, March 24, 1865: Forwarding copy of Halleck's dispatch, March 23, 1865, relative to four new companies of First California Volunteer Cavalry being turned over to Pacific Department for service in Arizona, etc.....	289
23. Governor Low, of California, to Drum, March 27, 1865: Forwarding a list of names of officers for commissions for the Native Battalion of Cali- fornia Cavalry, etc.....	290
24. Governor Low, of California, to McDowell, March 30, 1865: Requests order for disbanding and mustering out of Battalion of California Mountaineers; wishes to enlist for Ninth Infantry the men thereof, etc.....	290
25. Governor Low, of California, to McDowell, April 1, 1865: Re-enlisting and mustering in such men of the California Mountaineer Battalion as wish to do so and form them into companies to be known as Companies A and B, Ninth Infantry, California Volunteers, etc.....	291
26. Governor Low, of California, to McDowell, April 22, 1865: Stopping recruiting of old and new California military organizations; three companies of Fourth California Volunteer Infantry above the minimum; regiment needs addi- tional field officers; company for First Cavalry California Volunteers in process of recruiting in Santa Clara County, Cal., etc.....	292
27. Governor Low, of California, to McDowell, April 26, 1865: Troubles anticipated at Kern River, Cal.: will see relative to the matter and inclose let- ter of M. M. Wheeler of April 21, 1865, to E. D. Wheeler, etc.....	292
28. Governor Low, of California, to McDowell, September, 26, 1865: Relative to discharge of troops at Fort Ruby, Nev. (a part of Third Infantry California Volunteers); requests they be mustered out of United States service and return to their homes, etc.....	297
H.	
1. Halleck to Wright, September 15, 1862: Telegram; proposition to send five California volunteer cavalry companies to New Mexico from California; wishes to know if they can pass over Southern route with- out serious difficulty, etc.....	95
2. Hanson to Wright, October 9, 1862: Settlers in Round Valley, California, destroying fences on Indian farms; settlers out of provisions, etc.....	138
3. Hanson to Wright, October 10, 1862: Annoyances in Round Valley, California; advises that troops drive settlers out of that valley, and that loyal citizens be paid by the Government for their losses, etc.....	139
4. Hanson to Dole, October 15, 1862: Settlers in Round Valley, California, opening fences on Indian lands and allowing their stock to destroy crops; wants settlers to be removed from that valley, etc.....	142
5. Hanson to Wright, November 3, 1862: Whites killing Indians at Round Valley, California, for fear they would leave stealing cattle, horses, etc., asking assistance, etc.....	140
6. Hanson to Wright, November 11, 1862: Importance of having martial law at Round Valley, California; arrest and trial of kid- nappers, etc.....	142
7. Halleck to Wright, December 6, 1862: Telegram; propriety of garrisoning Fort Bridger, Wyo., with a part of the California volunteers, etc.....	126

	Page.
8. Hanson to Wright, December 10, 1862: Requests orders declaring martial law in Round Valley, California, and removing settlers, will not be annulled or revoked, etc.....	142
9. Halleck to Wright, January 31, 1863: Plan of sending companies of California cavalry to New Mexico approved, etc.....	136
10. Halleck to Wright, March 19, 1863: Telegram; prepare to re-inforce Colonel Connor; Secretary of War authorizes raising additional volunteers in California and Nevada, etc.....	155
11. Halleck to Connor, March 19, 1863: Arms and military munitions used against the United States liable to seizure, etc.....	156
12. Halleck to Wright, March 31, 1863: Military impossibility to supply California militia with arms and equipments; Congress, though advised, failed to authorize foundries for casting large guns; the importance of defense of San Francisco being fully appreciated by War Department; the armament of forts at San Francisco will be increased; ironclad vessel sent to assist to defend the Pacific coast, etc.....	136
13. Halleck to Wright, March 31, 1863: United States demands for arms and military equipments very great to supply troops actually mustered in United States service; private foundries employed in casting heavy guns for the Navy; War Department fully appreciates want of armament for forts at San Francisco; reports ironclad sent to assist defense of Pacific coast, etc.....	136
14. Halleck to Wright, April 13, 1863: Issuing small arms to governor of California not approved, etc.....	136
15. Halleck to Kibbe, April 15, 1863: Arms shipped to California subject to orders of General Wright, etc.....	165
16. Halleck to Allen, July 9, 1863: Full authority given to issue arms when proper to the militia; exigencies of service such as to prohibit quota distribution, etc.....	174
17. Halleck to Wright, July 9, 1863: Giving authority to issue arms to militia, but to be called back when necessary, etc.....	175
18. Halleck to Wright, August 17, 1863: Telegram; first battery in California will be built on Point San José and next on Angel Island, California; building those on Rincon Point and Yerba Buena delayed, etc.....	187
19. Halleck to Wright, August 18, 1863: Location for batteries for San Francisco Harbor to be referred to a new engineer board; Ordnance Department will not be able to supply additional guns for forts; no battery to be constructed on Lime Point because United States does not own title to the land, etc.....	187
20. Halleck to Wright, September 25, 1863: Telegram; no delay intended in erecting batteries in San Francisco Harbor, etc.....	190
21. Halleck to Wright, October 2, 1863: Ordered to take possession of Point San José and a battery to be erected thereon, etc...	192
22. Hull to Ulio, April 30, 1864: Report of Captain Hull, Second Infantry, California Volunteers, in regard to scouting duty in northern California against hostile Indians, etc.....	226
23. Halleck to Wright, May 1, 1864: Telegram asking what emergency requires raising more troops in Department of Pacific, as requested in telegram of April 27, 1864, etc.....	224
24. Harris's report, June 2, 1864: Sergeant Harris's report, First Battalion Mountaineers, California Volunteers, commanding a detachment of six men of his company on a scout for hostile Indians, etc.	233
25. Halleck to Wright, T. F., June 15, 1864: Relating to and commenting upon the report of Sergeant Harris, First Battalion Mountaineers, California Volunteers, etc.....	232
26. Halleck to McDowell, July 29, 1864: Telegram; raising troops for special local purposes disapproved; volunteers in Pacific Department can be raised through the governor, and infantry can be instructed at artillery firing in the forts, etc.....	235
27. Halleck to McDowell, August 18, 1864: Telegram; authorizes consolidation of California volunteers; new troops to be raised, as proposed by McDowell and governor of California, etc.....	287
28. Halleck to governor of California, March 17, 1865: The four new companies First California Volunteer Cavalry will be transferred to McDowell for service in Arizona, etc.....	288
29. Halleck to assistant adjutant-general, United States Army, October 19, 1865: Requests a regiment of regular United States cavalry sent to the Pacific Coast; necessity therefor urgent, etc.....	298
30. Halleck to General Grant, December 8, 1865: Forwarding maps of the Departments of California and of the Columbia; showing military posts occupied by troops of the Pacific Military Division, and suggestions made in connection therewith, etc.....	301
31. Halleck to General Grant, December 8, 1865: Relating to coast defenses of California and Oregon, and Indian frontier of California, Oregon, and Nevada; Department of the Columbia, etc.....	301
32. Halleck to governor of Nevada, February 23, 1866: Relative to the substitution of volunteer infantry; troops to be sent for protection; relative to inadequacy of military force generally in California, Nevada, Arizona, Oregon, Idaho, and Washington Territories, etc.....	309
33. Hager to assistant adjutant-general, Department of Arizona, March 31, 1866: Report of Captain Hager, U. S. Army, relative to the scene of attack of hostile Indians on a detachment of the Fourth United States Infantry in Arizona, etc.....	312
34. Halleck to Adjutant-General U. S. Army, April 4, 1866: Serious difficulties from hostile Indians in Oregon and Idaho; wishes another regiment of regular cavalry; of the First Regular Cavalry, six companies have been sent to Arizona, two companies have been sent to Nevada, four companies have been sent to Oregon, etc.....	314
35. Halleck to Adjutant-General U. S. Army, June 2, 1866: Mustering out of companies of Second California Volunteer Cavalry; reporting volunteer organizations that were still existing, etc.....	314

## K.

	Page.
1. Kibbe, adjutant-general of California, to President Lincoln, December 1, 1861: Inclosing copy of annual returns of California militia, etc.....	36
2. Kibbe, adjutant-general of California, to Wright, January 23, 1862: Wishes report of all California volunteer cavalry forces raised, etc.....	45
3. Kibbe, adjutant-general of California, to Wright, September 5, 1862: Reports Hon. Leland Stanford, governor of California, has information to cease recruit- ing California volunteers, etc.....	57
4. Kibbe, adjutant-general of California, to Wright, September 20, 1862: Introducing certain Californians desiring to give services to the United States Govern- ment, etc.....	96
5. Kunkler to assistant adjutant-general, Department of Arizona, March 25, 1866: Reports an attack of hostile Indians on a detachment of the Fourteenth United States Infantry en route to Fort Grant from Fort Yuma, Ariz., etc.....	311

## L.

1. Lippit to Drum, May 20, 1862: Report of military operations against hostile Indians in Humboldt district, California; burning flour and other articles, stolen by hostile Indians; relating to encounters with hostile Indians in Humboldt district, etc.....	09
2. List of California military organizations from April 15, 1861, to August 20, 1866: List of California military organizations enrolled and mustered into the military serv- ice of the United States from April 15, 1861, to August 20, 1866, etc.....	321 et seq.

## M.

1. McClellan to Thomas, December 18, 1861: Favorably recommends organizing expedition to recapture forts in Arizona and New Mexico, etc.....	37
2. McAllister to Wright, August 21, 1862: Relating to telegraphing Commander-in-Chief U. S. Army for heavy guns, carriages, and projectiles; has nothing but old carriages and old guns, etc.....	139
3. Melendy to Hanson, October 19, 1863: Outrages committed by the whites in Round Valley, California—fences let down, etc., crops destroyed; immediate action requested, etc.....	141
4. McLane to Wright, March 23, 1864: Leading citizens of California deem it advisable to have Arizona attached to military division of Pacific, and to occupy Guaymas, Mexico, when advisable, unless a war with France were inopportunately brought on thereby, etc.....	219
5. McDowell to Secretary of War, June 11, 1864: Telegram requesting authority to raise a regiment of California volunteer artillery, for the defense of the fortification of San Francisco City and Harbor, California, etc.....	235
6. McDowell's General Orders No. 38, July 25, 1864: Relating to voting at Presidential election, etc.....	242
7. McDowell to Secretary of War, August 17, 1864: Telegram; request consolidation of old California volunteer regiments, and to retain such regimental organizations and old officers as governor of California and general commanding Pacific Department may find best; to raise new California vol- unteer regiments, to make eight regiments of California infantry and two of cavalry, in addition to the four companies of native California cavalry and six companies of California mountaineers, etc.....	236
8. McDowell to Adjutant-General U. S. Army, August 17, 1864: Relative to differences between Indian Department and military in feeding captured hostile Indians; to refuse to feed them will result in new depredations committed and renewal of Indian war in California, etc.....	237
9. McDowell to Adjutant-General U. S. Army, August 17, 1864: Rebel sympathizers desire if not design to embarrass or openly oppose the Government in California; large number of arms seized destined for Mexico; French war ship in San Francisco Harbor taking in supplies for French fleet in Mexican ports; Pe- ruvian war vessel seized, etc.....	237
10. McDowell to Secretary of War, August 17, 1864: Telegram requesting one of the rifled field batteries at Benicia for California to arm and uniform a militia company of artillery, etc.....	242
11. McDowell to governor of California, September 22, 1864: Requesting a regiment of California volunteer infantry to be raised as soon as possible in addition to those now in service, etc.....	245
12. McDowell to governor of California, November 12, 1864: Requests a regiment of California volunteer infantry be raised as soon as possible, etc....	261
13. McDowell to Secretary of War, November 30, 1864: Telegram; wishing certain officers for the Eighth Regiment California Volunteer Infantry to man the seaboard works; no artillery at hand, etc.....	271
14. McDowell's indorsement on Sullivan's letter relative to selling immigrants subsistence stores, etc., December 7, 1864: Recommends selling and issuing commissary stores to suffering and indigent immi- grants, etc.....	272
15. McDowell to Conness, December 9, 1864: Relative to issuing commissary stores to suffering and indigent immigrants, and asking active co-operation of Secretary of War or of Congress, etc.....	273
16. McDowell to Secretary of War, December 10, 1864: Telegram; no intention to order a draft; in consequence of bounties given volunteers by California and Oregon hopes to raise sufficient force without drafting, etc.....	275
17. McDowell to Adjutant-General U. S. Army, December 14, 1864: Important to answer telegram of November 30, 1864, etc.....	271
18. McDowell to Secretary of War, December 22, 1864: Assemblage of a band of the enemies of the United States in the State of Sonora, Mex- ico, awaiting re-enforcements of rebels from Texas and Durango to attack Arizona posts, etc.....	278



	Page.
14. McDowell to Secretary of War, December 22, 1864: If difficulties arise in Arizona, troops and supplies must come from Department of the Pacific, etc.....	276
15. McDowell to Secretary of War, December 22, 1864: Arizona dependent on California for military protection; calling attention to application to re-annex Arizona to Department of the Pacific.....	276
16. McDowell to Secretary of War, January 5, 1865: Telegram; requests leave of absence for Captain Anderson, Fifth United States Infantry, to enable him to become colonel of Eighth California Volunteer Infantry, now organizing in California, etc.....	271
17. McDowell to governor of California, March 10, 1865: Telegram; authority to muster out California Mountaineers; request an additional regiment of California volunteer infantry, etc.....	288
18. McDowell to governor of California, March 10, 1865: Requesting raising an additional regiment of California volunteer infantry, etc.....	288
19. McDowell to governor of California, March 31, 1865: One company Fourth Infantry California Volunteers will go to Humboldt district, California, and relieve the California Mountaineers battalion, etc.....	291
20. McDowell to governor of California, April 8, 1865: Suspension of raising a California volunteer regiment of infantry, owing to Federal victories gained in the East, etc.....	292
21. McDowell to governor of California, April 22, 1865: Think War Department will not sanction the enlistment of more men; consolidation more probable than an extension, etc.....	292
22. McDowell to governor of Oregon, April 28, 1865: That governor of Oregon, at McDowell's request, joined him, as did the governor of California, in asking the Secretary of War to grant authority to raise certain volunteer forces in Oregon and California; on his own judgment McDowell called on Governor Gibbs, of Oregon, for volunteer troops that were raised and now in United States service, etc.....	293
23. McDowell to General Grant, August 11, 1865: Wishes two regiments of California infantry for United States service in Arizona; relative to troops in New Mexico; wishes authority to consolidate regiments of California volunteer infantry, instead of reducing regiments to battalions, etc.....	296
24. McDowell to assistant adjutant-general, Department of Pacific, December 6, 1865: Relative to certain volunteer regiments and companies being mustered out and others retained in United States military service on account of sundry public reasons, for the common defense, and especially on account of Indian troubles, etc.....	300
25. Mason's Special Order No. —, March 25, 1866: Troops to proceed to scene of Fourteenth United States Infantry attacked by hostile Indians in Arizona, etc.....	311
26. Mason to assistant adjutant-general, Department of California, March 27, 1866: Relative to sending out a strong force to succor survivors and bury those killed by hostile Indians near Fort Grant, Ariz.; attack by hostile Indians of a detachment of Fourteenth United States Infantry en route to Fort Grant, from Fort Yuma, etc....	310
27. Meyer's report to Captain Green, March 31, 1866: Report upon the bodies of four men of Fourteenth United States Infantry killed by hostile Indians between Pima villages and Fort Grant, Ariz., etc.....	313

P.

1. Pesqueira to Carleton, June 2, 1862: Letter from governor of Sonora, Mexico, thanking Carleton for allowing citizens of Sonora to cross the Colorado River, etc.....	84
--	----

R.

1. Ruggles to Sumner, July 24, 1861: Accepting California volunteers to protect overland mail route via Salt Lake, etc.....	7
2. Report of Wright, November 21, 1861: Showing stations occupied by sixty-six companies California volunteers and other troops in Pacific Department, etc.....	33, 34
3. Robinson to Wright, January 29, 1862: Recommends military occupation of Guaymas, Mexico, as a precautionary measure, etc..	46
4. Rankin to Wright, February 12, 1863: No United States revenue vessel available to board steamers entering San Francisco Harbor; will telegraph Secretary of Treasury; will request Captain Rogers, Coast Survey, to employ the <i>W. L. Marcy</i> for such purpose, etc.....	147
5. Robinson to Hanson, August 28, 1862: Little or nothing will be saved of the Indian crops; wants the whites removed from Round Valley, California, etc.....	141

S.

1. Scott to Sumner, March 22, 1861: Ordered to take command of Pacific Military Department, etc.....	1
2. Sumner's general orders, April 25, 1861: Sumner assumes command Pacific Military Department, etc.....	1
3. Sumner to Townsend, April 28, 1861: Informing War Department of taking command and recites the military and political status of Pacific Military Department, etc.....	2
4. Sumner to Townsend, April 30, 1861: Withdraw troops from Fort Mohave to Los Angeles, Cal., the then supposed center of disaffection and secession on Pacific coast, etc.....	3
5. Sprague to Seward, May 3, 1861: Relative to possible seizure of Lower California, etc., by secessionists, etc.....	4
6. Sumner to Townsend, May 10, 1861: Withdraws Carleton's troops to Los Angeles and offers military protection to Mare Island navy-yard, California, etc.....	3

	Page.
7. Seward to Cameron, June 4, 1861: Relative to possible seizure of Lower California by secessionists, etc.....	4
8. Sumner to Montgomery, July 10, 1861: Relative to protecting United States steamers carrying passengers, mail, and treasure between San Francisco and Panama, etc.....	5
9. Sumner to Townsend, July 10, 1861: Relative to a letter to commanding officer Pacific Ocean fleet, etc.....	5
10. Scott to Sumner, August 16, 1861: To command a military expedition to Texas via Guaymas, Mexico, composed of California volunteers, etc.....	8
11. Sumner to governor of California, August 27, 1861: Urging raising the 5,000 California volunteers already requisitioned for upon the gov- ernor of California, etc.....	10
12. Sumner to Townsend, August 30, 1861: Information about a military expedition of United States troops to Texas via Guaymas, Mexico, etc.....	9
13. Sumner to Townsend, August 30, 1861: Reports Federal reverses in Virginia had increased secession feeling in California, etc....	9
14. Sumner to Townsend, August 30, 1861: Reports secessionists in California number 25,000 to 45,000; more difficult to raise volun- teers in California than in any other of the loyal States, etc.....	10
15. Sumner to governor of California, September 2, 1861: Earnestly urges raising California volunteers called for in July, 1861, upon governor of California, etc.....	13
16. Sumner to governor of California, September 4, 1861: Organization of California volunteer cavalry company at Yreka, Cal., completed, etc....	14
17. Sumner to governor of California, September 6, 1861: Appointment of A. J. Smith, First United States Dragoons, as colonel of California cav- alry, etc.....	14
18. Sumner to Townsend, September 7, 1861: Relative to United States military expedition to Texas via Guaymas, Mexico, and reports success of the Union party in California, etc.....	15
19. Sumner to Townsend, September 9, 1861: Appointment of United States officers as officers California volunteers, etc.....	16
20. Sumner to governor of California, September 11, 1861: Telegram; acceptance of California volunteer company organized at Watsonville, Cal., etc.....	17
21. Sumner to governor of California, September 11, 1861: Telegram; acceptance of California volunteer company organized at Sonora, Cal., etc....	17
22. Sumner to Townsend, September 17, 1861: Reports rebels organizing in southern California, etc.....	19
23. Sumner to governor of California, September 11, 1861: No necessity for transporting California volunteer companies from place of enlistment to rendezvous, etc.....	19
24. Sumner to governor of California, September 19, 1861: California volunteer cavalry company to be mustered in not to exceed minimum number of 79, etc.....	19
25. Sumner to Cameron, September 20, 1861: Apprehended invasion of Sonora, Mexico, by secessionists, etc.....	19
26. Sumner to Townsend, September 20, 1861: Reports 20,000 secession voters in California, etc.....	15
27. Scott to Sumner, September 21, 1861: Incloses letter regarding secession movement in southern California, etc.....	21
28. Sumner to governor of California, September 27, 1861: Impossible to receive certain companies for California Second Cavalry, etc.....	23
29. Sumner to Townsend, September 28, 1861: Receipt of order to go to Texas via Guaymas, Mexico, etc.....	16
30. Sumner to governor of California, October 11, 1861: Recites that if he can ever get California volunteers he will send them to suppress Indian troubles reported in Mendocino and Napa counties, California; asks if there is any way in which the raising of California volunteers can be hastened, etc.....	25
31. Sumner to governor of California, October 11, 1861: Being obliged to send California volunteers to Oregon, asks how the raising of California volunteers can be hastened, etc.....	25
32. Sumner to governor of California, October 21, 1861: Telegram; no authority for California volunteers for artillery organization, etc.....	23
33. Scott to De Russy, November 8, 1861: To purchase Lime Point, California, for military purposes, etc.....	29
34. Special return of troops, November 20, 1861: Number of troops in Pacific Military Department, etc.....	33, 34
35. Stanford, governor of California, to Wright, January 15, 1862: Subject of defense of California to be laid before California legislature by him as gov- ernor of California, etc.....	45
36. Steinberger to Drum, April 1, 1862: Sending tri-monthly reports of officers and men at Alcatraz Island and reporting condi- tion of troops, etc.....	57
37. Schenner to Carleton, May 11, 1862: Information of treasonable acts at Mowry Silver mine, Arizona; that Mowry furnished ammunition to rebels and what the rebels propose doing, etc.....	76
38. Short to Hanson, August 23, 1862: Suggesting that produce be bought in Round Valley, California, provided sergeant will use endeavors to obtain an appropriation from Congress, etc.....	139
39. Sherland to Cutler, September 2, 1862: Reporting condition of Fort Davis, Texas, and number of buildings thereat unoccupied; men found dead in the buildings of the Overland Mail Company killed by Indians, etc.....	105
40. Stanford, governor of California, to Secretary of War, September 12, 1862: Telegram; recommends that another regiment California volunteers be raised, etc.....	96

	Page.
41. Short to Hanson, September 25, 1862: Two Indian tribes leave Round Valley, California; settlers destroying crops of Indians and threatening to kill Indians, etc.....	139
42. Short to Hanson, September 27, 1862: Indian supply of food scarce; fears that Indians will steal settlers' stock; wants arrangements made to provide for the Indians of Round Valley, California, etc.....	140
43. Selfridge to Wright, January 29, 1863: No United States vessel at navy-yard, California, suitable to mount heavy guns; suggests that State of California or city of San Francisco purchase an iron-clad steamer, etc., to protect San Francisco, etc.....	147
44. Selfridge to Wright, February 17, 1863: The U. S. ship <i>Cyane</i> , expected to soon arrive, has been ordered to guard San Francisco; recommending a battery at Yerba Buena, etc., and guns planted at Point Rincon; all inward-bound vessels to be boarded under guns at Fort Point to prevent steamers under false colors entering San Francisco harbor, etc.....	149
45. Stanton to governor of California, March 22, 1863: Telegram; request for arms, etc., granted in accordance with resolution of California senate, etc.....	156

T.

1. Townsend to Summer, June 5, 1861: To take measures to prevent Lower California from being annexed by secessionists to Southern Confederacy, so called, etc.....	4
2. Townsend to Summer, July 23, 1861: Shipment of 30,000 arms from San Francisco to New York, etc.....	7
3. Thomas to Summer, July 26, 1861: To advance military stores for California volunteers, etc.....	8
4. Townsend to Summer, August 16, 1861: To organize military expedition to Texas via Guaymas, Mexico, and store coal at Mazatlan, Mexico, therefor, etc.....	9
5. Thomas's General Orders No. 67, August 26, 1861: Publishing article 57, act of Congress of April 10, 1860, relating to holding correspondence with or giving intelligence to enemies of the Union, etc.....	63
6. Townsend to Summer, September 9, 1861: To suspend military operations for expedition to Texas via Guaymas, Mexico, etc.....	15
7. Townsend to Summer, September 9, 1861: To send regular troops from Pacific coast to New York; California volunteers to take place of regular troops on Pacific coast, etc.....	16
8. Townsend to Summer, September 16, 1861: Ordered to send 10,000 muskets from California to New York by steamer, etc.....	18
9. Townsend to Summer, September 16, 1861: That four additional regiments of California volunteer cavalry and one of infantry be organized, etc.....	18
10. Townsend to Summer, September 16, 1861: To send regular troops with their arms and equipments, from Pacific coast to New York by steamer, etc.....	18
11. Townsend to Summer, September 16, 1861: Summer ordered to proceed from California to New York upon being relieved by General Wright of command of Military Department of the Pacific, etc.....	16
12. Townsend to Seward October 5, 1861: Thinks 10,000 troops proper to prevent invasion of Sonora, Mexico, by secessionists, etc.....	20
13. Thomas to Wright, November 19, 1861: General Wright assigned to Pacific Department, but to retain command of Ninth Infantry Regiment, regular U. S. Army, etc.....	30
14. Thomas to Wright, March 21, 1862: Make preparation and disposition of California troops to protect California immigrants and overland mail route, etc.....	52
15. Thomas to Stanford, governor of California, April 3, 1862: Telegram; California volunteer recruiting service will cease from April 3, 1862, etc.....	55
16. Thomas to Stanford, governor of California, April 5, 1862: Telegram; California volunteer recruiting service will cease, etc.....	57
17. Thomas to Wright, April 12, 1862: Telegram; Secretary of War authorizes completion of Washington Territory regiment, etc.....	56
18. Thomas to Wright, June 19, 1862: Telegram; no action to be taken in Arizona of arrests spoken of in letter of May 7, 1862, etc.....	63
19. Thomas to Wright, February 28, 1863: Secretary of War disapproves the issuance of small arms to California militia companies, etc.....	146
20. Thomas to Wright, March 11, 1863: Authority given to muster in six California volunteer companies, as requested in dispatch of March 9, 1863, against Indians, etc.....	153
21. Townsend to Wright, April 20, 1863: Secretary of War disapproves issuing small arms to California militia, etc.....	136
22. Townsend to Wright, January 28, 1864: Important to send remaining companies of First California Volunteer Cavalry to New Mexico before hot weather, etc.....	207

V.

1. Vincent to Governor Stanford, of California, January 9, 1862: General Wright authorized to raise regiment of California infantry and cavalry, etc....	44
2. Vincent to Wright, December 2, 1862: Telegram; request granted to raise regiment of California infantry and seven companies of California cavalry, mentioned in letter of October 30, 1862, etc.....	114
3. Vincent to Wright, January 20, 1863: Authority granted to raise four companies of native cavalry in Los Angeles district, California, etc.....	129

	Page
1. Wright to Thomas, October 12, 1861: Military measures taken to preserve peace in southern California, etc.....	21
2. Wright to Thomas, October 21, 1861: Making clothing by contract in San Francisco for troops; whole Pacific Department being stripped of clothing, etc.....	22
3. Wright to Townsend, October 28, 1861: Sending regular troops from California to New York, and California volunteers to Oregon and Washington, etc.....	23
4. Wright to Townsend, October 31, 1861: Hopes and aims of rebels were to obtain a port on the Pacific; the possession of Guay- mas, Mexico, would destroy United States commerce in the Gulf of California, and interrupt the natural transit in and out of Arizona to California; therefore, to pro- tect Arizona and re-establish United States authority therein was a military neces- sity, etc.....	27
5. Wright to Townsend, October 31, 1861: Reports political and military situation of southern California and Arizona, and pru- dential measures of vital importance taken to prevent rebels gaining a foothold on Pacific coast, etc.....	27
6. Wright to Williams, November 5, 1861: Condition and disposition of California volunteers, etc.....	28
7. Wright to Thomas, November 15, 1861: Disposition of California volunteers, and regulars, U. S. Army, ordered to be sent to New York, etc.....	30
8. Wright to assistant adjutant-general, U. S. Army, November 20, 1861: Recall of Carleton to protect overland mail and emigrant routes, etc.....	31
9. Wright to Thomas, November 21, 1861: Forwarding a return of troops, etc.....	31
10. Wright to War Department, November 26, 1861: Acknowledging orders to command Military Department of the Pacific, etc.....	35
11. Wright to assistant adjutant-general, U. S. Army, November 29, 1861: Two companies of United States Cavalry leave San Francisco for New York, etc.....	35
12. Wright to Thomas, December 9, 1861: Proposition to recapture forts in Arizona and New Mexico, etc.....	37
13. Wright to Thomas, December 10, 1861: Reporting strength of troops in California, etc.....	39
14. Wright to Thomas, December 10, 1861: Rebels organizing in southern district in California to go to Texas; stringent measures taken to crush attempted rebellion in California, etc.....	40
15. Wright to Thomas, December 16, 1861: Occupation of Fort Point by United States volunteer troops in California, etc.....	40
16. Wright to Governor of Nevada, December 22, 1861: Informing him that Carleton will be put in charge of military expedition to guard overland mail and emigrant routes, etc.....	41
17. Wright to Thomas, December 31, 1861: Sending military supplies to Fort Yuma via San Pedro and Gulf of California and Col- orado River, etc.....	42
18. Wright to Adjutant-General U. S. Army, January 7, 1862: Telegram. Governor of California declines making appointments for California regi- ments, etc.....	43
19. Wright to Thomas, January 9, 1862: Disposition and condition of troops in California, etc.....	44
20. Wright to Stanford, governor of California, January 11, 1862: Preparing plans to defend the State of California, etc.....	44
21. Wright to Thomas, January 28, 1862: Important for United States to occupy Guaymas, Mexico, by United States troops, etc.....	45
22. Wright to Thomas, January 29, 1862: Inclosing a letter from Mr. Robinson about United States occupying Guaymas, Mex- ico, etc.....	46
23. Wright to Thomas, February 10, 1862: Sending troops to Carleton at Fort Yuma and reports 800 rebels at Tucson, Ariz., etc....	45
24. Wright to Thomas, March 10, 1862: Reporting a strong disloyal element in California, etc.....	51, 52
25. Wright to Thomas, April 5, 1862: Reporting progress of filling First Infantry, Washington Territory Volunteers, and with- drawal of battalions of Second and Fourth Infantry, California Volunteers, etc.....	56
26. Wright to Thomas, April 7, 1862: Receives copy of dispatch of governor of California; wishes to know if it is intended to suspend organization of the Washington Territory volunteer regiment, etc.....	56
27. Wright's General Orders, No. 17, April 23, 1862: Military commanders will arrest persons abetting and aiding the rebellion, and not to be released without taking the oath of allegiance to the Government of the United States, and promulgates article 57 of act of Congress of April 10, 1866, etc.....	60
28. Wright to Thomas, April 30, 1862: Major Drum inspects California troops at and near Fort Yuma in southern California; reporting rebel sympathizers and taking means to suppress the same; Carleton's movements will sweep the rebels under Baylor and Riley out of Arizona, and break up their plans of obtaining a foothold in Sonora, Mexico, etc.....	51
29. Wright's orders, April 30, 1862: Property belonging to certain rebels within the Department of the Pacific subject to confiscation, etc.....	62
30. Wright to governor of Sonora, Mexico, May 3, 1862: Glad that the governor of Sonora had not entered into any arrangement with the rebel commander Sibley; acknowledging the receipt of the said governor's letter, etc....	62
31. West to Cutler, May 4, 1862: Impossible to get forage in Arizona; trading under great difficulties; obtaining only a daily ration of hay for cavalry horses in Arizona, etc.....	66
32. West to Cutler, May 5, 1862: Informing him of the scale of prices of supplies for Indians at Pima villages, Arizona; sending scale of daily consumption of supplies by troops in Arizona, etc.....	66

	Page
33. West to Cutler, May 6, 1862: Reporting progress in obtaining forage; difficulty in obtaining flour for troops in Arizona, etc.	67
34. Wright to Thomas, May 7, 1862: Reports Carleton's advance at the Pima villages, Arizona, and the movements of the rebel chief Sibley to enter the State of Sonora, Mexico; Wright reports his want of power to enforce decrees, in Arizona, etc.	61
35. Wright to Thomas, May 13, 1862: Necessary to hold Arizona under military law; arrival of Steinberger at Vancouver Wash.; sending troops to Owen's Lake for protection of whites in California; difficult to cross Sierra Nevada Mountains with troops and supplies before middle of June, 1862, etc.	64
36. Wright to Thomas, May 22, 1862: Reporting Indian troubles in Humboldt, Cal.; well managed by Colonel Lippitt, and moving Third Infantry California Volunteers east of the Sierra Nevada Mountains to protect overland mail and emigrant routes, etc.	65
37. Wright to Thomas, June 5, 1862: Forwarding report of Colonel Lippitt, commanding Second Infantry, California Volunteers in Humboldt district, California, etc.	69
38. Wright to Thomas, June 11, 1862: Forwarding Carleton's report; difficulty in organizing Carleton's expedition; troops at Tucson to be pushed eastward to the Rio Grande, etc.	71
39. Wright to Thomas, June 12, 1862: Bringing 300 Indians to Humboldt, Cal.; Indians armed; country presents insurmountable obstacles; California volunteer regiments require more men; wants of the military service very pressing, etc.	72
40. Wright to Thomas, June 16, 1862: Sending copy of Carleton's order of May 24, 1862; showing disposition and progress of troops, etc.	73
41. Wright to Thomas, June 21, 1862: Reporting success of Carleton's expedition; reporting movements of Cornelius and Connor; General Alvord reports to General Wright for duty, etc.	74
42. Wright to Thomas, June 25, 1862: Carleton reports Colonel West having occupied Tucson, Ariz.; rebels fleeing to the Rio Grande, in Texas, etc.	74
43. Wright to Thomas, June 28, 1862: Transmitting letters from Carleton, and T. Schenner to Carleton, and copy of Carleton's letters to Colonel Eyre, First California Cavalry Volunteers, and Carleton's proclamation of June 8, 1862, in Arizona, etc.	75
44. Wright's approval of Carleton's proclamation, June 28, 1862: Approval and confirmation of General Carleton's proclamation in Arizona, etc.	78
45. Wright to Thomas, June 28, 1862: Assigning General Alvord to command Oregon district; Indians still committing depredations in Humboldt district, California; movement of Second California Volunteer Cavalry to Owen's Lake for suppression of Indian disturbances in California, etc.	78
46. Wright to Thomas, June 28, 1862: Inspection of Third California Volunteer Infantry; two companies of Second California Cavalry will follow movement of Colonel Connor for protection of overland mail route to California and Oregon, etc.	79
47. Wright to Thomas, July 5, 1862: Submitting Drum's report relative to the southern California district, etc.	79
48. Wright to Thomas, July 10, 1862: Arizona recovered and now held under martial law; difficulties encountered in the expeditions of Carleton and Connor, etc.	84
49. Wright to Thomas, July 18, 1862: Forwarding letter from governor of Sonora, Mexico, to General Carleton; Connor marching from Stockton, Cal., to protect the overland mail route, etc.	84
50. Wright to Thomas, August 13, 1862: Informing War Department of movements of California volunteer and other forces in Arizona; movement of Colonel Connor's Third California Volunteer Infantry in Nevada and Utah, etc.	87
51. Wright to Thomas, September 1, 1862: Indian disturbances in Humboldt district, California, still continue; Second California Volunteer Infantry prosecuting hostilities; residue of the Second California Volunteer Infantry gone to Humboldt district, California, etc.	94
52. Wright to Thomas, September 15, 1862: Inclosing telegram from governor of California to Secretary of War and requesting authority to raise another California volunteer regiment; not sufficient troops on Pacific coast; efforts of enemies to depreciate the authority of the United States Government and its currency, etc.	95
53. Wright to Thomas, September 27, 1862: Telegram requesting 20,000 muskets and equipments be sent to San Francisco by first steamer from New York, etc.	98
54. Wright to Halleck, September 27, 1862: Too late to raise a new regiment California volunteers to go over southern overland route; Pacific coast troops should not go beyond General Wright's control, etc.	95
55. Wright to Thomas, October 4, 1862: General Canby withdrawn from New Mexico; Third California Volunteer Infantry at camp at Ruby Valley, Nevada; Colonel Connor and his march to Salt Lake; Indian difficulties continue at Humboldt district, California; requests raising another California volunteer regiment, etc.	98
56. Wright to Thomas, October 17, 1862: Forwarding Carleton's communication and information of the movements of the "California column" up to September 20, 1862, etc.	100
57. Wright to Thomas, October 27, 1862: Informing Adjutant-General of the great support received from the governor and State officers of California, and showing state of patriotic feeling of the citizens in California since Mexican war, etc.	112

58. Wright to Thomas, October 31, 1862:  
Telegram; reporting companies of Washington Territory volunteer regiments organized; requesting detention of one extra company found at Alcatraz Island, California, etc. .... 115
59. Wright to Thomas, November 8, 1862:  
Reporting hostile organizations in California; object being to resist the regularly constituted authorities; open demonstrations against the United States Government by its enemies in California prevented by organizing California State militia companies composed of loyal men, commanded by officers appointed by the governor thereof; together with a judicious posting by the commander of the Military Department of the Pacific of the United States troops in these localities where rebel sympathizers were in the majority; requesting permission to temporarily remove military department headquarters from San Francisco to Sacramento during the session of the legislature of California, etc. .... 116
60. Wright to Thomas, November 8, 1862:  
Reports the vigilance and efforts of Governor Stanford, of California, to avoid the horrors of civil war in California, by organizing California militia companies to act in concert with United States troops, posted wherever rebel sympathizers are in the majority, etc., and asks to move military headquarters Department of the Pacific in California to Sacramento while California legislature is in session thereat, etc. .... 116
61. Wright to Stanford, governor of California, December 8, 1862:  
Informing governor of California of authority granted to raise another California regiment of infantry, and seven of cavalry, and an army board organized for examining applicants to fill grades therein, etc. .... 126
62. Wright to Thomas, December 8, 1862:  
Ordering army board to examine qualifications of applicants for appointments to fill grades of officers for new regiments, California volunteers, and that seven companies of California cavalry will be sent to New Mexico, etc. .... 114
63. Wright's proclamation for additional troops, December 16, 1862:  
Call for more California volunteers, and recites California devotion to the Union cause, etc. .... 115
64. Wright to Thomas, December 19, 1862:  
Telegram; authority to raise four companies native California cavalry in Los Angeles district, to be commanded by Don Andreas Picos, of California, etc. .... 129
65. Wright to Stanford, governor of California, December 24, 1862:  
Asks if the governor of California has been advised of the call for additional California volunteers, etc. .... 130
66. Wright to governor of California, January 21, 1863:  
To organize four companies of California volunteers; infantry in the Humboldt district to be employed against hostile Indians, etc. .... 132
67. Wright to Selfridge, January 26, 1863:  
Wishes to know if there are any vessels at Mare Island navy-yard, California, suitable to mount heavy guns to be moored at San Francisco, etc. .... 146
68. Wright to Adjutant-General U. S. Army, January 26, 1863:  
Indian difficulties in Humboldt district, California, still exist; hardships and privations of California troops there, etc. .... 135
69. Wright to Adjutant-General U. S. Army, January 27, 1863:  
Asks if War Department will approve issuing small arms to a limited extent to governor of California to arm militia companies as home guards, etc. .... 135
70. Wright to Thomas, January 31, 1863:  
Telegram; fears that enemy may threaten harbor of San Francisco: troops in fort on the alert; war steamers necessary; no United States vessel at San Francisco etc. .... 136
71. Wright to governor of California, February 5, 1863:  
Requests governor of California to call out six infantry companies California volunteers for special service in Humboldt district, California, etc. .... 137
72. Wright to Adjutant-General U. S. Army, February 7, 1863:  
Declaring martial law in and removing intruders from Round Valley Indian reservation, California, to protect Indian and preserve public property, etc. .... 137
73. Wright to Rankin, February 11, 1863:  
Recommending a revenue vessel be stationed in outer San Francisco Harbor to board all incoming steamers, so that the forts at San Francisco may be advised of the character of all vessels entering San Francisco Harbor, etc. .... 147
74. Wright to Thomas, February 14, 1863:  
Telegram; to know if War Department will approve letter December 15, for issuing small-arms to organize California militia companies, etc. .... 145
75. Wright to Thomas, February 21, 1863:  
Inclosing letters from commandant Mare Island navy-yard and collector of the port at San Francisco in relation to the defenses of San Francisco. .... 146
76. Wright to Adjutant-General U. S. Army, February 23, 1863:  
Authority given to individuals in California to raise volunteers independent of executive authority not well received by the people; California people anxious to go to the front; military instruction and organizing militia receiving executive and legislative attention in California; Californians making magnificent contributions of money to aid suffering troops in the East, and asking that San Francisco be made impregnable and asks for 10,000 stand of small arms, etc. .... 151
77. Wright to Thomas, February 24, 1863:  
Telegram to know if War Department will approve letter of December 15, for issuing small arms to organize California militia companies, etc. .... 146
78. Wright to Stanford, governor of California, March 2, 1863:  
Not guaranteeing that California troops called out for duty in Humboldt district, California, will receive all the allowances made to enlisted men for three years, or during the war, etc. .... 151
79. Wright to Thomas, March 9, 1863:  
Telegram requesting mustering in six companies California volunteers for special service against hostile Indians in Humboldt district, California; recommended by governor of California, etc. .... 153



	Page.
80. Wright to Thomas, March 14, 1863: Public affairs assuming a threatening aspect in Utah; raising an additional volunteer regiment of infantry and seven companies of volunteer cavalry, but recruiting is slow; greatest embarrassment is due to the want of funds; can not possibly get along without specie; United States Treasury notes at a discount of 50 per cent.; impossible to make army contracts; prices double in consequence of depreciation of United States currency, etc.....	153
81. Wright to De Russey, April 8, 1863: Requesting batteries be established on Yerba Buena Island and on Rincon Point, California, etc.....	161
82. Wright to Thomas, April 14, 1863: Placing a military force at Benicia Barracks, California, to guard that place and its arsenal; fears that an enemy's vessel may enter San Francisco Harbor; great embarrassment for want of funds, and that California legislature had appropriated \$1,000 with which to pay to each company of California volunteers, etc.....	163
83. Wright to Thomas, April 14, 1863: Can governor of California have some of the small arms when received for organized militia companies, etc.....	164
84. Wright to Townsend, April 27, 1863: Fortifications at San Francisco require ten 42-pounders, eight 8-inch columbiads, and eight 10-inch columbiads, carriages, projectiles, etc.....	188
85. Wright to Thomas, April 30, 1863: Department of the Pacific laboring under great difficulties both in procuring men and means; one cause is high price of labor and the developments being made in the mining districts of California and Nevada and depreciation of United States currency; new military post at Bois�, Oregon, ordered to be established, etc.....	166
86. Wright to Thomas, May 26, 1863: Loyal citizens of the Pacific coast banded together to sustain the United States Government; companies of Fourth Infantry to go to southern California district; Stopping sending through the mails disloyal newspapers and traitorous disloyal sheets, and especially the New York Weekly Caucasian, etc.....	169
87. Wright to Thomas, June 8, 1863: Relating to returns and difficulties in the call for troops; secret organizations of disloyal people in California, etc.....	175
88. Wright to Governor Stanford, of California, July 5, 1863: Sends governor of California copy of a resolution of Congress approved March 19, 1862, accepting money appropriated by any State for the payment of its volunteers. (See resolution, as follows, to wit: "A resolution to authorize the Secretary of War to accept moneys appropriated by any State for the payment of volunteers and to apply the same as directed by such State. "Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That if any State during the present rebellion shall make any appropriation to pay the volunteers of that State, the Secretary of War is hereby authorized to accept the same and cause it to be applied by the Paymaster-General to the payments designated by the legislative act making the appropriation in the same manner as if appropriated by act of Congress, and also to make any regulations that may be necessary for the disbursement and proper application of such funds to the specific purpose for which they may be appropriated by the several States." Approved March 19, 1862. U. S. Statutes, vol. 12, page 616.)	
89. Wright to Adjutant-General U. S. Army, July 20, 1863: Forwarding drawings of positions selected for batteries in San Francisco Harbor; recommends batteries be immediately constructed; no money appropriated by California for this object, etc.....	183
90. Wright to assistant adjutant-general, U. S. Army, July 30, 1863: Ordering earthwork fortifications for inner harbor of San Francisco; requires \$100,000, etc.....	185
91. Wright to Adjutant-General U. S. Army, August 14, 1863: Directing that batteries be at once established, and acknowledges \$100,000 therefor and recites that leading citizens of San Francisco place \$20,000 at his disposal for a similar purpose, etc.....	185
92. Wright to Halleck, August 19, 1863: Telegram acknowledging receipt of dispatch of August 17, 1863, etc.....	187
93. Wright to Adjutant-General U. S. Army, August 29, 1863: Indorses report from Captain McAllister in regard to guns, projectiles, etc.....	188
94. Wright to Townsend, August 29, 1863: Forwarding Captain McAllister's communication relating to guns, projectiles, etc., wanted at Benicia Arsenal, California, etc.....	188
95. Wright to Townsend, August 31, 1863: Informing Adjutant-General that if orders be given him, batteries in San Francisco will soon be completed, and complains of the "masterly inactivity system" of the Engineer Department, etc.....	190
96. Wright to Adjutant-General U. S. Army, August 31, 1863: Have directed batteries to be erected on Point San Jos�, and on Angel Island instead of at Rincon Point and Yerba Buena Island, California, and wishes to know if such batteries will be under special control of the Engineer Department, etc.....	189
97. Wright to Townsend, October 19, 1863: Sending Lieutenant-Colonel Drum on a tour of inspection through southern part of California, etc.....	193
98. Wright to Duffield, November 11, 1863: No orders received from War Department to furnish a special number of troops for service in Arizona, etc.....	201
99. Wright's General Orders, No 40, November 14, 1863: Relates to control of new organizations and muster placed in the hands of governors of California, Oregon, and Nevada, and to leaves and to paying costs of telegraphing etc.....	197
100. Wright to Duffield, November 17, 1863: Can not furnish the number of troops which the governor of Arizona requests; the balance of First Regiment of California Volunteer Cavalry to go to Arizona via Yuma; other companies soon to follow, etc.....	202

	Page.
101. Wright to Townsend, November 20, 1863: Troops organized and sent from California have reconquered the Territories of Arizona and New Mexico, at one time overrun by rebel forces, etc.....	196
102. Wright to Townsend, November 20, 1863: Relative to the difficulties and embarrassments in raising and organizing volunteers on the Pacific coast, etc.....	196
103. Wright to Townsend, November 20, 1863: Peace and quiet is being preserved from British Possessions to Mexico, and from Pacific Ocean to eastern Utah, etc.....	196
104. Wright to Townsend, November 20, 1863: Requesting an approval of all acts done in raising, organizing, and appointing officers for volunteer organizations, as objections may be raised by accounting officers in the cases where the regulations of the Department have not been strictly followed, etc.....	196
105. Wright to Townsend, November 20, 1863: Relating to the gallantry of California troops sent to protect overland mail route and occupation of Utah, etc.....	166
106. Wright to Townsend, November 27, 1863: Sending a company of 100 California Volunteer Cavalry to San Pedro, Cal.; organization of seven companies First California Volunteer Cavalry nearly completed, and other troops will go to Arizona, etc.....	201
107. Wright to Adjutant-General U. S. Army, January 26, 1864: Indian depredations still being committed in the Humboldt district, California; innumerable difficulties to be overcome; troops active and bold; Indian reservation system a failure, etc.....	206
108. Wright to Adjutant-General U. S. Army, February 2, 1864: Another company First California Volunteer Cavalry gone to San Pedro, Cal., for service in Arizona; one company of Ninth Infantry (regulars) gone to Vancouver, Wash., etc.....	207
109. Wright to Townsend, February 3, 1864: Four companies First California Volunteer Cavalry gone to southern California; other companies soon to follow; have purchased a large number of wagons and mules; large expenditures made for transportation, etc.....	207
110. Wright to Adjutant-General U. S. Army, February, 16, 1864: Sixth California Volunteer Infantry, with three companies of 250 men, gone to Humboldt district, California, to end Indian war; another company, First California Cavalry Volunteers, gone to Tucson, Ariz., etc.....	213
111. Wright to assistant adjutant-general, U. S. Army, February 17, 1864: Issuing 5,000 stand of small arms to organized militia companies; also a small number of cavalry arms and a few pieces of field artillery; sent requisition for 10,000 rifles, 8,000 pistols, 40,000 muskets, 19,000 sabers; fears of foreign war which would cut off all communication by water to New York from California, etc.....	214
112. Wright to Thomas, February 18, 1864: Telegram, requesting mustering in of two companies before completion of organization for immediate service in the field, etc.....	215
113. Wright to assistant adjutant-general, March 7, 1864: Successful in re-enlisting most of the regular troops, but not so with volunteers; recommending supplying guns from Benicia Arsenal to a State militia company of light infantry in San Francisco, etc.....	216
114. Wright to assistant adjutant-general, March 11, 1864: Six companies of First California Volunteer Cavalry sent to Arizona; unprecedented drought caused a heavy advance in price of forage in Arizona and California; grain crop will be very small; breadstuffs advanced 30 per cent. in California, etc.....	216
115. Wright to assistant adjutant-general, March 14, 1864: Relative to occupying State of Sonora, Mexico, by United States troops and dangers from the French occupation in Mexico; the vast importance that the Pacific should receive the fostering care and protection of the United States Government, etc.....	217
116. Wright to Low, governor of California, March 18, 1864: Relative to blockading Mexican ports by the French, and damage to commerce generally and to California specially, etc.....	217
117. Wright to Low, governor of California, March 18, 1864: Certain Mexican ports on the Pacific coast blockaded by the French; results if all the ports were blockaded; portrays necessity of pursuing an aggressive course, if French occupation of Mexico continues, etc.....	219
118. Wright to assistant adjutant-general, U. S. Army, March 22, 1864: Seventh and last company of First California Volunteer Cavalry sailed for southern California, etc.....	218
119. Wright to Adjutant-General U. S. Army, March 28, 1864: Recommending San Diego, Fort Yuma, the Lower Colorado, and Arizona be strongly guarded, owing to the French occupation in Mexico; views of leading business men ascertained as to the results of French occupation in Mexico, on Pacific, etc.....	220
120. Wright to Adjutant-General U. S. Army, April 9, 1864: Alford organizing small commands to protect settlers near Snake River in Oregon; in Humboldt district, California, Sixth California Volunteer Infantry prosecuting Indian war; Connor recommends discharge of volunteers of California and serving in Utah and Nevada, etc.....	222
121. Wright to Adjutant-General U. S. Army, April 11, 1864: Departure of all companies of First Cavalry for Department of New Mexico; preparing thirty wagons for Carleton; will be sent from southern California laden with subsistence, etc.....	223
122. Wright to Halleck, April 27, 1864: Telegram: recommends one regiment of volunteer cavalry, one regiment of volunteer artillery, eight regiments of volunteer infantry, and two batteries volunteer light artillery, be raised in Pacific Department, etc.....	224
123. Wright to Halleck, May 3, 1864: Telegram explaining reasons for raising more troops in Department of the Pacific, as requested in telegram of May 1, 1864, etc.....	224

	Page.
124. Whipple to Ulio, May 6, 1864: People feel more secure on the Trinity, Klamath, and Salmon Rivers, California; a few Indians refuse to come to camp; Indians in California request building material, etc.....	227
125. Wright to Adjutant-General U. S. Army, May 9, 1864: Issuing small arms and equipments to militia companies of California prior to revocation of orders; inclosing letter of governor of California in relation thereto, etc.....	225
126. Wright to Adjutant-General U. S. Army, May 9, 1864: Indian war in Humboldt district being prosecuted vigorously; whole country covered with scouting parties; California volunteers cheerfully enduring hardships and exposures while zealously and indefatigably pursuing enemies in inhospitable regions amidst snows and rain, etc.....	225
127. Wright to Adjutant-General U. S. Army, May 16, 1864: Powerful opposition on the Pacific coast to the administration of the United States Government; enemies of the United States doing all they can to thwart the Government in prosecuting the war; arrest of persons for disloyal practices; Wright thinks the course pursued by him the wisest, etc.....	226
128. Wright to assistant adjutant-general U. S. Army, May 17, 1864: Inclosing reports of Colonel Black, Sixth California Volunteer Infantry, in Humboldt district, California, operations against Indians in California, etc.....	226
129. Wright to Adjutant-General U. S. Army, June 23, 1864: Forwarding reports of Colonel Black, Sixth California Volunteer Infantry, concerning operations against hostile Indians in Humboldt district, California, etc.....	222
130. Wheeler to Wheeler, April 21, 1864: Rebels organizing guerrilla bands, at Clear Creek, Cal., and threaten to kill; expect a raid at Kernville; sends to Visalia, Cal., for troops to assist Union citizens, etc....	223

## NEVADA, UTAH, AND WYOMING.

### A.

	Page.
1. Assistant adjutant-general, U. S. Army, to Halleck, November 24, 1865: No regular cavalry regiment can be sent to Pacific coast at present, etc .....	298
2. Adjutant-general of Nevada to assistant adjutant-general, Department of California, January 24, 1866: Transmits a resolution passed by the Nevada legislature, owing to complaints of volunteers, Company B, Nevada Infantry, being discharged at Fort Ruby, Nev., without sufficient supplies or money for transportation to their homes, etc.....	308
3. Assistant adjutant-general, U. S. Army, to Halleck, August 1, 1866: Authorized to organize 200 Indian scouts to receive pay and allowances of cavalry soldiers, etc.....	320
4. Assistant adjutant-general, U. S. Army, to Sheridan, August 1, 1866: Authorized to organize 200 Indian scouts to receive pay and allowances of cavalry soldiers, etc.....	320
5. Assistant adjutant-general, U. S. Army, to Halleck, August 7, 1866: Authorized to recruit one of the new regiments of regular cavalry for service on Pacific coast, etc .....	321

### B.

1. Buell's General Orders, May 31, 1861: All vessels entering United States waters under secession flag to be sunk, etc .....	3
2. Blake to Buell, June 11, 1861: Taking possession of public arms at Carson City, Nev., and preventing secession flag flying in Nevada, etc.....	6

### C.

1. Connor to Drum, September 14, 1862: Reporting difficulties between Fort Ruby, Nev., and Salt Lake, Utah; people at Salt Lake intensely hostile to the Union cause, etc .....	97
2. Connor to Drum, November 6, 1862: McCarry's report, Second California Volunteer Cavalry, against Indians at Humboldt River massacre, Nevada, etc.....	124
3. Connor to McCarry, November 22, 1862: Orders to proceed to Cache Valley and capture Indians and drive to camp emigrant stock stolen by Indians in Nevada and Utah, etc.....	128
4. Connor to Drum, December 2, 1862: Indians threatening overland mail route in Nevada and Utah; protecting Big Sandy telegraph station; Indians stealing horses at Fort Bridger, Utah, etc.....	127
5. Connor to Drum, February 26, 1863: Report of an inspection of Government troops, buildings, and property at Camp Douglas, at Salt Lake, Utah, etc .....	161
6. Connor to Drum, March 15, 1863: Relative to the proceedings of the people of Utah; impossible to convict Mormons; fears of a civil outbreak with people at Salt Lake and in Utah, etc .....	157
7. Connor to Halleck, June 13, 1863: Telegram; Southern Utes threatening overland mail stages, east and west; forces inadequate to its protection; want a cavalry regiment sent from Denver, etc .....	176
8. Close to governor of Nevada, June 28, 1863: Impossible to recruit a volunteer infantry regiment in Nevada; tried it for four weeks at personal expense of over \$200; can organize a cavalry company instead of an infantry regiment, etc.....	181
9. Connor to Drum, October 26, 1863: Reporting open declaration of hostility of the people of Utah to the United States Government; their bold public teachings of disloyalty; the immense wealth in the mines of Utah, etc .....	195
10. Connor to Drum, October 27, 1863: Relating to concluding treaties of peace with the Indians in Utah districts; all quiet in Utah; Indian country in Utah is freed from hostile savages by the bravery and hard ships of the California column, etc .....	194
11. Connor to Halleck, February 15, 1864: Statements of Utah Delegate Kinney false and not to be believed, etc.....	211

	Page.
12. Connor to Halleck, February 15, 1864: Stating reasons for locating Camp Douglas, Utah: disloyalty of the Mormons; treasonable threats; forage not obtainable at any price; prohibited from seeking shelter from winter storms by Mormons, etc.....	211
13. Connor to Halleck, February 15, 1864: California and Nevada volunteers compelled to go in the mountains, distant 20 miles, in midwinter to obtain timber; cost of everything very high, etc.....	211
14. Cameron to Maynadier, April 4, 1864: Detailed as superintendent of emigrants to enlist 50 young men for guards and sentries for emigrant parties to California; Oregon, and Nevada; instructions fully given for purchasing everything necessary; \$35,000 placed at his command therefor, etc.....	220
15. Chief of Ordnance indorsement on requisition, April 9, 1864: Recommendation of General Wright, dated March 7, 1864, not approved, etc.....	216
16. Connor to Drum, July 2, 1864: Merchants at Salt Lake trying to depreciate currency and endeavoring to render the people disloyal to the United States Government, etc.....	240
17. Connor to Drum, July 13, 1864: Telegram: Mormons, encouraged by Federal reverses, have 1,000 men under arms; threaten to drive the provost from Salt Lake; can hold position till reinforcements from neighboring Territories, etc.....	238
18. Connor to Drum, July 15, 1864: Telegram: Mormons more quiet; armed forces assembling in Brigham Young's yard; have drills nightly with artillery and infantry; national currency openly repudiated under dictation of the Mormon Church; arms and ammunition bought from emigrants by Brigham Young's people, etc.....	239
19. Connor to Drum, July 16, 1864: Telegram: seeking to force Connor into a position to secure his removal and an overthrow of "his policy" in Utah; a firm front needed and only thing to secure peace and counteract the machinations of the traitor leaders, etc.....	239
20. Connor to Drum, July 24, 1864: Relating to unsettled condition of affairs in Utah; effective preparations made for any demonstration by the Mormons, etc.....	241
21. Connor to Adjutant-General U. S. Army, October 14, 1864: Requesting leave of absence from the Utah district for sixty days, etc.....	276
22. Connor to Halleck, October 17, 1864: Telegram: troops between Salt Lake and Kearney should be under orders of Connor and asks shall he take from Salt Lake two cavalry companies, etc.....	249

D.

1. Downey, governor of California, to President Lincoln, September 2, 1861: Recommends separate military department of Nevada and Utah, and that all communication with such department would be cut off for four months by snows on Sierras, etc.....	13
2. Drum's General Orders No. 23, October 2, 1861: Relieving regular troops on Pacific coast by volunteers, etc.....	23
3. Drum's General Orders No. 28, October 20, 1861: Colonel Wright relieves General Sumner and assumes command Department Pacific, etc.....	26
4. Drake's reply to Mormon committee, March 4, 1863: Reply of Judge Drake, of Utah, to a Mormon committee who request his resignation to leave the Territory, etc.....	160
5. Drum to governor of Nevada, May 4, 1863: To telegraph as soon as Nevada volunteer companies are ready to be mustered in; sending orders for organizing the Nevada cavalry and Nevada infantry volunteer companies, etc.....	167
6. Drum to Connor, July 16, 1864: Wishes Connor not to bring on or precipitate a war between the United States and the Mormons; troops in Utah to protect overland mail route, etc.....	239
7. Drum to Connor, July 16, 1864: To go slow in handling the unpatriotic and suicidal Mormon policy; better remove guard and troops than have Mormon war; Utah condition critical, not only in Utah Department and Pacific Division, but in the whole country; to carry on a war against the Mormons might weaken General Government in the East and encourage rebel sympathizers in California and Pacific coast; true patriotism suggests not embarking in Mormon hostilities at this time, etc.....	242
8. Drum's General Orders No. 33, July 25, 1864: No interference by United States authorities with elections; no armed organization permitted in Department Pacific, etc.....	242

E.

1. Exhibit, etc., July 9, 1866: Exhibit, etc., of number of organizations, volunteer and militia, mustered in the United States service during the rebellion from the States of California, Oregon, and Nevada, etc.....	317
---	-----

G.

1. Governor of Nevada to Wright, April 27, 1863: Calling for three volunteer companies of Nevada cavalry and two volunteer companies of Nevada infantry to serve three years or during the war, etc.....	166
2. Governor of Nevada to Drum, May 19, 1863: Commissioning officers for the Nevada volunteer cavalry; Nevada volunteer companies being recruited, etc.....	169
3. Governor of Nevada to Wright, June 29, 1863: Requesting a company stationed at Reese River, Nevada; secessionists are numerous and bold in Nevada, etc.....	181
4. Governor of Nevada to Wright, November 5, 1863: Forming a Nevada military company, under the militia laws of Nevada, named the "Washoe Guards;" desires arms issued to them; also accouterments, etc.....	193

	Page.
5. Governor of Nevada to Wright, November 12, 1863: Wishes to know how many more troops will be accepted; Secretary of War telegraphs he will accept troops for the coast etc.....	196
6. Governor of Nevada to Wright, November 30, 1863: Requests arms for eighty men of a volunteer company in Nevada called the "National Guard," etc.....	202
7. Governor of Nevada to Wright, April 5, 1864: Suggesting a company of Nevada volunteer cavalry be stationed in vicinity of "City Rocks," north of the Humboldt, in Nevada; the Bannocks or Pannoke Indians roam there; are dangerous; people of Nevada want protection, etc.....	222
8. Governor of Nevada to McDowell, January 20, 1865: By appointing Captain Ketcham the raising of the Nevada volunteer regiment might be advanced, etc.....	232
9. Governor of Nevada to McDowell, February 10, 1865: Requesting arms for Nevada volunteer companies organized in Lander and Nye Counties, Nevada; none at command in Nevada; imminent danger of Indian troubles; re- quests three hundred stand of arms now at Fort Churchill, Nev., be loaned to Nevada volunteers, etc.....	265

## H.

1. Halleck to Wright, December 9, 1862: War, Post-Office, and Interior Departments and Overland Mail Company all urge re- moval of Connor's command to Fort Bridger and Harris Fork, Wyoming, as a check upon Indians, etc.....	126
2. Harding's reply to the Mormon committee, March 4, 1863: Reply of Governor Harding, of Utah, to a Mormon committee, who request his resigna- tion and leave the Territory, etc.....	159
3. Halleck to Wright, March 19, 1863: Telegram; prepare to reënforce Colonel Connor; Secretary of War authorizes raising additional volunteers in California and Nevada, etc.....	155
4. Halleck to Connor, March 19, 1863: Arms and military munitions used against United States liable to seizure, etc.....	156
5. Halleck to Wright, March 29, 1863: Relating to Connor's severe battles on Bear River, Idaho, and praising Capt. Connor, etc.,	156
6. Halleck to Wright, March 31, 1863: United States demands for arms and military equipments very great to supply troops actually mustered into United States service; private foundries employed in casting heavy guns for the Navy; War Department fully appreciates want of armament for forts at San Francisco; reports iron-clad sent to assist defense of Pacific coast, etc..	136
7. Halleck to Wright, April 15, 1863: Telegram; authorizes raising additional volunteer regiments in California and Nevada to reënforce Connor, etc.....	163
8. Halleck to Wright, May 1, 1864: Telegram; asking what emergency requires raising more troops in Department of Pacific, as requested in telegram of April 27, 1864, etc.....	224
9. Halleck to McDowell, July 29, 1864: Telegram; raising troops for special local purposes disapproved; volunteers in the Pacific Department can be raised through the governor, and infantry can be instructed at artillery-firing in the forts, etc.....	235
10. Halleck to McDowell, September 1, 1864: Telegram; request granted as contained in your telegram of August 31, etc.....	243
11. Halleck to Connor, October 16, 1864: Telegram; give all protection possible to Overland mail route between Salt Lake and Fort Kearney; Curtis's force diverted by rebel raids from Arkansas, etc.....	249
12. Halleck to Connor, October 18, 1864: Telegram; order not intended to transfer troops or change commands; ranking officer takes command when parts of two or more military commands operate together, etc..	249
13. Halleck to assistant adjutant-general, U. S. Army, October 19, 1865: Requests a regiment of regular United States cavalry sent to the Pacific coast; nec- sity therefor urgent, etc.....	298
14. Halleck to General Grant, December 8, 1865: Forwarding maps of the Departments of California and of the Columbia, showing mili- tary posts occupied by troops of the Pacific Military Division and suggestions made in connection therewith, etc.....	301
15. Halleck to General Grant, December 8, 1865: Relating to coast defenses of California and Oregon, and Indian frontier of California, Oregon, and Nevada, Department of the Columbia, etc.....	301
16. Halleck to governor of Nevada, February 23, 1866: Relative to the substitution of volunteer infantry; troops to be sent for protection; rela- tive to inadequacy of military force generally in California, Nevada, Arizona, Oregon, Idaho, and Washington Territory, etc.....	309
17. Halleck to Adjutant-General U. S. Army, April 4, 1866: Serious difficulties from hostile Indians in Oregon and Idaho; wishes another regiment regular cavalry, of the First Regular Cavalry; six companies have been sent to Arizona; two companies have been sent to Nevada; four companies have been sent to Oregon, etc.....	314

## M.

1. Moore to Blake, June 10, 1861: Information of capture of public arms at Carson City, Nev., and enrolling 400 men in Nevada for Union cause, etc.....	6
2. McClellan to Wright, November 13, 1861: Ordering distribution of troops to protect overland mail, etc.....	29
3. McClellan to Wright, November 13, 1861: Orders one or two regiments California volunteers to protect Overland mail route to California, etc.....	29



	Page.
4. McLane to Wright, March 26, 1862: Overland company expects troops will be stationed on the mail route for protection of overland mails and treasure, etc.....	53
5. McLane to Wright, March 26, 1862: Difficult to move troops and impossible to haul wagons east across Sierra Nevada Mountains, etc.....	53
6. McCarry to Connor, October 31, 1862: McCarry's report of his expedition against hostile Indians at Humboldt River, Nevada, etc.....	125
7. McCarry to Harris, November 28, 1862: Reporting proceedings at Cache Valley. Fight with the Indians in Nevada and Utah, etc.....	128
8. McDowell's General Orders, No. 38, July 25, 1864: Relative to voting at Presidential election, etc.....	242
9. McDowell to governor of Nevada, October 13, 1864: Requesting the governor of Nevada to raise as soon as possible additional companies of Nevada volunteer infantry to complete a full regiment of Nevada volunteer infan- try, etc.....	248
10. McDowell's indorsement on Sullivan's letter relative to selling emigrants subsistence stores, etc., December 7, 1864: Recommends selling and issuing commissary stores to suffering and indigent immigrants, etc.....	272
11. McDowell to Conness, December 9, 1864: Relative to issuing commissary stores to suffering and indigent immigrants and asking active co-operation of Secretary of War, or of Congress, etc.....	273
12. McDowell to Secretary of War, December 10, 1864: Telegram. No intention to order a draft; in consequence of bounties given volunteers by California and Oregon hopes to raise sufficient force without drafting, etc.....	275
13. McDowell to Adjutant-General U. S. Army, December 17, 1864: Criticizes Connor's report on "His policy" in Utah, and his operating against hostile Indians outside of Department of Pacific with troops belonging to that department; granting leave of absence to Connor, etc.....	275
14. McDowell to governor of Nevada, January 18, 1865: Telegram. Relating to appointment of Captain Ketcham; no Nevada field officers can be received until the regiment of Nevada volunteers is full, etc.....	282
15. McDowell to governor of Nevada, March 8, 1865: Need Nevada volunteers for protection of Nevada; hope the legislature of Nevada will assist the governor of Nevada to raise same by enacting measures similar to those adopted by California and Oregon (meaning granting bounties and extra pay to Nevada volunteers), etc.....	287
16. McDowell to governor of Oregon, April 28, 1865: That governor of Oregon, at McDowell's request, joined him, as did the governor of Cal- ifornia, in asking the Secretary of War to grant authority to raise certain volunteer forces in Oregon and California; on his own judgment McDowell called on Governor Gibbs, of Oregon, for volunteer troops that were raised and now in United States service, etc.....	293
17. McDowell to assistant adjutant-general Department of Pacific, December 6, 1865: Relative to certain volunteer regiments and companies being mustered out and others retained in United States military service on account of sundry public reasons for the common defense, and especially on account of Indian troubles, etc.....	300

N.

1. Nye, governor of Nevada, to Wright, December 4, 1861: Asking that army supplies then at Fort Churchill, Nev., be issued to Indians in Nevada to meet Indian necessities, and reciting the impossibility of marching troops across Sierra Nevada Mountains in midwinter and guaranteeing that Nevada will protect overland mail and telegraph lines till United States troops could move from Califor- nia to Nevada and Utah, and pledges Nevada's Territorial aid to maintain the Con- stitution and Union, etc.....	38
2. Nye, governor of Nevada, to Wright, May 28, 1862: Excitement at Aurora, Nev., on account of hostile Indians; requests sending troops to Owen's River Valley, California, to defeat Indians, etc.....	68
3. Nye, governor of Nevada, to Wright, September 15, 1862: Indian difficulties on the plains brought about by the interference of secessionists; re- quests part of the command for Salt Lake to stop at Gravelly Ford, Utah, to protect immigrants, etc.....	96

R.

1. Report of Wright, November 21, 1861: Showing stations occupied by sixty-six companies of California volunteers and other troops in Pacific Department, etc.....	34, 34
2. Resolution of Nevada Territory; passed senate January 13, 1866; passed assembly January 22, 1866: Resolution of Nevada legislature relative to volunteer troops of Nevada being furnished with transportation by the United States Government from Camp Douglas, Utah, to their homes where they were recruited, and complaints made therein.....	308

S.

1. Scott to Sumner, March 22, 1861: Ordered to take command of Pacific Military Department, etc.....	1
2. Sumner's General Orders, April 25, 1861: Sumner assumes command Pacific Military Department, etc.....	1
3. Sumner to Townsend, April 28, 1861: Informing War Department of taking command and recites the military and political status of Pacific Military Department, etc.....	2
4. Sumner to War Department, June 19, 1861: Seizure of public arms in Carson City and checking secession in the Territory of Nevada, etc.....	7

	Page.
5. Sumner to Townsend, July 10, 1861: Relative to a letter to commanding officer Pacific Ocean fleet, etc.....	5
6. Sumner to Townsend, September 17, 1861: Changing destination theretofore ordered to protect overland mail routes, to southern California to there repress secession movements, etc .....	13
7. Sumner to Townsend, September 28, 1861: Reports price of hay on overland route at \$60 per ton, and barley at \$9.96 a bushel, or 16.60 cents per pound, in Nevada and Utah, etc.....	16
8. Special return of troops, November 20, 1861: Number of troops in Pacific Military Department, etc .....	33, 34

## T.

1. Thomas's General Orders, No. 67, August 26, 1861: Publishing article 57, act of Congress of April 10, 1806, relating to holding correspondence with or giving intelligence to enemies of the Union, etc.....	63
2. Townsend to Sumner, September 9, 1861: To send regular troops from Pacific coast to New York; California volunteers to take place of regular troops on Pacific coast, etc.....	16
3. Townsend to Sumner, September 16, 1861: To send regular troops with their arms and equipments from Pacific coast to New York by steamer, etc.....	18
4. Townsend to Sumner, September 16, 1861: Sumner ordered to proceed from California to New York upon being relieved by General Wright of Command of Military Department of the Pacific, etc.....	18
5. Thomas to Wright, November 19, 1861: General Wright assigned to Pacific Department, but to retain command of Ninth Infantry Regiment Regular U. S. Army, etc.....	30

## W.

1. Wright to Thomas, October 21, 1861: Making clothing by contract in San Francisco for troops; whole Pacific Department being stripped of clothing, etc.....	26
2. Wright to Townsend, October 28, 1861: Sending regular troops from California to New York, and California volunteers to Oregon and Washington, etc.....	22
3. Wright to War Department, November 20, 1861: Recites disposition of troops and that transportation from San Francisco to Ruby Valley, Nevada, in summer of 1861, was \$400 a ton, and in November, 1861, it would cost more, etc.....	31
4. Wright to Nye, governor of Nevada, November 22, 1861: Informing Governor Nye that California volunteer troops will be sent to protect overland mail route in Nevada and Utah, and asks for information as to roads over the mountains from California to Nevada, etc.....	29
5. Wright to War Department, November 28, 1861: Acknowledging orders to command Military Department of the Pacific, etc.....	35
6. Wright to assistant adjutant-general, U. S. Army, December 7, 1861: Arrangements for protecting overland mail route, etc.....	38
7. Wright to Thomas, December 9, 1861: Difficulties to march troops across Sierra Nevada Mountains from California to Nevada etc.....	37
8. Wright to Thomas, December, 20, 1861: Preparing military expedition under General Carleton to protect overland mail and emigrant routes, and reporting Indian depredations along the lines of the same, etc....	41
9. Wright to Thomas, February 2, 1862: Telegram. Connor has a severe battle with hostile Indians on Bear River, in Utah; enemy routed, etc.....	137
10. Wright to Thomas, March 26, 1862: Protection to overland mail and emigrant routes as far as Salt Lake or Fort Bridger, etc.	53
11. Wright to Thomas, March 31, 1862: Sending troops to Aurora and Owen's River, California, for protection; difficulty between whites and settlers in Nevada and east California, etc.....	55
12. Wright to Lippitt, April 7, 1862: Break camp at Sauta Barbara, Cal.; proceed to Humboldt district for suppression of Indian troubles in Nevada, etc.....	58
13. Wright to Thomas, April 10, 1862: Reporting Indian troubles in Humboldt district, Nevada, and throwing additional troops into that country, etc.....	57
14. Wright to Thomas, April 18, 1862: Ordering company of Second Cavalry, California Volunteers, to Carson City to maintain peace between Indians and settlers in Nevada; this company forms a part of the command to protect overland mail and emigrant routes in Nevada and Utah, etc.	59
15. Wright's General Orders, No. 17, April 23, 1862: Military commanders will arrest persons abetting and aiding the rebellion, and not to be released without taking the oath of allegiance to the Government of the United States, and promulgates article 57 of act of Congress of April 10, 1806, etc.....	62
16. Wright to Thomas, April 26, 1862: Overland mail route not practicable for wagons till end of May; Carleton's southern expedition has drawn off all extra means of transportation; great want of cash; cost of everything increased for want of funds, etc.....	60
17. Wright's orders, April 30, 1862: Property belonging to certain rebels within the Department of the Pacific subject to confiscation, etc.....	63
18. Wright to Thomas, May 13, 1862: Necessary to hold Arizona under military law; arrival of Steinberger at Vancouver, Wash.; sending troops to Owen's Lake for protection of whites in California; difficult to cross Sierra Nevada Mountains with troops and supplies before middle of June, 1862, etc.....	64

	Page.
19. Wright to Thomas, May 30, 1862: Third Infantry, California Volunteers, encamped near Stockton, Cal.; sending supplies for crossing the Sierra Nevada Mountains; Colonel Connor to advance to Salt Lake to protect the overland mail and emigrant routes, etc.....	67
20. Wright to Nye, governor of Nevada, June 2, 1862: Concentrating Captain Rowe's command near Adobe Valley, Nevada, etc.....	69
21. Wright to Thomas, June 4, 1862: Incloses letter from governor of Nevada; reply to said governor, etc.....	68
22. Wright to Thomas, June 28, 1862: Assigning General Alvord to command Oregon district; Indians still committing depredations in Humboldt district, California; movement of Second California Volunteer Cavalry to Owens Lake for suppression of Indian disturbances in California, etc.	78
23. Wright to Thomas, June 28, 1862: Inspection of Third California Volunteer Infantry; two companies of Second California Cavalry will follow movement of Colonel Connor for protection of overland mail route to California and Oregon, etc.....	79
24. Wright to Thomas, July 10, 1862: Arizona recovered and now held under martial law; difficulties encountered in the expedition of Carleton and Connor, etc.....	84
25. Wright to Thomas, July 25, 1862: Passage of California Third Volunteer Infantry, under Connor, across Sierra Nevada Mountains and in vicinity of Carson City, Nev.; Oregon cavalry companies at Walla Walla, Wash., ordered on the emigrant road to protect emigrants through Indian country in East Oregon, etc.....	86
26. Wright to Thomas, August 13, 1862: Informing War Department of movements of California volunteer and other forces in Arizona; movement of Colonel Connor's Third California Volunteer Infantry in Nevada and Utah, etc.....	87
27. Wright to Thomas, September 22, 1862: Report of Connor's march to Salt Lake, Utah; orders to camp three miles from Salt Lake and protect overland mail route, etc.....	97
28. Wright to Thomas, October 4, 1862: General Canby withdraws from New Mexico; Third California Volunteer Infantry at camp at Ruby Valley, Nevada; Colonel Connor and his march to Salt Lake; Indian difficulties continue at Humboldt district, California; requests raising another California volunteer regiment, etc.....	98
29. Wright to Thomas, October 23, 1862: Arrival of Colonel Connor at Fort Crittenden, and to cross the Jordan in Utah, etc.....	108
30. Wright to Thomas, October 23, 1862: Arrival of Colonel Connor at and occupation of Salt Lake; occupation of Arizona by rebels previous to arrival of the "California column," etc.....	108
31. Wright to Thomas, October 25, 1862: Governor of Nevada organizing and arming four companies loyal citizens to meet emergencies; giving governor of Nevada 100 and governor of California 500 stand of small-arms and equipments; renewing request that 20,000 stand of small-arms be sent to California, and requesting more California volunteer regiments be raised, etc.	112
32. Wright to Thomas, October 31, 1862: Telegram; reporting companies of Washington Territory volunteers; regiments organized; requesting detention of one extra company found at Alcatraz Island, California, etc.....	115
33. Wright to Thomas, November 18, 1862: Reporting result of McCarry's California expedition against guerrillas and to punish Indians engaged in the massacre on the Humboldt River, Nevada, etc.....	124
34. Wright to Thomas, December 15, 1862: Reporting Colonel Connor taking all precautions to effectively guard with California volunteers overland mail route and telegraph stations in Nevada and Utah, etc.....	127
35. Waite's reply to a Mormon committee, March 4, 1863: Reply of Judge Waite, of Utah, to a committee of Mormons who requested his resignation and that he leave the Territory of Utah, etc.....	166
36. Wright to Thomas, March 14, 1863: Public affairs assuming a threatening aspect in Utah; raising an additional volunteer regiment of infantry and seven companies of volunteer cavalry, but recruiting is slow; greatest embarrassment is due to the want of funds; can not possibly get along without specie; United States Treasury notes at a discount of 50 per cent; impossible to make army contracts; prices double in consequence of depreciation of United States currency, etc.....	153
37. Wright to Thomas, May 23, 1863: Telegram; re-enforcements to advance to Colonel Connor; volunteers being raised, etc.	155
38. Wright to Thomas, March 30, 1863: Disaffection of Brigham Young and his adherents and attack by Indians on overland mail stations east of Ruby Valley, Nevada; fears of seizing Mare Island navy-yard, California, by a rebel organization; feverish anxiety in California that rebel organization will strike at the Government when fair prospect of success offers the opportunities, etc.....	157
39. Wright to Clemens, governor of Nevada, April 2, 1863: Authority to raise Nevada volunteers to move east on overland mail route, etc.....	160
40. Wright to Thomas, April 14, 1863: Report of Connor's inspection of Government troops, buildings, and property at Camp Douglas, Salt Lake, Utah, etc.....	161
41. Wright to Clemens, governor of Nevada, April 16, 1863: Indian disturbances along overland mail route east of Carson City, Nev., threaten entire suspension of overland mail facilities and stopping emigration from the East; impossible to purchase horses and equipments; requests that cavalry troops be organized in Nevada, each man to furnish his own horse and horse equipments, etc...	165
42. Wright to Thomas, April 20, 1863: Thinks 200 mounted men and two volunteer companies of infantry can be raised in Nevada; overland mail route liable to interruption by bands of hostile Indians; loyal feeling thoroughly aroused and great Union leagues everywhere forming in California to uphold the United States Government and maintain the Union, etc.....	163

	Page.
43. Wright to Thomas, April 30, 1863: Department of the Pacific laboring under great difficulties both in procuring men and means; one cause is high price of labor and of the developments being made in the mining districts of California and Nevada, and depreciation of United States currency; new military post at Boise, Oregon ordered to be established, etc.....	166
44. Wright to Thomas, May 11, 1863: Volunteer troops from California can not cross the Sierra Nevada Mountains and reach Salt Lake before end of July, 1863; therefore recommends that United States troops be forwarded to Salt Lake from Missouri frontier, etc.....	166
45. Wright to Thomas, May 26, 1863: Loyal citizens of Pacific coast banded together to sustain the United States Government; companies of Fourth Infantry to go to southern California district; stopping sending through the mails disloyal newspapers and traitorous disloyal sheets, and especially the New York Weekly Caucasian, etc.....	169
46. Wright to Thomas, June 8, 1863: Relating to returns and difficulties in the call for troops; secret organizations of disloyal people in California, etc.....	175
47. Wright to Thomas, June 14, 1863: Sending two companies Third California Volunteer Infantry and a detachment of Second California Volunteer Cavalry to Salt Lake, Utah, to move along overland mail line, etc.....	179
48. Wright to Thomas, June 27, 1863: Colonel Moore's California Volunteer Infantry and Cavalry reached Fort Churchill and will advance to Salt Lake Utah; one company of Nevada Territory cavalry mustered in; Shoshone Indians surrendered a large number of horses and property stolen from whites to Colonel Connor; requires great vigilance and activity to a. ord protection to a line of 600 or 800 miles of Indian frontier, etc.....	180
49. Wright to Clemens, governor of Nevada, July 2, 1863: Impossible to station company at Reese River, Nevada; troops will be passing and re-passing there during the summer; will be glad to have two more cavalry companies of Nevada volunteers, etc.....	181
50. Wright to Governor Stanford, of California, July 5, 1863: Sends governor of California copy of a resolution of Congress approved March 19, 1862, accepting money appropriated by any State for the payment of its volunteers. See resolution, as follows, to wit: "A resolution to authorize the Secretary of War to accept moneys appropriated by any State for the payment of its volunteers, and to apply the same as directed by such State. " <i>Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,</i> That if any State, during the present rebellion, shall make any appropriation to pay the volunteers of that State, the Secretary of War is hereby authorized to accept the same and cause it to be applied by the Paymaster-General to the payments designated by the legislative act making the appropriation in the same manner as if appropriated by act of Congress, and also to make any regulations that may be necessary for the disbursement and proper application of such funds to the specific purpose for which they may be appropriated by the several States." (Approved March 19, 1862. U. S. Statutes, vol. 12, page 616.)	
51. Wright to Townsend, September 28, 1863: Reports an examination of Nevada volunteers in Nevada; reporting richness of Nevada mines and the drawing of large numbers of people there; people of Nevada truly loyal and troops of Nevada well organized and disciplined and devoted to the Union, etc.....	191
52. Wright to Townsend, October 19, 1863: Two companies Nevada volunteer cavalry marched from Fort Churchill to Salt Lake; two more companies of Nevada volunteer cavalry organizing at Fort Churchill, etc.....	193
53. Wright to Townsend, November 9, 1863: Colonel Connor, commanding Utah district, concluded treaties of peace with all bands of Indians in that district, etc.....	194
54. Wright to Townsend, November 10, 1863: Relating to the discovering valuable mines in Utah, and drawing there a large population, etc.....	194
55. Wright to Nye, governor of Nevada, November 10, 1863: Will issue small-arms and equipments to officer commanding "Washoe Guards," of Nevada; will require bonds and security for their safe-keeping and return, etc.....	193
56. Wright's General Orders, No. 40, November 14, 1863: Relates to control of new organizations and muster placed in the hands of governors of California, Oregon, and Nevada, and to leaves and paying costs of telegraphing, etc.....	197
57. Wright to Townsend, November 20, 1863: Relative to the difficulties and embarrassments in raising and organizing volunteers on the Pacific coast, etc.....	196
58. Wright to Townsend, November 20, 1863: Peace and quiet is being preserved from British Possessions to Mexico and from Pacific Ocean to Eastern Utah, etc.....	196
59. Wright to Townsend, November 20, 1863: Requesting an approval of all acts done in raising, organizing, and appointing officers for volunteer organizations, as objections may be raised by accounting officers in the cases where the regulations of the Department have not been strictly followed, etc.....	196
60. Wright to Nye, governor of Nevada, December 9, 1863: Arms and accoutrements will be forwarded from Benicia Arsenal; will accept and muster into United States service for Nevada one complete regiment of infantry, Nevada volunteers, etc.....	202
61. Wright to Nye, governor of Nevada, December 10, 1863: After the four companies of Nevada Volunteer Cavalry already called for are filled, etc., will accept two more Nevada volunteer cavalry companies to be organized same way, etc.....	202

	Page.
62. Wright to Adjutant-General U. S. Army, February 2, 1864: Another company First California Volunteer Cavalry gone to Sah Pedro, Cal., for service in Arizona; one company of Ninth Infantry (regulars) gone to Vancouver, Wash., etc.....	207
63. Wright to Adjutant-General U. S. Army, March 5, 1864: Approving location of Camp Douglas, and recommending that it not only be maintained, but strongly re-enforced, etc.....	215
64. Wright to Adjutant-General U. S. Army, April 9, 1864: Alvord organizing small commands to protect settlers near Snake River, in Oregon; in Humboldt district, California, Sixth California Volunteer Infantry prosecuting Indian war; Connor recommends discharge of volunteers of California and serving in Utah and Nevada, etc.....	222
65. Wright to Halleck, May 3, 1864: Telegram explaining reasons for raising more troops in Department of the Pacific, as requested in telegram of May 1, 1864, etc.....	224
66. Wright to Adjutant-General U. S. Army, May 16, 1864: Powerful opposition on the Pacific coast to the administration of the United States Government; enemies of the United States doing all they can to thwart the Government in prosecuting the war; arrest of persons for disloyal practices; Wright thinks the course pursued by him the wisest, etc.....	226
67. Wainwright to Havens, February 13, 1865: Telegram; all ordnance stores due Nevada from Benicia Arsenal forwarded except 31 Sharp's carbines and appendages and 144 rounds for mountain howitzers, etc.....	235

## Y.

1. Young's, Brigham, remarks, March 3, 1863: Treasonable utterances of Brigham Young to the people of Utah against the Government of the United States, etc.....	159
---	-----

# OREGON, WASHINGTON, AND IDAHO.

A.

	Page
1. Alvord to Drum, July 10, 1862: Recommending that the soldiers of the military escort commanded by Captain Marsh be ordered to join their companies and not join Lieutenant Mullan in the Bitter Root Valley, etc .....	86
2. Alvord to Thomas, July 24, 1862: Requesting and stating reasons for reviving the Department of Oregon, and reports large overland emigration to Oregon, etc .....	87
3. Alvord to Rinearson, September 7, 1862: Protecting Indians against whites; removal of whites squatted on their lands, and invokes "showing good intention of Indians," etc .....	119
4. Alvord to assistant adjutant-general, U. S. Army, October 6, 1862: Snake Indians attacked Oregon settlers crossing Snake River above Fort Hall, trying to get to Salmon River mines, etc .....	107
5. Alvord to Gibbs, governor of Oregon, October 11, 1862: Explaining interpretation of the Oregon laws relating to "officers of the line" and "officers of the general staff," etc .....	99
6. Anderson to Alvord, October 12, 1862: Reporting disaffection among Nez Percés Indians, whose reservation is infested with bad whites; fears of an Indian outbreak and inadequate military protection, etc....	120
7. Alvord to assistant adjutant-general, U. S. Army, October 14, 1862: Requesting a military post at Fort Boise and reasons therefor; Snake Indians killing whites, etc .....	111
8. Alvord to assistant adjutant-general, U. S. Army, October 15, 1862: Negotiations for a part or whole of the Nez Percés Indian Reservation; dissatisfaction among Nez Percés Indians; expected trouble from the Snake Indians; protection of Oregon emigrants by Oregon volunteers, etc .....	110
9. Alvord to assistant adjutant-general, U. S. Army, November 4, 1862: Establishment of a military post on the Clearwater, at Lapwal, Wash.; the Nez Percés Indians subjected to outrages; rebel sympathizers infest their reservation, and a very bad condition of things generally among Nez Percés Indians, Idaho, etc....	117
10. Alvord to Gibbs, governor of Oregon, December 24, 1862: Recommending vacancies of commissioned officers Oregon volunteers be filled by seniority as in Regular Army; Captain Whannel's company will be attached to a California infantry regiment, etc .....	126
11. Alvord to Gibbs, governor of Oregon, January 5, 1863: Requesting governor of Oregon to raise six additional companies to complete First Oregon Cavalry Volunteers to serve on the Oregon Indian frontier, and to furnish their own horses and horse equipments, etc .....	131
12. Alvord to Gibbs, governor of Oregon, January 8, 1863: Requests that recruits when raised for Oregon volunteers be sent to military posts, to be subsisted and drilled, and when 100 are enlisted to be mustered in United States service, etc .....	131
13. Alvord to Gibbs, governor of Oregon, January 26, 1863: Wishes authority to raise an Oregon volunteer company on Puget Sound; expenses to be paid by the superintendent of mustering and recruiting volunteers for Oregon district; Fort Steilacoom to be a depot for such purpose, etc .....	133
14. Alvord to Thomas, February 25, 1863: Calling attention to the defenseless state of Pacific coast; requesting mouth of Columbia River be fortified; wishes an iron-clad in Columbia River, and invites attention to designs of English in British Columbia to interfere with commerce of United States, etc .....	149
15. Alvord to Gibbs, governor of Oregon, March 2, 1863: Relating to raising six additional volunteer companies in Oregon, and, as the State administration of Oregon had fallen into other hands, that the governor of Oregon appoint all commissioned officers of Oregon volunteers, etc .....	150
16. Alvord to Gibbs, governor of Oregon, March 8, 1863: Decided that 20 or 30 Oregon volunteers be left at Fort Hoskins, and praising Oregon volunteers, etc .....	152
17. Alvord to Gibbs, governor of Oregon, April 15, 1863: Wishes to raise Oregon volunteers in California; requests a recruiting depot opened at Yreka for that purpose, etc .....	165
18. Alvord to Drum, April 15, 1863: Requests authority if emergency arises to call upon governor of Oregon to raise volunteer troops in a manner similar to that in proclamation of governor of California of February 7, 1863, etc .....	267



	Page.
19. Assistant adjutant-general, Pacific Department, to Alvord, April 29, 1863 Authority granted to call upon governors of Oregon and Washington Territory for necessary volunteer troops to preserve peace in Oregon district, etc.....	267
20. Assistant adjutant-general, Pacific Department, to Alvord, April 29, 1863: Exigencies of service will not permit a reduction of troops in California; full power given to call upon governors of Oregon and Washington Territory for volunteer troops, etc.....	304
21. Alvord to Drum, May 7, 1863: Intend issuing arms to governor of Oregon, etc.....	176
22. Alvord to Drum, May 21, 1863: Authority to call upon governors of Oregon and Washington Territory for necessary volunteer troops important to the public service; disposition of volunteer troops in Oregon; revolutionary plot induced by the piratical schooner <i>I. M. Chapman</i> extended to Oregon, etc.....	177
23. Alvord to assistant adjutant-general, U. S. Army, May 28, 1863: Giving orders to military store-keeper of Vancouver to issue arms; companies leave for Fort Boisé; Columbia River and its valuable commerce at the mercy of any privateer; reports Secretary of State S. E. May to command volunteer military company at Salem, Oregon, etc.....	178
24. Alvord to Gibbs, governor of Oregon, June 4, 1863: No arms or equipments to be issued to Oregon State militia; request to delay issuing arms forwarded on May 13, until news received from General Wright, etc.....	170
25. Alvord to Gibbs, governor of Oregon, June 10, 1863: Relating to recruits at Camp Baker, Oregon, and arms furnished, etc.....	175
26. Alvord to Gibbs, governor of Oregon, July 15, 1863: Directing commanding officer at Fort Steilacoom to obey any orders or request of the governor of Oregon, etc.....	183
27. Alvord to Gibbs, governor of Oregon, August 10, 1863: Company G, First Oregon Cavalry Volunteers, mustered into United States service; reporting mustering in of certain officers, etc.....	186
28. Alvord to Gibbs, governor of Oregon, August 15, 1863: Authorized to issue supplies only to those mustered into the United States service; have no troops at hand to protect eastern Oregon; the troops under Colonel Maury towards Fort Hall, are protecting incoming immigration to Oregon, etc.....	186
29. Alvord to assistant adjutant-general, U. S. Army, August 18, 1863: Relative to the selection and position of Fort Boisé; many roads in Oregon run near it; difficulty experienced in building the military post on account of low rates of United States legal-tender notes, which bear merely nominal value, etc.....	188
30. Alvord to assistant adjutant-general, U. S. Army, August 18, 1863: Depreciation of United States Government currency not only embarrasses United States quartermaster's department but also tends to disaffect the troops, differences between whose pay and the promises by the richest mine-owners make many desertions; that 50 desertions had occurred in four companies at Walla Walla, etc..	188
31. Alvord to Gibbs, governor of Oregon, August 21, 1863: Forwarding resignation of Captain Harris, First Oregon Cavalry, and recommending First Lieutenant Rinchard to fill vacancy, etc.....	137
32. Alvord to Gibbs, governor of Oregon, September 12, 1863: Relative to the appointment of officers of the Oregon volunteer troops, etc.....	190
33. Alvord to Gibbs, governor of Oregon, December 3, 1863: Recommending certain appointments be made in the First Oregon Volunteer Cavalry, etc.....	203
34. Alvord to Gibbs, governor of Oregon, December 30, 1863: Asking if there is any duty to which Second Lieut. J. F. Noble, recruiting officer First Oregon Cavalry, can be assigned, etc.....	204
35. Alvord to Gibbs, governor of Oregon, January 20, 1864: Recommending a second lieutenant First Oregon Cavalry in Company G; the company has 80 men enlisted, etc.....	206
36. Alvord to Gibbs, governor of Oregon, February 6, 1864: Relating to the case of Lieut. John F. Noble and his rejection by the board for a commission in Oregon Volunteers, etc.....	208
37. Alvord to Gibbs, governor of Oregon, February 10, 1864: More troops necessary; expeditions to go against the Shakes; establishment of the post at Fort Lapwai in October, 1862, and assemblage of troops there had a salutary effect; efficient protection given to incoming immigration; efficiency of Oregon volunteer cavalry, etc.....	210
38. Assistant adjutant-general, U. S. Army, to Wright, March 7, 1864: Telegram; consolidation of the Washington Territory regiment postponed, etc.....	215
39. Alvord to Gibbs, governor of Oregon, May 30, 1864: Relative to Oregon volunteer troops preserving the peace during and on the day of election in Oregon, etc.....	227
40. Alvord to Drum, June 1, 1864: Inclosing reports of Captain Drake, First Oregon Cavalry Volunteers, and of Lieutenant McCall relative to a fight between Snake Indians and Oregon Volunteers, in Oregon, etc.....	231
41. Alvord to Gibbs, governor of Oregon, June 6, 1864: Telegram; expect no trouble; regular Union ticket largely ahead at Portland, Oregon, etc.....	228
42. Alvord to Gibbs, governor of Oregon, June 10, 1864: Requests governor of Oregon to call out detachments of Oregon volunteer cavalry for United States service to serve until November 1, 1864; to furnish their own horses, to receive 40 cents per day for use and risk; necessary on account of murders and robberies by Snake Indians, etc.....	228
43. Alvord to Gibbs, governor of Oregon, June 10, 1864: Call upon governor of Oregon for detachments of Oregon cavalry volunteers to serve until November 1, 1864; enlisted men to furnish their own horses and horse equipments; call made on account of murders and robberies by Snake Indians in east Oregon, etc.....	305

44. Alvord to assistant adjutant-general, Pacific Department, June 1, 1864:  
Relative to a call for Oregon volunteers for protection of road from  
City, Oregon, and from Snake Indians, and the 2,000 or 3,000  
City, Oregon, etc.....
45. Alvord to Drum, June 14, 1864:  
Calling upon governor of Oregon for forty Oregon cavalry volunteers  
November 1, 1864, to protect the road from Dalles to Canyon City, Oregon,  
Indians, etc.....
46. Assistant adjutant-general, Pacific Department, to Alvord, June 15, 1864:  
Telegram; authority contained in letter of April 29, 1863, revoked, etc.....
47. Assistant adjutant-general, Pacific Department, to Alvord, June 15, 1864:  
Telegram; authority contained in letter of April 29, 1863, revoked, etc.....
48. Assistant adjutant-general, Pacific Department, to Alvord, June 25, 1864:  
No authority from War Department to call out Oregon volunteers; com-  
mitments of Oregon cavalry to meet emergencies on account of hostile  
turbances, and troubles; special appropriation by Congress necessary  
volunteers for their services, etc.....
49. Alvord to Gibbs, governor of Oregon, July 7, 1864:  
General Orders No. 182, War Department, prohibits appointment of an  
geon in a cavalry regiment reduced below a minimum, etc.....
50. Alvord to Gibbs, governor of Oregon, September 21, 1864:  
Relative to application to raise a company of First Oregon Cavalry at Fort  
51. Alvord to Gibbs, governor of Oregon, October 18, 1864:  
Important for the public service for Oregon to pass a law paying bounties  
and recommends the same, etc.....
52. Alvord to Gibbs, governor of Oregon, October 18, 1864:  
Pay for Oregon volunteers inadequate; every State pays bounties; depreca-  
tender notes discouraging to volunteering, etc.....
53. Alvord to Gibbs, governor of Oregon, October 18, 1864:  
Regrets if Oregon legislature should adjourn without passing the bounty  
bounties to all Oregon volunteers, etc.....
54. Act of Oregon legislature approved October 24, 1864:  
"An act granting bounties to volunteers enlisted in United States service,  
bonds to provide funds to pay the same, and to levy a tax to pay such boun-  
55. Act of Oregon legislature for the relief of commissioned officers and men of Ore-  
teers in the United States service, October 24, 1864:  
"An act for the relief of the commissioned officers and enlisted men of the Ore-  
teers in the service of the United States," etc.....
56. Alvord to Gibbs, governor of Oregon, November 9, 1864:  
Recommends all State armories in Oregon to be well guarded, and all equip-  
gon State militia be held ready to act if necessary, etc.....
57. Alvord to Drum, November 19, 1864:  
Relative to calling out the Oregon militia in case of insurrection; secret clubs  
to the United States exist in all parts of Oregon; preparation before they  
vented disorder, etc.....
58. Alvord to Drum, November 19, 1864:  
Relative to Indian war; Oregon war debt assumed by the United States; repay-  
half of the cost of supplies actually furnished; great timidity in furnishing  
to the United States, especially on call of governor of Oregon, etc.....
59. Alvord to Drum, November 19, 1864:  
Alarming condition of affairs in Oregon; arms transported by order of govern-  
gon threatened with seizure en route; President Lincoln's re-election  
the draft and military arrests in Oregon next excuse for civil outbreaks;  
without locks to insure protection, and discretionary authority to call out  
militia to meet any contingency asked for; inspection at State fairs of Oregon  
who are devoted to the Government of the United States; governor of Oregon  
Oregon militia used by United States under section 4, article 4 of Constitu-  
act of Congress July 29, 1861; rapidity of military action important; if  
wires are cut no reply by mail inside of twenty days; experience of Oregon  
gon Indian wars of 1855-'56 bred great timidity in furnishing supplies, etc.,  
during rebellion; repudiation of Oregon's war claims by United States a seri-  
Oregon Indian war 1855-'56, etc.....
60. Alvord to Gibbs, governor of Oregon, November 22, 1864:  
All recruits for any Oregon volunteer companies in United States service  
the locality in which they enlist; no authority to say only one regiment of  
will be called for from Oregon, etc.....
61. Alvord to Gibbs, governor of Oregon, January 5, 1865:  
Recommending Dr. Storrer to fill vacancy in First Oregon Volunteer Cavalry,  
62. Alvord to Gibbs, governor of Oregon, January 10, 1865:  
Relative to bounties paid by Oregon legislature for Oregon volunteer infantry  
thinks Oregon volunteer cavalry entitled to be paid similar bounty, etc.....
63. Assistant adjutant-general, U. S. Army, to Halleck, November 24, 1865:  
No regular cavalry regiment can be sent to Pacific coast at present, etc.....
64. Assistant adjutant-general, U. S. Army, to Halleck, December 19, 1865:  
Requesting the original muster-rolls of a detachment of Oregon cavalry, en-  
June-July, 1864, at Fort Dalles, Oregon, to serve for one hundred days un-  
than Olney, etc.....
65. Assistant adjutant-general, Military Division Pacific, to commanding officer, Depart-  
of the Columbia, January 18, 1866:  
Relating to the original muster-rolls of a detachment of Oregon cavalry, en-  
June-July, 1864, to serve one hundred days under Nathan Olney, wishes a  
upon the disposition of said rolls, etc.....
66. Assistant adjutant-general, U. S. Army, to Halleck, August 1, 1866:  
Authorized to organize two hundred Indian scouts to receive pay and allow-  
cavalry soldiers, etc.....
67. Assistant adjutant-general, U. S. Army, to Sheridan, August 1, 1866:  
Authorized to organize two hundred Indian scouts to receive pay and allow-  
cavalry soldiers, etc.....
68. Assistant adjutant-general, U. S. Army, to Halleck, August 7, 1866:  
Authorized to recruit one of the new regiments of regular cavalry for service on  
coast, etc.....

	Page.
B.	
1. Birdseye to Baker, April 27, 1861: Wants Senator Baker, of Oregon, to command California volunteer regiment, etc.....	2
2. Buell's general orders, May 31, 1861: All vessels entering United States waters under secession flag to be sunk, etc.....	3
3. Bailey to Steinberger, October 11, 1862: Requesting governor of Oregon to continue troops at Lapwai, near Lewiston, Idaho, during the winter, and for protection against Indians, etc.....	123
4. Barnard to Gibbs, governor of Oregon, February 27, 1863: Requesting that Fort Hoskins, Oregon, be not abandoned, and giving reasons therefor, and owing to Indian troubles, etc.....	152
5. Bissell to Drum, April 16, 1863: Relating to a meeting on San Juan Island, the acts of certain United States officials on that island, and reports a joint occupation thereof pending negotiations between United States and England relative to the title thereof, etc.....	172
6. Bernard to Baker, July 31, 1866: Reporting the result of the scout sent out from Camp Watson, Oregon, against hostile Indians; report of an engagement with hostile Indians in Oregon, etc.....	319
C.	
1. Cady to Whiteaker, governor of Oregon, November 1, 1861: Raising Oregon cavalry company; orders suspended, etc.....	27
2. Cornelius to Adjutant-General U. S. Army, February 20, 1862: Reporting progress of raising Oregon volunteers, etc.....	49
3. Cornelius to Wright, March 16, 1862: Recruiting Oregon volunteer companies at Oregon City, The Dalles, and Portland. Oregon, etc.....	54
4. Cady to Whiteaker, governor of Oregon, April 16, 1862: Relating to great necessity of protecting against hostile Indians in eastern and north-eastern Oregon, etc.....	54
5. Citizens of Oregon petitioning governor of Oregon, August 1, 1863: Requesting a company of mounted troops be procured to assist citizens in subduing the Indians in southeastern Oregon; Indians stealing stock and committing depredations and endangering life and property, etc.....	186
6. Connor to Halleck, February 15, 1864: California and Nevada volunteers compelled to go into the mountains, distant 20 miles, in midwinter to obtain timber; cost of everything very high, etc.....	211
7. Cameron to Maynadler, April 4, 1864: Detailed as superintendent of emigration to enlist fifty young men for guards and sentries for emigrant parties to California, Oregon, and Nevada; instructions fully given for purchasing everything necessary; \$35,000 placed at his command therefor, etc.....	220
8. Chief of Ordnance's indorsement on requisition, April 9, 1864: Recommendation of General Wright, dated March 7, 1864, not approved, etc.....	216
9. Cooper to Gibbs, governor of Oregon, November 7, 1864: Informed that 4,554 men sworn to make civil war against the loyal men of Oregon within ten days and will oppose a United States draft, etc.....	258
10. Citizens' meeting in Oregon, at Salem, November 10, 1864: Meeting of citizens at Salem, Oregon, relative to the apprehension of a civil outbreak; extracts from Oregon press; public resolution relative thereto, etc.....	265
D.	
1. Drum's General Orders No. 23, October 2, 1861: Relieving regular troops on Pacific coast by volunteers, etc.....	23
2. Drum's General Orders No. 28, October 20, 1861: Colonel Wright relieves General Sumner and assumes command Department Pacific, etc.....	26
3. Drum to Steinberger, February 7, 1862: Mustering in officers Washington Territory volunteers, etc.....	48
4. Drew to Drum, March 4, 1863: Stating the condition of Oregon volunteers and reason for resignation of their officers, etc.....	154
5. Drew to Drum, March 4, 1863: Officers of Oregon volunteers compelled to hire money to purchase their horses, horse equipments, etc., and to defray personal expenses at great rates of interest, etc.....	154
6. Drew to Drum, March 4, 1863: Money borrowed by the officers of the Oregon volunteers is in specie and must be paid in specie, while the payment to soldiers and officers by the United States to the Oregon volunteers are made in United States Treasury notes worth not more than 50 to 55 cents in coin to the greenback dollar, etc.....	154
7. Drew to Drum, March 4, 1863: Officers and soldiers Oregon volunteers serving in Oregon for less than half pay, and to serve much longer they will be irretrievably bankrupt; officers and enlisted men have not been paid for over one year, etc.....	154
8. Drew to Drum, March 4, 1863: Delay and uncertainty about the pay by the United States of Oregon volunteers at Camp Baker, Oregon, prevents enlistment in great numbers; good men will not enlist for \$6 and \$7 per month while \$13 is the regular pay and realized by soldiers in departments other than that of the Pacific, etc.....	154
9. Drake to assistant adjutant-general, district of Oregon, May 20, 1864: Relative to the fight between Snake Indians and Oregon volunteers in Oregon, etc.....	230
10. Drum's General Orders No. 38, July 25, 1864: No interference by United States authorities with elections; no armed organization permitted in Department Pacific, etc.....	242

	E.	Page
1. English to Fry, May 4, 1865: Telegram; no Oregon volunteer regiment full; relating to the number of enlisted men mustered in volunteer Oregon companies and regiments, etc .....		293
2. English to Fry, May 12, 1865: Telegram; McDowell wishes the Oregon volunteers mustered in; requests the filling up of the Tenth Company Oregon Volunteer Infantry, etc .....		294
3. English to assistant adjutant-general, Department of the Columbia, February 20, 1866: Relative to original muster-roll of Oregon volunteer cavalry company under Nathan Olney, and transmits certified copy (from original on file in his office) of said muster- rolls of Nathan Olney's company of Oregon volunteer cavalry, etc .....		307
4. Exhibit, etc., July 9, 1866: Exhibit, etc., of number of organizations, volunteers and militia, mustered in the United States service during the rebellion from the States of California, Oregon, and Nevada, etc., .....		317
F.		
1. Fry to English, May 9, 1865: Telegram; if McDowell wants services of Oregon volunteers already enlisted then mas- ter in and place them at his disposal, etc .....		294
2. Fry to English, May 17, 1865: Telegram; fill Tenth Oregon Volunteer Infantry Company by transfer of Oregon volun- teer cavalry recruits, etc .....		294
G.		
1. Gibbs, governor of Oregon, to Alvord, October 7, 1862: Oregon legislature considering a militia law; wishes to know which are "chief officers of the general staff" and which "of the line." Likelihood of Indian troubles in east- ern Oregon, etc .....		99
2. Gibbs, governor of Oregon, to Alvord, December 15, 1862: Recommending Captain Whannel's San Francisco company be attached to Oregon cav- alry volunteers, and recommending regiment of Oregon cavalry be filled, etc .....		126
3. Gibbs, governor of Oregon, to Alvord, January 12, 1863: Assent to the plan of placing enlisted men at Fort Vancouver and other military posts in Oregon and Washington Territory, etc .....		132
4. Gibbs, governor of Oregon, to governor of Washington Territory, January 21, 1863: Making provisions for raising five of the six companies Oregon volunteers; required expenses will not be paid unless raised in Oregon, etc .....		133
5. Gibbs, governor of Oregon, to Alvord, January 22, 1863: Doubt about raising five full companies of Oregon volunteers in Oregon; inclosing a let- ter from governor of Washington Territory, etc .....		133
6. Gibbs, governor of Oregon, to Alvord, March 5, 1863: Inclosing a communication from A. D. Barnard protesting against abandoning Fort Hos- kins, Oregon, and reciting Indian depredations, etc .....		152
7. Gibbs, governor of Oregon, to Alvord, April 14, 1863: Certain persons in Oregon wish to raise an Oregon volunteer company to be stationed at Fort Hoskins; do not think a volunteer company can be raised or filled in time to join the expedition to Bois�, Oregon, etc .....		164
8. Gibbs, governor of Oregon, to Alvord, April 25, 1863: Appointment of officers to Oregon volunteer regiments, etc .....		166
9. Gibbs, governor of Oregon, to Alvord, April 29, 1863: Appointment of second lieutenant to First Regiment Cavalry, Oregon Volunteers; res- ignation of Lieut. D. P. Thompson, Oregon Volunteers, received, etc .....		166
10. Gibbs, governor of Oregon, to Alvord, May 3, 1863: Requesting assignment to duty of certain officers of Oregon volunteers, etc .....		167
11. Gibbs, governor of Oregon, to Alvord, May 7, 1863: Reporting independent Oregon militia companies filling up; will soon call for arms, etc .....		167
12. Gibbs, governor of Oregon, to Alvord, May 10, 1863: Arms due the State by the General Government, but none on hand; have no arms to equip independent militia companies, etc .....		168
13. Gibbs, governor of Oregon, to Alvord, May 10, 1863: No arms to furnish independent companies arms due the State by the Government, etc .....		177
14. Gibbs, governor of Oregon, to Alvord, May 25, 1863: Men at The Dalles to join Captain Noble's company Oregon volunteers; Noble to recruit men at The Dalles, etc .....		169
15. Gibbs, governor of Oregon, to Alvord, May 25, 1863: Mustering in of Lieutenant Hedrick as second lieutenant Oregon cavalry volunteers, to engage in recruiting service, etc .....		169
16. Gibbs, governor of Oregon, to Wright, May 26, 1863: Withdrawing request to leave enlisted men at Fort Baker, Oregon; enlisted men at Fort Baker to join a volunteer company at Fort Vancouver, Wash., etc .....		170
17. Gibbs, governor of Oregon, to Alvord, June 6, 1863: Oregon State militia can not be organized unless arms are furnished by United States; signs of danger gather round Oregon; a few more Federal reverses East will involve Oregon in civil war; governor of Oregon wishes to prepare the State of Oregon for the worst, as far as in his power to maintain the common defense; opposed to the removal of troops, etc .....		173
18. Gibbs, governor of Oregon, to Alvord, June 6, 1863: Relative to the appointment of Dr. Lee as surgeon to First Regiment Oregon Cavalry Volunteers, etc .....		174
19. Gibbs, governor of Oregon, to Wright, July 2, 1863: Recruiting Oregon volunteers slow in Oregon; had to contend against secession ele- ments; railroad and turnpike construction companies offer better inducements to men than enlisting in Oregon volunteers, and said companies pay their men in coin, etc .....		181
20. Gibbs, governor of Oregon, to Alvord, August 14, 1863: Forwarding a petition from the citizens to Auburn, eastern Oregon, in relation to Indian depredations, etc .....		186

	Page.
21. Gibbs, governor of Oregon, to Alvord, September 1, 1863: Relating to a change of officers in the Oregon volunteer troops, etc.....	190
22. Gibbs, governor of Oregon, to Alvord, September 26, 1863: Relating to a change of officers of Oregon volunteer troops, etc.....	191
23. Gibbs, governor of Oregon, to Alvord, September 19, 1863: Relative to assigning Lieutenant Darragh as second lieutenant to Kelly's company, Oregon volunteers, etc.....	196
24. Gibbs, governor of Oregon, to Darragh, December 26, 1863: Revocation of appointment on recruiting service as second lieutenant cavalry, Oregon volunteers, etc.....	203
25. Gibbs, governor of Oregon, to Henry, December 26, 1863: Revocation of appointment on recruiting service as second lieutenant cavalry, Oregon volunteers, etc.....	204
26. Gibbs, governor of Oregon, to Alvord, December 31, 1863: No duty to which Lieutenant Noble, Oregon volunteers, can be assigned; impossible to raise any more companies under proclamation of January, 1863; all recruiting offices have been closed, etc.....	204
27. Gibbs, governor of Oregon, to Alvord, January 20, 1864: Recommending that John F. Noble be paid for his services as second lieutenant Oregon volunteer cavalry, etc.....	205
28. Gibbs, governor of Oregon, to Alvord, January 20, 1864: Recommending that John Darragh be paid for his services in raising an Oregon vol- unteer company and for personal expenses incurred, etc.....	206
29. Gibbs, governor of Oregon, to Alvord, January 20, 1864: Recommending Francis Henry while on Oregon recruiting service and expenses attend- ing same, etc.....	206
30. Gibbs, governor of Oregon, to Alvord, January 21, 1864: Inquiries if two men enlisted in Oregon cavalry service and at Fort Steilacoom can be sent to Vancouver; and if so, transportation can be furnished, etc.....	206
31. Gibbs, governor of Oregon, to Alvord, February 16, 1864: Forwarding a letter from H. Jones, of Jones & Edgar's express, etc.....	214
32. Gibbs, governor of Oregon, to Alvord, March 1, 1864: Requesting the mustering in of Patrick McGuire as second lieutenant Oregon volunteer cavalry, etc.....	215
33. Gibbs, governor of Oregon, to Alvord, April 1, 1864: Sent for a new commission for Patrick McGuire, etc.....	220
34. Gibbs, governor of Oregon, to Alvord, April 9, 1864: Request an escort to accompany Col. D. P. Thompson to survey eastern boundary of Oregon, south of the mouth of the Owyhee River, etc.....	220
35. Gibbs, governor of Oregon, to Alvord, April 13, 1864: Col. D. P. Thompson abandons his intention to survey eastern boundary of Oregon, therefore order for his escort may be countermanded, etc.....	224
36. Gibbs, governor of Oregon, to Alvord, June 11, 1864: Mustering in United States service of Nathan Olney as second lieutenant, and to engage in recruiting at The Dalles of Oregon volunteers, etc.....	229
37. Gibbs, governor of Oregon, to Alvord, July 5, 1864: Recommends Dr. Edward Colmanche be mustered in as assistant surgeon First Regi- ment Oregon Volunteers, etc.....	235
38. Gibbs, governor of Oregon, to Alvord, August 3, 1864: Public land surveys in Oregon can not be made unless an escort be furnished, as same will run through an Indian country east of Canyon City, Oregon, and requests an escort therefor, etc.....	235
39. Gibbs, governor of Oregon, to Alvord, September 16, 1864: McDowell desires a company of Oregon volunteer cavalry to be raised near Auburn, Oregon, etc.....	244
40. Gilmore to governor of Oregon, October 3, 1864: Relating to a volunteer company of troops being encamped near Canyon City, Oregon, about election time, etc.....	246
41. Gibbs, governor of Oregon, to Alvord, October 5, 1864: Fears of a civil outbreak in Oregon on election day; relative to passing a State law appropriating \$150,000, in order to pay a bounty of \$150 to each Oregon volunteer; relative to resolutions passed by Oregon State agricultural society against the pres- ence of Oregon volunteers or militia at State fairs in Oregon, etc.....	245
42. Gibbs, governor of Oregon, to McDowell, October 15, 1864: Requesting a part of the arms in the Vancouver arsenal, Washington Territory, to be placed in the hands of Union men in Oregon; rumors of trouble likely to occur at election time in Oregon if emigrant votes are challenged, etc.....	248
43. Gibbs, governor of Oregon, to McDowell, October 15, 1864: Wishes to have McDowell's opinion whether Oregon's militia law should be repealed, so as to show same to a few members of the legislature and to Oregon copper-heads opposed to said laws; McDowell's telegram and Alvord's letter had effect to render Oregon's militia organization safe for two years; could organize more Oregon vol- unteer companies if had arms; have no funds to purchase more; have only sabers, etc.....	248
44. Gibbs, governor of Oregon, to Alvord, October 20, 1864: Telegram; regiment of Oregon volunteer infantry ordered by McDowell, etc.....	250
45. Gibbs, governor of Oregon, to McDowell, October 20, 1864: Acknowledges receipt of telegram to raise one regiment of Oregon volunteer infantry, but fears Oregon legislature will not pass bounty bill, etc.....	250
46. Gibbs, governor of Oregon, to Alvord, October 20, 1864: Fears a regiment of volunteer infantry can not be raised in Oregon; recommends Ore- gon legislature to pay bounties to volunteers, and recites that there is not a gen- eral disposition in Oregon to pass such a law, etc.....	250
47. Gibbs, governor of Oregon, to Alvord, October 20, 1864: Inclosing McDowell's telegram; legislature in consequence of McDowell's telegram seem disposed to pay bounties; will send in a special message relating thereto and recommending the same; wish recruiting offices opened, etc.....	250

48. Gibbs, governor of Oregon, proclamation, October 24, 1864: ..... 251  
 Calling upon citizens of Oregon to organize into volunteer companies to fill the requisition of General McDowell for one regiment Oregon volunteer infantry; plan of recruiting, organization, etc.
49. Gibbs, governor of Oregon, special message to Oregon legislature, October 24, 1864: ..... 251  
 Special message to the Oregon legislature by the governor thereof, recommending paying bounties to Oregon volunteers, and issuing bonds to carry such bounty laws into effect, etc.
50. Gibbs, governor of Oregon, to Alvord, October 27, 1864: ..... 252  
 Requesting Captain Small's company unarmed Oregon volunteers at Canyon City during the election in Oregon to vote freely and assist civil authorities if necessary to preserve the peace until after the election, etc.
51. Gibbs, governor of Oregon, to Alvord, October 29, 1864: ..... 256  
 Requesting the members of First Regiment Oregon Volunteers be allowed to go to the polls and vote; threats of violence have been made at Canyon City, at The Dalles, and at Portland, Oregon, etc.
52. Gibbs, governor of Oregon, to Alvord, November 3, 1864: ..... 257  
 Wishing arms (excepting sabers) to uniform four companies of Oregon volunteer cavalry to be delivered at Salem, Oregon, etc.
53. Gibbs, governor of Oregon, to Alvord, November 3, 1864: ..... 257  
 Requesting 10,000 ball cartridges; may want arms for another Oregon volunteer infantry company, etc.
54. Gibbs, governor of Oregon, to Alvord, November 6, 1864: ..... 257  
 Fears of a riot on election day in Oregon; wishes 40 rounds of shot or canister prepared for use for a 6-pounder, etc.
55. Gibbs, governor of Oregon, to McDowell, November 7, 1864: ..... 258  
 Forwarding a copy of Cooper's letter; secret organizations of disloyalists in Oregon; placing 400 stand of arms in the hands of State militia cavalry companies; recruiting Oregon volunteers slowly in Oregon, etc.
56. Gibbs, governor of Oregon, to Alvord, November 8, 1864: ..... 258  
 Election in Oregon progressing quietly; sending a copy of Mr. Cooper's letter, etc.
57. Gibbs, governor of Oregon, to Alvord, November 9, 1864: ..... 260  
 Inclosing a copy of McDowell's letter of September 7, 1864, etc.
58. Gibbs, governor of Oregon, to Alvord, November 11, 1864: ..... 261  
 Inclosing a telegram from Colonel Reed and Judge Baily; thinks a plot is on foot to capture State arms going to Eugene City, Oregon; wants an escort to accompany to Eugene City, etc.
59. Gibbs, governor of Oregon, to Alvord, November 14, 1864: ..... 261  
 State arms en route from Salem to Corvallis, Oregon, under escort; grounds for Cooper's apprehension, etc.
60. Gibbs, governor of Oregon, to Alvord, November 16, 1864: ..... 262  
 Inclosing a letter from Walla Walla, Wash., precinct, showing the spirit of opposition to the United States Government, etc.
61. Gibbs, governor of Oregon, to Alvord, November 21, 1864: ..... 268  
 Requesting to know if enlistments in Oregon Volunteer Cavalry will be deducted from quota of Jackson County, Oregon, etc.
62. Gibbs, governor of Oregon, to Alvord, November 26, 1863: ..... 260  
 Requesting a leave of absence for Captain Currey, Oregon Volunteers, to assist in raising First Oregon Volunteer Infantry Regiment, etc.
63. Gibbs, governor of Oregon, to Alvord, December 8, 1864: ..... 273  
 Recommends the 94 enlisted men of Lafollette's company be sent either to Fort Hoskins or Yamhill, Oregon, etc.
64. Gibbs, governor of Oregon, to Alvord, December 10, 1864: ..... 274  
 Requesting Company A, First Oregon Volunteer Infantry, be ordered to a military post without waiting the completion of regiment, etc.
65. Gibbs, governor of Oregon, to English, December 10, 1864: ..... 274  
 Ninety-seven Oregon volunteers, enlisted by Lieutenant Lafollette under proclamation of governor of Oregon, October 24, 1864, ready to be mustered into United States service, etc.
66. Gibbs, governor of Oregon, to English, December 15, 1864: ..... 275  
 Appointment of certain officers in First Regiment Volunteer Infantry, Oregon, and request they be mustered into United States service, etc.
67. Gibbs, governor of Oregon, to English, December 15, 1864: ..... 274  
 Eighty-three Oregon volunteers, enlisted by Lieutenant Reynolds under proclamation of governor of Oregon of October 24, 1864, ready to be mustered in United States service, etc.
68. Gibbs, governor of Oregon, to English, December 15, 1864: ..... 274  
 Appointment of certain officers for Oregon volunteer regiments, etc.
69. Gibbs, governor of Oregon, to Alvord, December 16, 1864: ..... 275  
 Appointment of certain officers in First Regiment Oregon Volunteer Infantry, etc.
70. Gibbs, governor of Oregon, to English, December 22, 1864: ..... 277  
 Eighty-five Oregon volunteers, enlisted under proclamation of governor of Oregon, October 24, 1864, ready to be mustered into United States service, etc.
71. Gibbs, governor of Oregon, to Alvord, December 23, 1864: ..... 277  
 Divisions of military district for the purpose of recruiting the regiment of Oregon volunteer infantry, etc.
72. Gibbs, governor of Oregon, to Alvord, December 24, 1864: ..... 278  
 Request that all officers for First Regiment Oregon Volunteer Cavalry who wish to remain in service be retained, etc.
73. Gibbs, governor of Oregon, to English, December 26, 1864: ..... 278  
 Request certain officers for First Regiment Oregon Volunteer Infantry be mustered in United States service, etc.
74. Gibbs, governor of Oregon, to English, December 28, 1864: ..... 278  
 Recruiting for an Oregon volunteer cavalry regiment can commence in certain counties of Oregon; McDowell wishes it raised, etc.
75. Gibbs, governor of Oregon, to Alvord, December 30, 1864: ..... 279  
 Requesting mustering of Captain Drake, First Oregon Volunteer Cavalry, in United States service, etc.
76. Gibbs, governor of Oregon, to English, December 30, 1864: ..... 280  
 Requesting certain Oregon volunteer officers be sent to different military posts, etc.



	Page.
77. Gibbs, governor of Oregon, to English, January 3, 1865: Requesting J. L. Boon be mustered in United States service as first lieutenant and adjutant of First Oregon Volunteer Infantry, etc.....	280
78. Gibbs, governor of Oregon, to Alvord, January 4, 1865: Requesting discharge from United States service of Sergt. J. B. Dimmick, First Ore- gon Volunteer Cavalry, and appear before board for appointment as first lieuten- ant First Oregon Volunteer Cavalry, etc.....	280
79. Gibbs, governor of Oregon, to English, January 4, 1865: Requesting mustering in of certain officers of Oregon volunteer company raised in certain counties in Oregon, etc.....	280
80. Gibbs, governor of Oregon, to English, January 4, 1865: Requesting mustering of Lieutenant McCowan, First Oregon Volunteer Infantry, with the minimum of his company, etc.....	281
81. Gibbs, governor of Oregon, to Alvord, January 7, 1865: Appointment of Dr. Storrer as surgeon First Oregon Volunteer Cavalry; etc.....	281
82. Gibbs, governor of Oregon, to Alvord, January 16, 1865: No apprehensions of a civil outbreak in Oregon, unless a draft is ordered; arrest in Cal- ifornia of leaders of a plot to fit out a piratical vessel, tended to check traitorous operations in Oregon, etc.....	281
83. Gibbs, governor of Oregon, to Alvord, January 19, 1865: Requesting mustering in of captain First Oregon Volunteer Cavalry in United States service, etc.....	283
84. Gibbs, governor of Oregon, to Alvord, February 1, 1865: Ordering adjutant of First Regiment Oregon Volunteer Infantry to report to Adjutant General Reed, of Oregon, as the issuing of "back pay" and "bounty bonds" to pay Oregon volunteers has much increased the work in office of State adjutant-general, etc.....	283
85. Gibbs, governor of Oregon, to Alvord, February 7, 1865: Requesting a certain officer be mustered in the United States service as an officer of First Oregon Cavalry, etc.....	284
86. Gibbs, governor of Oregon, to English, February 7, 1865: Requesting certain officers be mustered in the United States service as belonging to the First Oregon Infantry, etc.....	284
87. Gibbs, governor of Oregon, to English, February 7, 1865: Eighty-five men enlisted for the Oregon Volunteer Infantry; requesting mustering in United States service, etc.....	284
88. Gibbs, governor of Oregon, to Larrison, February 7, 1865: Appointment of second lieutenant, First Regiment Oregon Volunteer Cavalry, and for recruiting duty for said regiment, etc.....	285
89. Gibbs, governor of Oregon, to Alvord, February 21, 1865: Bringing before the military board at Salem, Oregon, the paying State bounties to the brigade band Oregon volunteers, etc.....	285
90. Gibbs, governor of Oregon, to Alvord, February 23, 1865: Governor of Oregon suggests company commanders First Oregon Volunteer Infantry, and captains Oregon Volunteer Cavalry, Rinehart and Drake, be authorized to re- cruit for Tenth Company First Oregon Volunteer Infantry, etc.....	286
91. Gibbs, governor of Oregon, to Alvord, March 4, 1865: Will appoint as soon as possible Oregon volunteer officers for Lane County, Oregon, Vol- unteer Company, etc.....	286
92. Gibbs, governor of Oregon, to Alvord, March 7, 1865: Requesting Company H, First Infantry Oregon Volunteers, be ordered from Camp Rus- sell to Fort Vancouver, Wash., when mustered into United States service, etc.....	286
93. Gibbs, governor of Oregon, to English, March 7, 1865: Requesting eighty Oregon volunteers enlisted in Lane, Douglas, and Coos counties, Ore- gon, for First Oregon Volunteer Infantry, be mustered in United States service as Company H, and remainder be retained as Company K, etc.....	286
94. Gibbs, governor of Oregon, to Alvord, March 7, 1865: Relative to the appointment and discharge of officers of Oregon volunteers, etc.....	286
95. Gibbs, governor of Oregon, to McDowell, March 7, 1865: First Oregon Volunteer Infantry Company ready for mustering in; asks that they re- ceive proper attention after muster, etc.....	287
96. Gibbs, governor of Oregon, to McDowell, March 7, 1865: Seven companies of Oregon volunteer infantry raised; appointment of officers of Ore- gon volunteers; raising Oregon volunteer companies in mining districts, etc.....	287
97. Gibbs, governor of Oregon, to Ingram, March 24, 1865: To hasten completion of First Regiment Oregon Volunteer Infantry; recruit for com- pany at any place in Oregon, etc.....	289
98. Gibbs, governor of Oregon, to McDowell, April 21, 1865: Telegram; Oregon volunteer infantry lacks 34 men; two new companies of Oregon vol- unteer cavalry nearly full, etc.....	293
99. Gibbs, governor of Oregon, to English, April 22, 1865: Necessity of troops in Oregon: relative to fitting out an expedition at Eugene City to go into the Indian country, etc.....	292
100. Gibbs, governor of Oregon, to English, May 23, 1865: Transfer of 40 Oregon volunteers from First Oregon Volunteer Cavalry to First Oregon Volunteer Infantry; discharge of Captain Rinehart, etc.....	294
101. Gibbs, governor of Oregon, to McDowell, May 22, 1865: Telegram; Oregon Volunteer Infantry Regiment full; appointment of Captain Rinehart as major Oregon Volunteer Infantry, etc.....	295
102. Gibbs, governor of Oregon, to Maury, May 23, 1865: Requesting the 40 Oregon volunteers transferred from Oregon Volunteer Cavalry to Oregon Volunteer Infantry will not prevent troops being sent on the Oregon military road or its being surveyed and opened; if unable to furnish escort to Pengra, in charge of Oregon wagon road expedition, completion of road will be delayed, etc....	294
103. Gibbs, governor of Oregon, to Maury, June 2, 1865: Company K, First Oregon Volunteer Infantry full; requests it be assigned to duty, etc.....	295

	Page.
104. Gibbs, governor of Oregon, to Currey, August 1, 1865: Petition from citizens of Albany, Oregon, asking a military escort to protect military wagon road across Cascade Mountains between the Willamette Valley and Des Chutes River, Oregon, etc.....	285
105. Gibbs, governor of Oregon, to Currey, November 8, 1865: Hostile Indians committing depredations on the Canyon City road, Oregon; wish the Indians brought to the Indian reservations and troops retained for protection of the country, etc.....	289
106. Gibbs, governor of Oregon, to Halleck, November 11, 1865: Marauding bands of hostile Indians between The Dalles and Canyon City, Oregon; citizens of The Dalles put to great expense to raise a detachment of Oregon volunteer cavalry to keep road open; request that Oregon volunteers be not disbanded till the spring of 1866, etc.....	289
107. Gibbs, governor of Oregon, to Halleck, November 11, 1865: Wish the Oregon volunteers be retained in United States service while the citizens of Oregon are being robbed and murdered; travels and traders annoyed by hostile Indians in Oregon, etc.....	290
108. Gibbs, governor of Oregon, to Steele, March 24, 1866: Relative to hardships and sufferings of company (First Oregon Infantry) from cold and want of clothing and supplies; wish them to go to Umatilla, and messenger be sent to their relief, etc.....	299
H.	
1. Halleck to Wright, January 14, 1863: Authorizes the establishment of military posts at Fort Boise and Klamath Lake, Oregon, etc.....	180
2. Halleck to Wright, February 3, 1863: Authorizes completion of Oregon volunteer cavalry regiment, etc.....	137
3. Halleck to Wright, March 19, 1863: Telegram; prepare to re-enforce Colonel Connor; Secretary of War authorizes raising additional volunteers in California and Nevada, etc.....	155
4. Halleck to Connor, March 19, 1863: Arms and military munitions used against the United States liable to seizure, etc.....	156
5. Halleck to Wright, March 31, 1863: United States demands for arms and military equipments very great to supply troops actually mustered in United States service; private foundries employed in casting heavy guns for Navy; War Department fully appreciates want of armament for forts at San Francisco; reports iron-clad sent to assist defense of Pacific coast, etc.....	136
6. Hopkin's indorsement on requisition for arms for Oregon, May 13, 1863: Shipments of 400 muskets, accouterments, and 1,600 ball cartridges from Vancouver Arsenal to adjutant-general of Oregon, etc.....	166
7. Hopkin's indorsement on requisition for arms for Oregon, May 13, 1863: Hopkin's indorsement on requisition for 400 muskets and 1,600 cartridges for Oregon militia, etc.....	177
8. Halleck to Wright, May 1, 1864: Telegram asking what emergency requires raising more troops in Department of Pacific, as requested in telegram of April 27, 1864, etc.....	224
9. Halleck to McDowell, July 29, 1864: Telegram; raising troops for special local purposes disapproved; volunteers in the Pacific Department can be raised through the governor, and infantry can be instructed at artillery firing in the forts, etc.....	235
10. Halleck to assistant adjutant-general, U. S. Army, October 19, 1865: Requests a regiment of regular United States cavalry sent to the Pacific coast; necessity therefor urgent, etc.....	298
11. Halleck to governor of Oregon, November 17, 1865: Will send regular troops to guard important points on the Oregon frontier and to replace the volunteers; no option in the matter of mustering out of Oregon volunteers, etc.....	300
12. Halleck to General Grant, December 8, 1865: Forwarding maps of the Departments of California and of the Columbia, showing military posts occupied by troops of the Pacific Military Division and suggestions made in connection therewith, etc.....	301
13. Halleck to General Grant, December 8, 1865: Relating to coast defenses of California and Oregon and Indian frontier of California, Oregon, and Nevada, Department of the Columbia, etc.....	301
14. Halleck to governor of Nevada, February 23, 1866: Relative to the substitution of volunteer infantry; troops to be sent for protection relative to inadequacy of military force generally in California, Nevada, Arizona, Oregon, Idaho, and Washington Territory, etc.....	300
15. Halleck to Adjutant-General U. S. Army, April 4, 1866: Serious difficulties from hostile Indians in Oregon and Idaho; wishes another regiment of regular cavalry; of the First Regular Cavalry six companies have been sent to Arizona, two companies have been sent to Nevada, four companies have been sent to Oregon, etc.....	314
16. Halleck to Secretary of War, June 13, 1866: Telegram; another regiment of regular cavalry much needed; Oregon volunteers dissatisfied, etc.....	315
17. Halleck to Steele, July 4, 1866: Fort Boise useless as a military post; camp to be established at Brunneau River, Oregon, preparatory to acting against hostile Indians in Owyhee Mountains, in Idaho, etc.....	315
18. Halleck to Adjutant-General U. S. Army, July 4, 1866: Indian hostilities limited to the region between Owyhee and Snake Rivers, Oregon and Idaho; General Steele's delay in reaching Fort Boise, Idaho, owing to Indian hostilities on Warner's Lake or Stein's Mountains, in southern Oregon, etc.....	316
19. Halleck to Adjutant-General U. S. Army, August 2, 1866: Indian hostilities in Owyhee County, Oregon, very serious; wishes authority to raise a regiment of regular cavalry for service on Pacific coast, etc.....	321

## J.

- |  | Page. |
|--|-------|
| 1. Jones to governor of Oregon, February 8, 1864:<br>Defenseless condition of Oregon, showing necessity for military protection to the traveling public to and from Canyon City, Oregon; pack trains having their animals stolen by hostile Indians; people in constant fear in Oregon, etc..... | 21    |

## M.

- |  |     |
|--|-----|
| 1. Maury to Alvord, September 22, 1862:<br>Reporting military operations about Snake River and about overland immigrant travel to Oregon, etc.....   | 108 |
| 2. Mears to Rinearson, September 30, 1862:<br>Reporting whites inciting Indians in Oregon to revolt; to arrest and punish such so found, etc.....  | 122 |
| 3. Mears's Special Orders, No. 76, October 19, 1862:<br>Ordering Company E, First Washington Territory Volunteer Infantry, to Camp Lapwai, Idaho, and giving necessary orders to quartermaster, etc.....   | 121 |
| 4. Mears's Special Orders, No. 77, October 19, 1862:<br>Necessary orders for Washington Territory volunteers at Fort Lapwai and to the quartermaster, etc.....   | 121 |
| 5. Mears's General Orders, No. 15, October 20, 1862:<br>Colonel Steinberger, First Washington Territory Volunteer Infantry, placed in command of all troops on Nez Percé Indian reservation and Fort Walla Walla, Wash., etc.....  | 121 |
| 6. Mears's Special Orders, No. 72, October 22, 1862:<br>Orders to First Lieut. D. W. Porter to perform duties of acting assistant quartermaster at Fort Lapwai.....  | 122 |
| 7. McCall to Drake, May 19, 1864:<br>Relative to the fight between hostile Snake Indians and Oregon volunteers in Oregon, etc.....   | 229 |
| 8. McDowell's General Orders, No. 38, July 25, 1864:<br>Relating to voting at Presidential election, etc.....  | 242 |
| 9. McDowell to Adjutant-General U. S. Army, August 17, 1864:<br>In the military district of Oregon small parties of troops sent out to guard immigrant routes; all quiet in Humboldt district, California; relative to feeding Indians; Mormons arming to drive Connor out of Utah, etc.....   | 137 |
| 10. McDowell to Halleck, August 31, 1864:<br>Telegram requesting consolidating, mustering in, and mustering out volunteer regiments or companies in Oregon and in the Territories, as in the case of California, concurred in by the governor of Oregon, etc.....  | 243 |
| 11. McDowell to governor of Oregon, September 7, 1864:<br>Prospect good to obtain a company of Oregon volunteers in vicinity of Auburn, Oregon; wish a company raised and to rendezvous at Walla Walla, Wash., etc.....  | 243 |
| 12. McDowell to governor of Oregon, September 7, 1864:<br>Relating to obtaining a company of volunteers near Auburn, Oregon, and to rendezvous at Walla Walla, Wash., etc.....   | 261 |
| 13. McDowell to governor of Oregon, November 1, 1864:<br>Relating to arms for five companies Oregon militia, etc.....  | 253 |
| 14. McCoy to governor of Oregon, November 9, 1864:<br>Regarding the election in eastern Oregon; challenging immigrants; secessionists at Walla Walla precinct, Oregon; request protection to enforce the draft when made, etc.....   | 262 |
| 15. McDowell to governor of Oregon, November 17, 1864:<br>Transmitting telegrams relative to the retention of Oregon volunteers; company and regimental organizations; wishes an Oregon volunteer cavalry regiment to be raised for United States service, etc.....  | 263 |
| 16. McDowell to governor of Oregon, November 28, 1864:<br>Relative to calling into the United States service the militia of Oregon for six months, etc.....  | 279 |
| 17. McDowell's indorsement on Sullivan's letter relative to selling emigrants subsistence stores, etc., December 7, 1864:<br>Recommends selling and issuing commissary stores to suffering and indigent immigrants, etc.....   | 272 |
| 18. McDowell to Conness, December 9, 1864:<br>Relative to issuing commissary stores to suffering and indigent immigrants and asking acting co-operation of Secretary of War or of Congress, etc.....   | 273 |
| 19. McDowell to Secretary of War, December 10, 1864:<br>Telegram; no intention to order a draft; in consequence of bounties given volunteers by California and Oregon, hopes to raise sufficient force without drafting, etc.....  | 275 |
| 20. McDowell to governor of Oregon, April 28, 1865:<br>That governor of Oregon, at McDowell's request, joined him, as did the governor of California, in asking Secretary of War to grant authority to raise certain volunteer forces in Oregon and California; on his own judgment McDowell called on Governor Gibbs, of Oregon, for volunteer troops that were raised and now in United States service, etc..... | 293 |
| 21. Maury to governor of Oregon, June 10, 1865:<br>Important that an Oregon volunteer surgeon be stationed at Eugene City, Oregon; will make a contract with the doctor, etc.....  | 295 |
| 22. McDowell to assistant adjutant-general Department of Pacific, December 6, 1865:<br>Relative to certain volunteer regiments and companies being mustered out and others retained in United States military service on account of sundry public reasons, for the common defense, and especially on account of Indian troubles, etc.....  | 300 |

## P.

- |  |     |
|--|-----|
| 1. Petition of citizens of Albany and vicinity, Oregon, August 1, 1865:<br>Petition of citizens of Albany and vicinity, Oregon, asking that a military escort be furnished to protect construction of military road across Cascade Mountains between the Willamette Valley and the country east of Des Chutes River, in Oregon, etc..... | 296 |
|--|-----|

## R.

1. Report of Wright, November 21, 1861: Showing stations occupied by sixty-six companies of California volunteers and other troops in Pacific Department, etc.....	Page. 33, 34
2. Ruggles to Wright, January 18, 1862: Cornelius allowed to raise only four cavalry companies of Oregon volunteers, etc.....	45
3. Ruggles to Wright, May 2, 1862: Approved action in regard to First Regiment Washington Territory Volunteers, etc....	48
4. Ripley to Alvord, December 22, 1862: Reports that heavy ordnance for mouth of the Columbia River, Oregon, will be supplied as soon as consistent with other imperative requirements at other places, etc.....	156
5. Reed to Alvord, January 17, 1863: Countermands orders to muster in C. R. Megs as first lieutenant Oregon volunteer cavalry, etc.....	122
6. Reed to Alvord, February 10, 1863: United States soldiers at Camp Baker, Oregon, not paid off, and when paid they are paid in depreciated United States Currency; difficulties in enlisting men in Oregon for United States service, etc.....	145

## S.

1. Scott to Sumner, March 22, 1861: Ordered to take command of Pacific Military Department, etc.....	1
2. Sumner's general orders, April 25, 1861: Sumner assumes command Pacific Military Department, etc.....	1
3. Sumner to Townsend, April 28, 1861: Informing War Department of taking command, and recites the military and political status of Pacific Military Department, etc.....	2
4. Sumner to Townsend, May 20, 1861: Withdraws troops from Fort Umpqua, Oregon, to Benicia, Cal., etc.....	3
5. Sumner to Townsend, June 10, 1861: Withdraws regular troops from Oregon to defend California and to suppress secession in Nevada, etc.....	5
6. Sumner to Townsend, July 10, 1861: Relative to a letter to commanding officer Pacific Ocean fleet.....	5
7. Sumner to Townsend, August 23, 1861: Mustering Oregon volunteers in to suppress Indian disturbances in Oregon and neighboring frontier, etc.....	10
8. Special return of troops, November 20, 1861: Number of troops in Pacific Military Department, etc.....	33-34
9. Steinberger to Drum, January 6, 1862: Raising a regiment in Washington Territory and appointing officers, etc.....	47
10. Steinberger to Drum, March 1, 1862: Change of headquarters Washington Territory volunteers, and raising troops in California, etc.....	51
11. Surveyor-general of Oregon to governor of Oregon, July 30, 1864: Relative to survey of Des Chutes, United States guide meridian, and standard parallels, and in surveying the country between the second and sixth parallels; necessary to have escort of 25 men, etc.....	336
12. Sullivan to Drum, October 25, 1864: Relative to selling subsistence stores to certain immigrants in Oregon; recommends selling such to poor immigrants; reminds the Department that it is the second time Captain Kelley has come to the relief of indigent immigrants without authority, etc.....	272
13. Sewall to adjutant-general of Oregon, November, 2, 1864: First Regiment Oregon Volunteer Cavalry below the minimum required by law, etc....	262
14. Secretary of War to McDowell, December 8, 1864: Telegram; order no draft in Oregon without special directions, etc.....	275
15. Sanborn to governor of Oregon, March 6, 1865: Relating to the appointment of officers for the Lane County company, Oregon volunteers, etc.....	330
16. Sewall to assistant adjutant-general Division of Pacific, January 19, 1866: Original muster-rolls of a detachment of Oregon cavalry under Nathan Olney not among the records of the commissary of muster, but that there is a copy thereof on file; copy for Adjutant-General U. S. Army having been forwarded November 14, 1864, etc.....	306
17. Steele to governor of Oregon, April 28, 1866: Approves that Oregon volunteers should march from southern Oregon to Fort Klamath; two companies of regular cavalry ordered from California to southern Oregon; assurance that Oregon troops shall return to their homes, etc.....	314

## T.

1. Thomas's General Orders No. 67, August 26, 1861: Publishing article 57, act of Congress April 10, 1860, relating to holding correspondence with or giving intelligence to enemies of the Union, etc.....	63
2. Townsend to Sumner, September 9, 1861: To send regular troops from Pacific coast to New York; California volunteers to take place of regular troops on Pacific coast, etc.....	18
3. Townsend to Sumner, September 16, 1861: To send regular troops with their arms and equipments from Pacific coast to New York by steamer, etc.....	18
4. Townsend to Sumner, September 16, 1861: Sumner ordered to proceed from California to New York upon being relieved by General Wright of command of Military Department of the Pacific, etc.....	18
5. Thomas to Cornelius, Thomas to Harding, Thomas to Maury, September 24, 1862: To organize Oregon volunteers and to contract for supplies, etc.; Oregon volunteer cavalry to furnish their own horses and horse equipments; owing to the great distance between Washington City and Oregon that only general instructions would be given Cornelius, Harding, and Maury to organize Oregon volunteers, wherefore they were ordered to be governed by any directions given by Hon. E. D. Baker (then United States Senator from Oregon), etc.....	21

	Page.
6. Thomas to citizens of Oregon, September 24, 1861: Organizing Oregon volunteers, etc.....	21
7. Townsend to Wright, September 30, 1861: Stationing Pacific coast volunteers in Oregon and Washington Territory, etc.....	22
8. Terry to Wildrick, October 30, 1861: Receipt of Special Orders No. 47, etc.....	26
9. Terry to Cady, November 6, 1861: Relative to disbanding Oregon volunteer cavalry company, etc.....	27
10. Thomas to Wright, November 19, 1861: General Wright assigned to Pacific Department, but to retain command of Ninth Infantry Regiment Regular United States Army, etc.....	30
11. Thomas to Whiteaker, governor of Oregon, January 3, 1862: Requesting returns of two and three years Oregon regiments, etc.....	43
12. Thomas to Wright, January 25, 1862: Ordering General Alvord to Washington if not needed in Pacific Department, etc.....	75
13. Talk of Alvord to the chiefs of the Nez Percé Indians, October 24, 1862: Talk of General Alvord with Nez Percé Indian chiefs; telling them the United States Government will protect them, etc., if they remain faithful to the Union cause, etc.....	123
14. Thomas to Wright, November 3, 1862: Telegram; retain extra company Washington Territory volunteers, etc.....	115
15. Thornton, president Oregon State Agricultural Fair, September 29, 1864: Resolution of Oregon State Agricultural Fair "not to permit or invite any military company within the fair grounds, and wishes Oregon volunteers withdrawn from the fair grounds at Salem, Oregon," etc.....	245

## V.

1. Van Voast to Purdy, November 7, 1863: Reporting on the location and situation of the forts at Klamath Lake, Oregon, and in vicinity of Camp Baker, on the roads building, etc.....	198
--	-----

## W.

1. Whiteaker, governor of Oregon, to Wright, September 1, 1861: Reports fears of a general Indian outbreak in eastern Oregon and Washington, etc.....	17
2. Wright to governor of Oregon, September 12, 1861: Mustering in Oregon volunteers to protect eastern Oregon and Washington, etc.....	18
3. Wright to Thomas, October 21, 1861: Making clothing by contract in San Francisco for troops; whole Pacific Department being stripped of clothing, etc.....	26
4. Wright to Governor of Oregon, October 23, 1861: To suspend raising a cavalry company of Oregon volunteers, etc.....	26
5. Wildrick's Special Orders No. 47, October 23, 1861: Enrollment of Oregon cavalry company at the Dalles, Oregon, suspended, etc.....	26
6. Wright to Townsend, October 28, 1861: Sending regular troops from California to New York, and California volunteers to Oregon and Washington, etc.....	22
7. Wright to War Department, November 26, 1861: Acknowledging orders to command Military Department of the Pacific, etc.....	35
8. Wright to Thomas, February 8, 1862: Authorizing Colonel Steinberger to raise a volunteer regiment of Washington Territory infantry, etc.....	47
9. Wright to Cornelius, February 24, 1862: Ordering Cornelius to raise only six companies Oregon volunteers, and to make tri-monthly returns to headquarters, etc.....	50
10. Wright to Thomas, February 22, 1862: Ordering Cornelius to raise only six companies Oregon volunteers, etc.....	49
11. Wright to Thomas, March 1, 1862: Orders withdrawing Mullan's escort to join their companies, etc.....	50
12. Wright to Thomas, March 6, 1862: Enclosing Steinberger's letter about filling Washington Territory regiment, etc.....	50
13. Whiteaker, governor of Oregon, to Thomas, March 10, 1862: Informing him that the President had not called on Oregon or the governor thereof for volunteers, etc.....	43
14. Wright to Thomas, March 22, 1862: Ordering Cornelius to eastern Oregon and Washington Territory to maintain peace between the Indians and whites, etc.....	54
15. Wright to Thomas, March 27, 1862: Organization of six Oregon cavalry companies to protect Oregon mining districts; reports necessity for a strong military force in California in virtue of the aspect of our foreign relations, etc.....	52
16. Whiteaker, governor of Oregon, to Cady, March 29, 1862: Protection of settlers in eastern Oregon; wishes to know what strength of troops is needed for this purpose, etc.....	54
17. Wright to Thomas, April 11, 1862: Irregularities in making contracts; inspecting all posts and camps by experienced officers, etc.....	58
18. Wright to Cornelius, April 9, 1862: Make requisitions for supplies on headquarters at San Francisco; no horses or mules, etc., to be purchased; no more care to be exercised in enlisting men, etc.....	59
19. Wright's General Orders No. 17, April 23, 1862: Military commanders will arrest persons abetting and aiding the rebellion, and not to be released without taking the oath of allegiance to the Government of the United States, and promulgates article 57 of act of Congress of April 10, 1860, etc.....	62
20. Wright's orders, April 30, 1862: Property belonging to certain rebels within the Department of the Pacific subject to confiscation, etc.....	63
21. Wright to Thomas, April 30, 1862: Sailing of Colonel Steinberger for Fort Vancouver, Wash., with four companies of the First Infantry Washington Territory Volunteers; Oregon cavalry regiment, of six companies, will go to Fort Walla Walla, Wash., etc.....	60



	Page
22. Wright to Thomas, May 13, 1862: Necessary to hold Arizona under military law; arrival of Steinberger at Vancouver, Wash.; sending troops to Owen's Lake for protection of whites in California; difficult to cross Sierra Nevada Mountains with troops and supplies before middle of June, 1862, etc.....	64
23. Wright to Thomas, May 15, 1862: Reports disposition of Oregon volunteers in Oregon and military operations in Washington Territory, etc.....	64
24. Whiteaker, governor of Oregon, to Stanton, May 21, 1862: Relative to General Wright's circular of April, 1861, informing him as to troops and home guards in Oregon then in service of General Government, etc.....	64
25. Wright to Thomas, June 28, 1862: Assigning General Alvord to command Oregon district; Indians still committing depredation in Humboldt district, California; movement of Second California Volunteer Cavalry to Owen's Lake for suppression of Indian disturbance in California, etc.....	78
26. Wright to Thomas, June 28, 1862: Inspection of Second California Volunteer Infantry; two companies of Second California Cavalry will follow movement of Colonel Connor for protection of overland mail route to California and Oregon, etc.....	79
27. Wright to Thomas, July 10, 1862: Arizona recovered and now held under martial law; difficulties encountered in the expeditions of Carleton and Connor, etc.....	84
28. Wright to Thomas, August 5, 1862: Re-establishment of a military district of Oregon; wishes to retain command of all military forces serving within limits of the Department of the Pacific, etc.....	86
29. Wright to Thomas, August 13, 1862: Informing War Department of movements of California volunteer and other forces in Arizona; movement of Colonel Connor's Third California Volunteer Infantry in Nevada and Utah, etc.....	87
30. Wright to Thomas, October 4, 1862: General Canby withdraws from New Mexico; Third California Volunteer Infantry at camp at Ruby Valley, Nevada; Colonel Connor and his march to Salt Lake; Indian difficulties continue at Humboldt district, California; requests raising another California volunteer Regiment, etc.....	98
31. Wright to Thomas, October 18, 1862: Inclosing communications from General Alvord and copy of report of Colonel Maury, First Oregon Volunteer Cavalry, etc.....	107
32. Wright to Thomas, October 25, 1862: Inclosing letter from General Alvord, and recommending establishing a military post at or near old Fort Boise, Oregon; arrangements to protect overland immigrants to Oregon, etc.....	110
33. Wright to Thomas, October 30, 1862: Requesting another volunteer regiment be raised in California and seven additional companies of cavalry to complete the First Oregon Volunteer Cavalry, etc.....	114
34. Wright to Thomas, October 31, 1862: Telegram; reporting companies of Washington Territory volunteer regiments organized; requesting detention of one extra company found at Alcatraz Island, California, etc.....	115
35. Wright to Thomas, November 17, 1862: Reporting state of affairs in Oregon and on the Nez Percé Indian Reservation, Washington Territory; asking that the Nez Percé Indians be protected by the United States in their just rights, etc.....	116
36. Wright to Thomas, December 23, 1862: Recommending military post to be established at Fort Boise, Oregon, directing General Alvord to call out six more cavalry companies of Oregon volunteers, and to organize the Oregon cavalry regiment, etc.....	130
37. Wright to governor of Oregon, February 9, 1863: Authority to complete organization of Oregon regiment of volunteer cavalry, etc.....	171
38. Wright to Bissel, March 9, 1863: Settlers on San Juan Island, Washington Territory, not to be interfered with; ownership of San Juan still in dispute between United States and England, etc.....	171
39. Wright to Thomas, March 14, 1863: Public affairs assuming a threatening aspect in Utah; raising an additional volunteer regiment of infantry and seven companies of volunteer cavalry, but recruiting is slow; greatest embarrassment is due to the want of funds; can not possibly get along without specie; United States Treasury notes at a discount of 50 per cent.; impossible to make Army contracts; prices double, in consequence of depreciation of United States currency, etc.....	153
40. Wright to Thomas, March 16, 1863: Reciting embarrassments and difficulties in Oregon relative to troops; United States currency at a ruinous discount in Oregon; difficulty of the Government to procure coin; facts recited by Major Drew are common to all other troops in the Department of the Pacific, etc.....	154
41. Wright to Thomas, April 30, 1863: Department of the Pacific laboring under great difficulties both in procuring men and means; one cause is high price of labor and of the developments being made in the mining districts of California and Nevada and depreciation of United States currency; new military post at Boise, Oregon, ordered to be established, etc.....	166
42. Wright to Gibbs, governor of Oregon, May 13, 1863: Relating to keeping a small military force at Jacksonville, Oregon, and instructions given to Colonel Drew, Oregon volunteers, etc.....	169
43. Wright to Thomas, May 26, 1863: Loyal citizens of Pacific coast banded together to sustain the United States Government; companies of Fourth Infantry to go to southern California district; stopping sending through the mails disloyal newspapers and traitorous disloyal sheets and especially the New York Weekly Caucasian, etc.....	169
44. Wright to Gibbs, governor of Oregon, June 1, 1863: Necessary to have two companies at Klamath Lake, Oregon; a small force to be left at Jacksonville, Oregon, etc.....	170



45. Wright to Thomas, June 5, 1863;  
Civil authorities permitted to exercise their proper functions over San Juan Island, Washington Territory, pending arrangements between General Scott and Governor Douglas; relative to the title thereto, etc. .... 171
46. Wright to Thomas, June 8, 1863:  
Relating to returns and difficulties in that call for troops; secret organizations of disloyal people in California, etc. .... 175
47. Wright to Thomas, June 13, 1863:  
Arms can not be supplied to Oregon militia; sending communications from general commanding Oregon district; delivery of arms by General Alvord to governor of Oregon due to misapprehensions, but the exigencies seemed such as to prevent a recall thereof, etc. .... 176
48. Wright to Gibbs, governor of Oregon, June 13, 1863:  
Requesting no more officers be appointed in Oregon volunteer regiments, unless notified, and recites section 20, act of Congress of March 3, 1863, etc. .... 179
49. Wright to Adjutant-General U. S. Army, June 16, 1863:  
Incloses Alvord's communication relative to fight of Oregon volunteers with Snake Indians in Oregon, etc. .... 229
50. Wright to Gibbs, governor of Oregon, June 16, 1863:  
Very important that another company of Oregon volunteer cavalry should be stationed in southern Oregon; reports that he has requested that the issuing of small-arms by General Alvord to Oregon be approved by Secretary of War, etc. .... 180
51. Wright to Governor Stanford, of California, July 5, 1863:  
Sends governor of California copy of a resolution of Congress, approved March 19, 1862; accepting money appropriated by any State for the payment of its volunteers. .... 183  
(Said resolution being as follows, to wit:  
"A resolution to authorize the Secretary of War to accept moneys appropriated by any State for the payment of its volunteers and to apply the same as directed by such State.  
"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That if any State during the present rebellion shall make any appropriation to pay the volunteers of that State, the Secretary of War is hereby authorized to accept the same and cause it to be applied by the Paymaster-General to the payments designated by the legislative act making the appropriation in the same manner as if appropriated by act of Congress, and also to make any regulations that may be necessary for the disbursement and proper application of such funds to the specific purpose for which they may be appropriated by the several States." Approved March 19, 1862, U. S. Statutes, vol. 12, page 616.)
52. Wright to Gibbs, governor of Oregon, July 14, 1863:  
Ordering Lieutenant Drew's recruits to Fort Vancouver; will afford protection to people of Oregon, etc. .... 182
53. Wright to Thomas, July 19, 1863:  
Order to detach escort from expedition under Lieut. John Mullen impossible, as Lieutenant Mullen was then in the Bitter Root Valley, Rocky Mountains, etc. .... 85
54. Wright to Thomas, August 4, 1863:  
Connor made treaty with band of Snake Indians, etc. .... 185
55. Wright to Adjutant-General U. S. Army, August 28, 1863:  
Reporting the location of Fort Boise, Oregon; requesting that Major Lugenbeel may be permitted to remain at Fort Boise, Oregon, etc. .... 188
56. Wright to Townsend, October 8, 1863:  
Advising that a military wagon road be built between Fort Dalles, Oregon, in a south-east direction, via Canyon City to Fort Boise, and thence to the Yellowstone River, etc. .... 192
57. Wright's General Orders No. 40, November 14, 1863:  
Relates to control of new organizations and muster placed in the hands of governors of California, Oregon and Nevada, and to leaves and paying costs of telegraphing, etc. .... 197
58. Wright to Townsend, November 20, 1863:  
Relative to the difficulties and embarrassments in raising and organizing volunteers on the Pacific coast, etc. .... 196
59. Wright to Townsend, November 20, 1863:  
Peace and quiet is being preserved from British Possessions to Mexico, and from Pacific Ocean to eastern Utah, etc. .... 196
60. Wright to Townsend, November 20, 1863:  
Requesting an approval of all acts done in raising, organizing, and appointing officers for volunteer organizations, as objections may be raised by accounting officers in the cases where the regulations of the Department have not been strictly followed, etc. .... 196
61. Wright to Townsend, November 23, 1863:  
Relating to the establishment of a military post near Klamath Lake, Oregon, and the opposition of citizens and of the subagent of Indian Affairs to the site selected, and the sending of an officer to inspect the post and site thereof and report thereon, etc. .... 198
62. Wright to Adjutant-General, U. S. Army, January 8, 1864:  
Reporting reduction of First Washington Territory Volunteer Infantry, First Oregon Volunteer Cavalry, Second and Fourth Cavalry Volunteer Infantry, below minimum organization; First California Volunteer Cavalry above minimum, and Sixth California Volunteer Infantry still in progress of organization, etc. .... 205
63. Wright to Adjutant-General U. S. Army, February 2, 1864:  
Another Company, First California Volunteer Cavalry, gone to San Pedro, Cal., for service in Arizona; one company of Ninth Infantry (regulars) gone to Vancouver, Wash., etc. .... 207
64. Wright to Assistant Adjutant-General, U. S. Army, March 4, 1864:  
Telegram; requests postponement of consolidation of the Washington Territory regiment, which involves discharge of many men, etc. .... 215

	Page
65. Wright to Adjutant-General U. S. Army, April 9, 1864: Alvord organizing small commands to protect settlers near Snake River, in Oregon, in Humboldt district, California, Sixth Cavalry; volunteer infantry prosecuting Indian war; Connor recommends discharge of volunteers of California, and serving in Utah and Nevada, etc.....	222
66. Wright to Nye, governor of Nevada, April 14, 1863: Expeditions will move southeast from Fort Dalles, Oregon, and Walla Walla, Wash., across Oregon to upper waters of Snake River, also from Fort Klamath to Owyhee River and south Idaho, from Camp Douglas; and all for the purpose of protecting loyal citizens; routes leading by City of Rocks, Nev., will not be overlooked, etc....	222
67. Wright to Halleck, May 3, 1864: Telegram; explaining reasons for raising more troops in Department of the Pacific, as requested in telegram of May 1, 1864, etc.....	224
68. Wright to Adjutant-General U. S. Army, May 16, 1864: Powerful opposition on the Pacific coast to the administration of the United States Gov- ernment; enemies of the United States doing all they can to thwart the Government in prosecuting the war; arrest of persons for disloyal practices; Wright thinks the course pursued by him the wisest, etc.....	226
69. Wright to Alvord, June 24, 1864: Can accept detachment of Oregon cavalry, to be mustered in by one of your own offi- cers, etc.....	268