

Kansas Adjutant General miscellaneous correspondence

Section 1, Pages 1 - 30

Correspondence to and from the Adjutant General's Office in Topeka, Kansas. Included are several requests for military records of service, especially relating to the Spanish-American War, and several bills for a variety of services, including repairs following a fire in an armory, enlisting and examining soldiers, meals, and lodging.

Creator: Kansas. Adjutant General's Office

Date: 1899

Callnumber: Adjutant General's Office, Miscellaneous correspondence, January 1895-December 1902, Folders 7-8

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KANSAS
HISTORICAL
SOCIETY

Kansas Adjutant General miscellaneous correspondence

January 1, 1899

The State of Kansas,

To *Fred Harvey*

1899

*Jan 1 To balance due for meals
furnished for recruits at
Florence*

\$17.00

State of Kansas, Shawnee County, ss.

I do solemnly swear that the above bill is just, correct, and remains due and unpaid; that the amount claimed therein is actually due according to law.

(SIGN HERE.) *Arthur L. [unclear] for Fred Harvey*

Subscribed and sworn to before me, this *1st* day of *January*, A. D. 1899.

Geo. N. Holmes
Notary Public

My commission expires *Jan'y 14, 1899.*

Appropriation for

Kansas Adjutant General miscellaneous correspondence

No.

ACCOUNT
OF

Filed 189.....

Amount Claimed, . . . \$

Amount Allowed, . . . \$

Paid

By
Adjutant General.

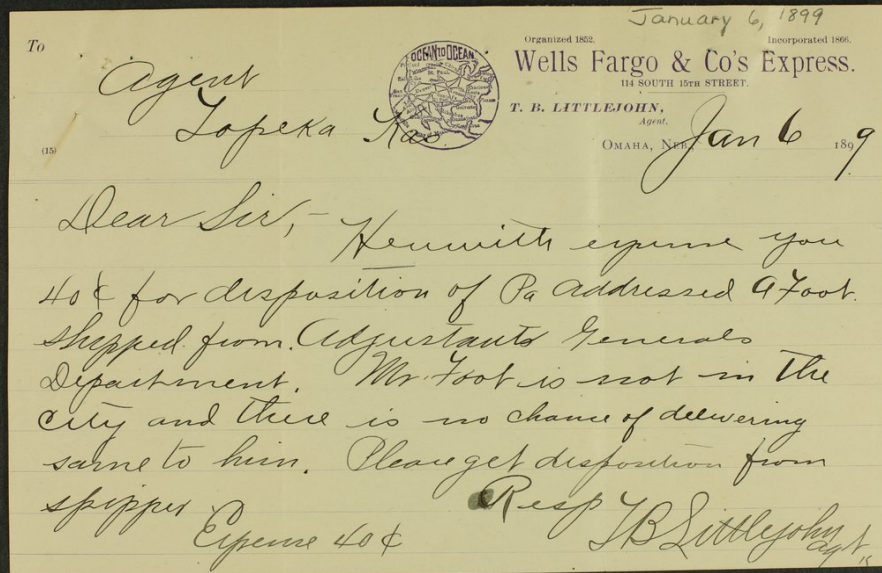
By
Asst. Adjutant General.

I do hereby certify that the within was contracted for the State, under authority of law, and that the amount therein claimed is correct according to such contract, and is unpaid.
By order of Executive Council.

Topeka, Kan, 189.....

PRINTER.

Kansas Adjutant General miscellaneous correspondence



Kansas Adjutant General miscellaneous correspondence

Wells Fargo & Co's Express. Tariff { W. F. & Co. \$
per 100 lbs. Connecting, \$ Via *Lapeka Kas* Train No. No. *277* *Oct. 4* 18*98*

(1) Messengers must register in rotation on back of this Way-Bill, beginning at left end.

FREIGHT Way-Bill from *OMAHA, NEB., to* *Ciraha Mo*

ARTICLE	VALUE	FROM WHOM RECEIVED	ADDRESS	DESTINATION	WEIGHT	EXPENSE	OUR CHARGES	COLLECT	PREPAID	ADD FOR UNDER CHGS.	REMARKS
<i>Book</i>		<i>Adjutant</i>	<i>A Toor</i>		<i>38</i>		<i>40</i>	<i>40</i>			
		<i>General's Dpt</i>									
			<i>Copy</i>								

Kansas Adjutant General miscellaneous correspondence

C 502

M. *Adj. Genl* JAN 7 1897

To Wells, Fargo & Co's Express, Dr.

For Charges Prepaid on the following Shipments:

ARTICLES	CONSIGNEE	DESTINATION	WEIGHT	CHARGES
<i>Pa</i>	<i>H. Weaver</i>	<i>Emporia</i>	<i>78</i>	<i>30</i>



Kansas Adjutant General miscellaneous correspondence

Lm A

January 7, 1899

All Official Letters to this Office must be addressed to the "Auditor for the War Department," and in replying to Letters from this Office the initials on the upper left-hand corner should be referred to.

Treasury Department,

Office of Auditor for the War Department,

Washington, D. C., January 7, 1899.

Hon. J. W. Leedy,
Governor of the State of Kansas,
Topeka, Kansas.

Sir:-

I have the honor to acknowledge the receipt of your letter of the 23d ultimo, concerning the preparation of the claim of the State of Kansas, for expenses incurred in aiding the United States to raise the Volunteer Army in the War with Spain.

In reply, you are informed, that with a view to a proper investigation and settlement of the claim of the State, under the Act of July 8, 1898, original vouchers with warrants attached, as evidence of payment, must in all cases be produced, as the rules and regulations approved by the Secretary of the Treasury for guidance and action, require that the vouchers given by the creditors with their receipts, must accompany the claims for reimbursement.

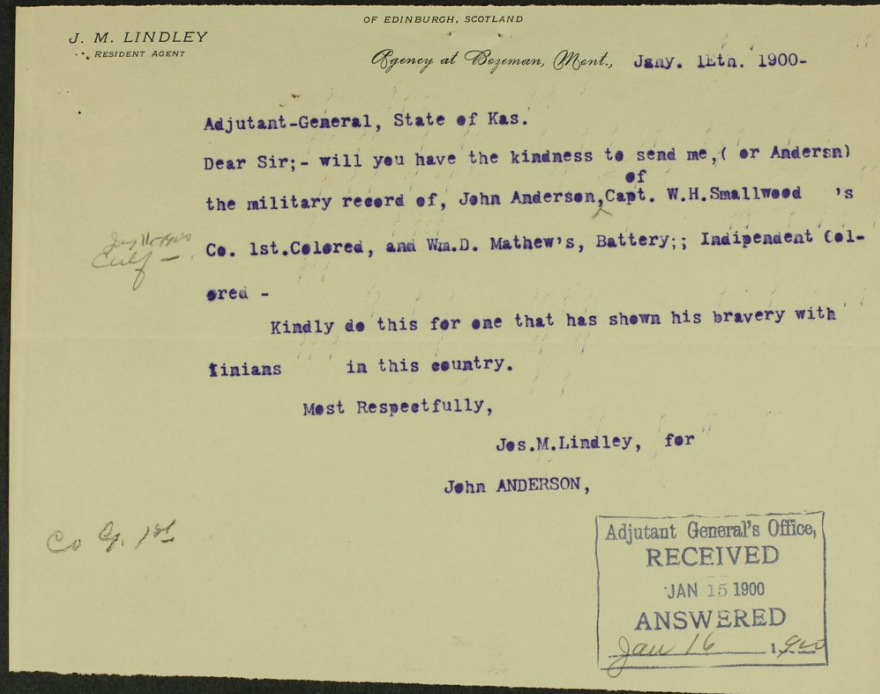
I enclose herewith, a marked copy of the law and rules for your information.

Respectfully yours,

W. L. Brown
Auditor.
War.

B.H.

Kansas Adjutant General miscellaneous correspondence



Kansas Adjutant General miscellaneous correspondence

2nd. John Andersen, of Capt.W.H.Smallwood, 1st. Kas. Colored,
and, W.D.Mathews, Independent Colored Battery-

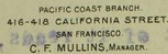
This man no doubt ws a good soldier; I have before me
an old letter from,Capt~~XX~~ W.D.Mathews-- A part of it reads,
" If he is the same hewas a sergent of my right section of my
Battery and he was one of the bravest soldiers that was in the
army, He stood by me and my battery was surrounded at Ft. Scott.
This man furthes goes of to say that,Gen.Curtiss and Major,
Hunt,recognised him for his bravery.

And I know that he was made an honorary member of the Soc-
iety of Pioneers of Montana for his deeds of daring afx while
with the Yellowstone expidition. This expidition was into the
Saeux country before the Custer masacree.

He was a slave; cannot read any you must understand
that he is in many ways ignorant - I fear he is in a tangle abou
-t his discharge from 1st. I want to help him out.

Yours Jos.M.Lindley, Co. K. 1st.Kas. and Sen.P.P.Com. of
Wm.English, Post, G.A.R. NO.10. -- Bozeman.Mont.

Kansas Adjutant General miscellaneous correspondence



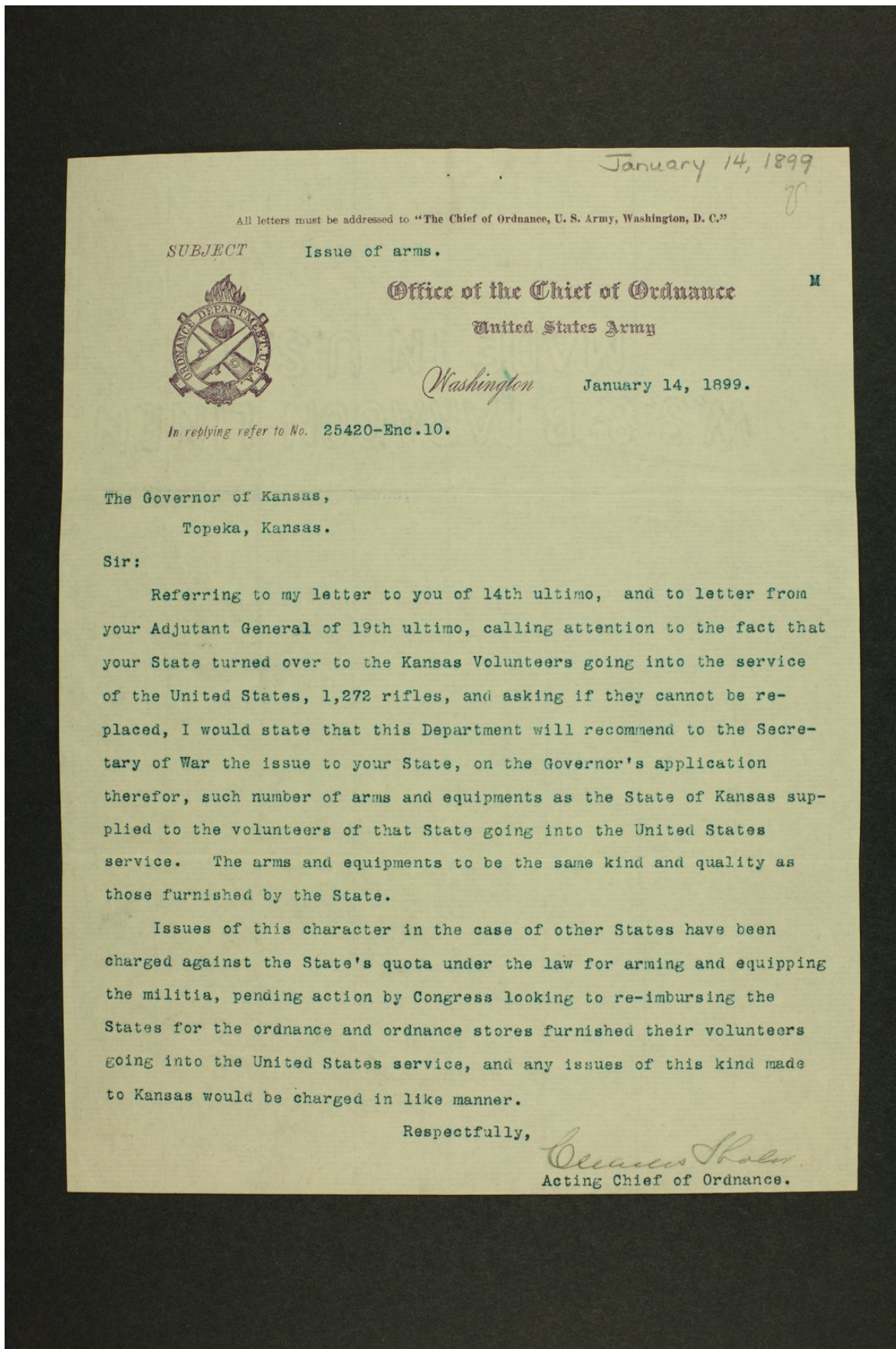
LOSSES PAID EXCEED NINETEEN FIVE MILLION
Sgt. John Anderson, of Capt. W.H. Sullivan's Co.,

(OF LONDON)

BOZEMAN, MONT.,

189

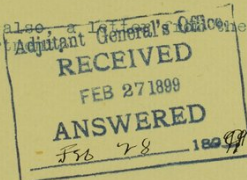
Kansas Adjutant General miscellaneous correspondence



Kansas Adjutant General miscellaneous correspondence

Attached herewith a letter from Anna Stailey of Greeley, Kas. asking that the bounty due her two brothers, Jacob F. M. Frank, and James B. late of Co. K, 5th Kas. Cavalry, be paid. She says she has received \$200, but that she is entitled to \$300, as the Government has always paid \$300 to the heirs of soldiers heretofore. She insists that she be paid \$100 more.

Attached also, a letter from the Auditor of the War Department.



Kansas Adjutant General miscellaneous correspondence

Greeley Kansas Feb. 2 1899

His Excellency
Governor Stanley
Topeka Kansas

I write to you to-day asking you and the present body of Legislators to give my claim your attention; I will state facts so all will understand; I have been waiting a long time for a representative from Kansas or a congressman to have a bill passed to Equalize the Bounty of the Kansas Soldiers; The Republicans and Democrats have both been in power and nothing has been done; I ask to have a special payment made to my two brothers or their heirs; Hundreds of Kansas Soldiers was paid by the Government Three Hundred Dollars Bounty; while my brother or their heirs was only paid Two Hundred Dollars ^{Bounty} each; If it was just and right for the Government to pay a large number Three Hundred Dollars; it is right that my Brother or their heirs should be paid the same; I ask the Government to pay my Brothers One Hundred Dollars Bounty to each of my two Brothers; Jacob & James B. they enlisted in 1861 CO K 58th Reg Kansas Vol Cav the first brother named was shot while on duty the other brother died from disease who could be more deserving my Brothers gave their lives no man could do more for his Country; I have written to President McKinley but he did not

Kansas Adjutant General miscellaneous correspondence

do his duty. I think he did not do right by me; it hath
survived now is a just judgement not only of
a just God but of a just people. I earnestly
request that you take action in this claim
and get this payment allowed in the proper
way and ^{by} the present Congress. I see no cause why
this claim should not be paid at an early date
I will enclose the letter I received from the
Auditor; I take this method of presenting my
claim believing it will be paid. This is a
Government for the people and by the people
and should be treated equal and right.

I remain very Respectfully yours

Anna Q. Starley

^{Co K 5th Kan Cav}
Frank. Jacob F. M. - Killed by the enemy while
foraging Jan 17/62 Emmett Mo

James B. Frank Co K 5th Kan died of disease
Keokuk Iowa 63

* 100⁰⁰ was all the bounty office by 9 must at time
of the enlistment.

Kansas Adjutant General miscellaneous correspondence

February 8, 1899

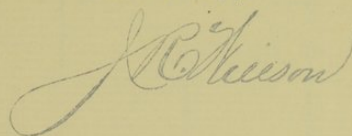
J. B. Willson,
Financial and Investment
Agent.

MARION, KANSAS, Feb. 8, 1899.

H. Allen, Adjutant General,
Topeka, Kansas.

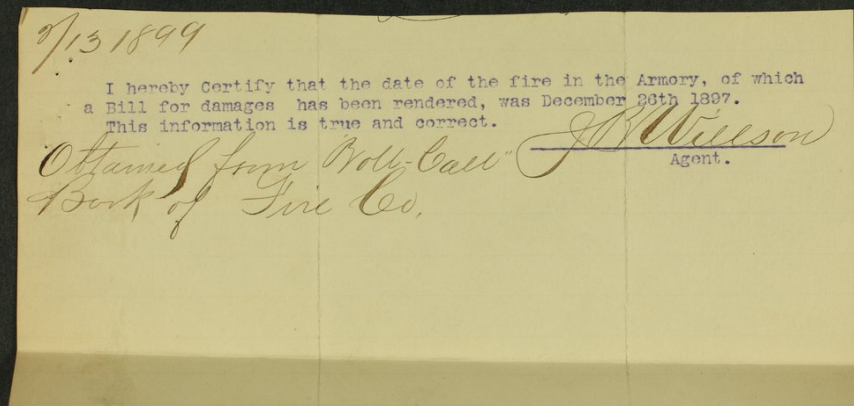
Dear Sir:- I am in receipt of yours of the 7th, enclosing bill for damages by fire. I can not give you the exact date of this fire, but I might be able to hunt it up, which I can do if it is absolutely necessary. This fire was caused by a large stove being set up about 1½ feet from the wall and near the corner of the room. The Captain of the company, as I have been informed, sent one of the boys to build a fire in the stove, and it seems that he made a very heavy fire, filling the stove with coal, and went off and left it. It was soon after discovered that that corner of the room was in flames. The Hose Cart Company had to be called out to extinguish the fire. My claim is for damages sustained to the room, which the company was using for an armory. It will cost more than this amount to put the room in condition again. I return you the account. You may append this letter as explanatory.

Yours truly,



Dictated.

Kansas Adjutant General miscellaneous correspondence



Kansas Adjutant General miscellaneous correspondence

The State of Kansas,
1899 To *J. R. Willson Agt* Dr.

Damages caused by fire in Amory 2000

Correct Billamp, 1st Lieut Co. G

State of Kansas, *Marion* Shawnee County, ss.

I do solemnly swear that the above bill is just, correct, and remains due and unpaid; that the amount claimed therein is actually due according to law.

[SIGN HERE.] *J. R. Willson Agt*

Subscribed and sworn to before me, this *4* day of *July*, A. D. 1899

E. J. Hannaford
Notary Public

Appropriation for

Kansas Adjutant General miscellaneous correspondence

58.

No. _____

ACCOUNT
OF

J. R. Willson
Major

Filed *Feb. 4* 189*9*.

Amount Claimed, . . . \$ *20*

Amount Allowed, . . . \$ _____

J. S. PARKS, STATE PRINTER.

I do hereby certify that the within was contracted for the State, under authority of law, and that the amount therein claimed is correct according to such contract, and is unpaid.
By order of Executive Council.

By _____
Adjutant General.

Topeka, Kan. _____
189 _____
Asst. Adjutant General.

Kansas Adjutant General miscellaneous correspondence

February 17, 1899

The State of Kansas,

To *John C. McIntock M.D.* Dr.

1899

May 16-1898 To Services on the Examining
Board of Surgeons examining Regimental
Officers (Surgeons) for the ~~22nd~~ 22nd & 23rd
Regts to Kansas Vol. Inf't under orders of
Sec't of War and Commissioned by Gen.
J. M. Sleedy
Eight (8) days at \$10- \$80.00

State of Kansas, Shawnee County, ss.

I do solemnly swear that the above bill is just, correct, and remains due and unpaid, that the amount claimed therein is actually due according to law.

[SIGN HERE.] *John C. McIntock*

Subscribed and sworn to before me, this 17 day of February A. D. 1899

W. W. Cook
Not. Public & State

Appropriation for

Kansas Adjutant General miscellaneous correspondence

60.

No.

ACCOUNT

OF

John C. McChesnut

Filed 189

Amount Claimed, . . . \$ *80.00*

Amount Allowed, . . . \$

*Paid 27/99
of 80.00 allowed
by Committee on Military
affairs.*

*Extra
not needed*

J. S. PARRS, STATE PRINTER.

Duplicate sent to 3/24/99

I do hereby certify that the within was contracted for the State, under authority of law, and that the amount therein claimed is correct according to such contract, and is unpaid.

By order of Executive Council.

By
Adjutant General.
Asst. Adjutant General.

Topeka, Kan, 189

Kansas Adjutant General miscellaneous correspondence

Labetha Kansas
Feb 24th 1899
Governor Stanley,
Topeka, K.
Dear Sir
Would there be any chance
for us to have the right
to get up a company of
state militia here. we can
get up a company here if there
is any show for us. we have
persons here that is capable
of taking charge of a co. we have
a Captain of the 22 Kan V.I.
he says he will take charge of
them if we can get a company
here. There is but one company
in this part of the state and
that is at Pawatha

Kansas Adjutant General miscellaneous correspondence

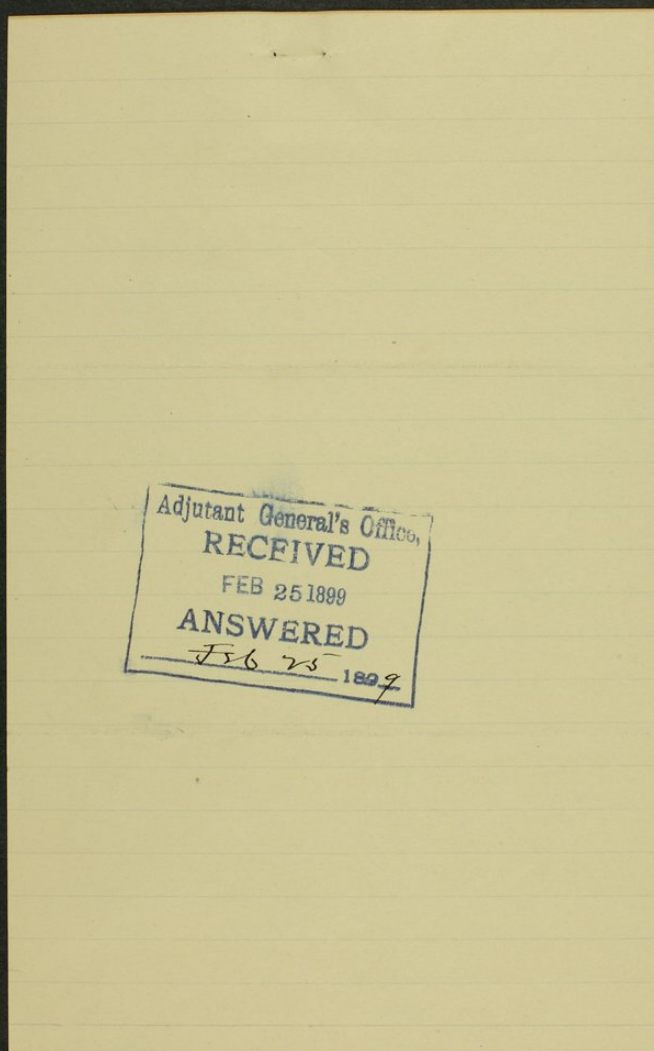
would like to hear from
you if there is any chance
for us or not please
oblige me

yours truly

M E Westfall
Sabetha
Kan

Box 342

Kansas Adjutant General miscellaneous correspondence



Kansas Adjutant General miscellaneous correspondence

February 28, 1899

D. D. C.

1712-1999.

DEPARTMENT OF JUSTICE,

Washington, D. C.

February 28th, 1899.

The Honorable

The Secretary of War.

Sir:-

I have the honor to acknowledge receipt of yours of the 23rd of January ultimo, requesting my legal opinion upon the following statement of facts as given in your letter:

At the commencement of the war with Spain certain of the States turned over to the United States a part of the quartermaster and ordnance stores which were at that time in use by the militia organizations of said States. A part of the stores thus turned over had been more or less used and were consequently of somewhat less value than when new. The commanding officer of each volunteer organization was directed to convene a board of officers of his command to determine the value of said stores at the time they were turned over to the United States.

Certain of these states having requested the return of these stores in kind, I have the honor to request your opinion, first, whether this Department can legally issue to said States new stores for those turned over by them to the United States, and, second, whether this Department can legally allow said States credits for the stores turned over at the value determined by said board of officers, and issue new stores to said States to the extent of said credits.

Upon investigation of the matters involved in your request, I find that there are two questions which arise upon the facts presented by you.

The first is as to arms, ordnance stores, quartermaster's stores, and other equipments which belonged to the several States and which were turned over by the States for use by the troops in the volunteer army of the United States in the war with Spain,-the

Kansas Adjutant General miscellaneous correspondence

inquiry being whether such stores, etc., should be returned in kind or paid for by the Government.

The second is as to what course shall be pursued by the Government in regard to arms, ordnance stores, quartermaster's stores, and camp equipage, the property of the United States, in use by the militia in the States when the war with Spain commenced^d, and which were carried into the service and used by the troops of the States when accepted as a part of the volunteer army of the United States.

The first question is readily answered. The ordnance and other stores belonging to the several States, which were taken or accepted by the United States for use in the war, should be treated in like manner as such stores procured from any other source. When the Government accepted them, it incurred the obligation to pay the price agreed upon, or, in the absence of an agreement as to price, to pay whatever they were worth. In either case there appears to be no great difficulty in arriving at the amount for which the Government is liable. As stated, the value of the stores were, in some instances, made by boards of appraisers. If the valuations made by these boards were acceptable to both parties, the Government ought to pay the amounts thus ascertained; but if, on the other hand, the boards and their work were the mere ex parte action of the Government, to which the States did not assent, then the Government assumed the liability of paying whatever the stores furnished were worth, to be arrived at in some feasible manner.

It is impossible to see how stores of the character described, belonging to the States, furnished to the Government, can be returned in kind, for, as stated, these stores had been more or less used, and it would be exceedingly difficult to arrive

Kansas Adjutant General miscellaneous correspondence

(3)

at any satisfactory basis for returning property of like character and quality.

As to the other question: As I understand it, the question concerns stores which were in the possession of the States and which had been furnished by the United States to the militia of the States under the provisions of the Act of February 12, 1897, (24 Stat. L., 401), which is in these words:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
That section sixteen hundred and sixty-one of the Revised Statutes be, and the same is hereby, amended and re-enacted so as to read as follows:

"Section 1. That the sum of four hundred thousand dollars is hereby annually appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of providing arms, ordnance stores, quartermaster's stores, and camp equipage for issue to the militia.

Sec. 2. That said appropriation bill shall be apportioned among the several States and Territories under the direction of the Secretary of War, according to the number of Senators and Representatives to which each State respectively is entitled in the Congress of the United States, and to the Territories and District of Columbia such proportion and under such regulations as the President may prescribe: Provided, however, That no State shall be entitled to the benefits of the appropriation apportioned to it unless, the number of its regularly enlisted, organized, and uniformed active militia shall be at least one hundred men for each Senator and Representative to which such State is entitled in the Congress of the United States. And the amount of said appropriation which is thus determined not to be available shall be covered back into the Treasury.

Sec. 3. That the purchase or manufacture of arms, ordnance stores, quartermaster's stores, and camp equipage for the militia under the provisions of this act shall be made under the direction of the Secretary of War, as such arms, ordnance and quartermaster's stores and camp equipage are now manufactured or otherwise provided for the use of the Regular Army, and they shall be receipted for and shall remain the property of the United States, and be annually accounted for by the governors of the States and Territories for which purpose the Secretary of War shall prescribe and supply the necessary blanks and make such regulations as he may deem necessary to protect the interest of the United States.

Kansas Adjutant General miscellaneous correspondence

(4)

Sec.4. That all arms, equipments, ordnance stores, or tents which may become unserviceable or unsuitable shall be examined by a board of officers of the militia, and its report shall be forwarded to (by) the Governor of the State or Territory direct to the Secretary of War, who shall direct what disposition, by sale or otherwise, shall be made of them; and, if sold, the proceeds of such sale shall be covered into the Treasury of the United States."

The States did not own these stores, but, by the express terms of the act, they remained and were the property of the United States. It was undoubtedly the purpose of Congress in enacting the above legislation to authorize the general government to provide arms, ordnance stores, quartermaster's stores, and camp equipage for the militia of the several States, with a view of having an organized force, with equipments, ready in case of emergency. An emergency arose when the war with Spain was declared, and, although the militia as such was not called into active service, the several States furnished quotas of troops which were mustered in as a part of what was called the volunteer army of the United States, and the arms, ordnance stores, etc., which were already in possession of the States under the provisions of the above act, were used in equipping and providing for the said troops. There is most certainly no law under which the United States can pay the States for arms, ordnance stores, etc., furnished by virtue of the foregoing law, because, as before stated, these stores were the property of the United States and did not belong to the States at all; and when the soldiers in the army of the United States were using these stores, they were using

Kansas Adjutant General miscellaneous correspondence

(5)

property of which the Government was the sole owner.

The only question, then, is as to whether the Government is either empowered or required to issue to the several States, stores in kind to replace such of these arms, ordnance stores, etc., as were exhausted, consumed, or impaired by use in the war with Spain, or, in case the Government cannot return such stores in kind, are the States entitled to credit by the Government for the value of such stores?

I do not hesitate to advise that the Government has no authority to supply stores of this character to be issued to the militia of the States from the general appropriations for the War Department, the power being derived from the act above quoted. If any part of the appropriation made by the said act remains, or if there are arms, ordnance stores, quartermaster's stores, and equipage on hand, purchased under authority of the same, and the appropriation made thereby, I do not doubt the right of the Government to re-furnish the several States from this source. But in the absence of this appropriation, or of arms, ordnance stores, etc., purchased with it, I do not find any lawful authority by which such stores can be again supplied to the militia of the several States.

Very respectfully,

Approved:
JOHN W. GRIGGS,
Attorney-General.

JAS. E. BOYD,
Assistant Attorney-General.

Kansas Adjutant General miscellaneous correspondence

(6)

32147.

G.

1st Indorsement.

OFFICE OF THE CHIEF OF ORDNANCE,
Washington, Mch. 1, 1899.

Respectfully referred to the
Quartermaster General, U. S. Army.


Chas. Schaler,
Acting Chief of Ordnance.

Kansas Adjutant General miscellaneous correspondence

E. W. Fruitt Paper Company,

Wholesale Paper and Stationery

JOBBER'S OF

 *Blank Books, School Supplies, Pads,
Tablets, Envelopes, Writing Papers, Paper Bags,
Wrapping Papers, Stationery, Etc.*

EMPORIA, KANSAS, March 4, 1899.

Adj. Genl. Kansas.

Topeka, Kansas.

Gentlemen:-

Some time ago we asked Mr. Harris of this county to look up a claim of \$50.00 we had against the state for armory rent due us and he wrote us he had called on you and that you would remit the amount in a few days. As we have heard nothing from you we would like to inquire when we may expect action on this matter. The new company is now in our hall and we would also like to know what arrangement the state has made for the payment of the rent. They have had the hall since Dec. 20th 99.

Recd. *E. W. Fruitt*

Kansas Adjutant General miscellaneous correspondence

payment of the rent. They have had the half since Dec. 30th 88.
 we would also like to know what arrangement the state has made for the
 exportation on this matter. The new company is now in our hall and
 as we have heard nothing from you we would like to inquire when we may
 see you and that you would remit the amount in a few days
 or \$50.00 we had retained the state for several months and we are
 gentlemen:-
 Some time ago we asked Mr. Harris of this county to look up a claim
 for the state.
 Adj. Genl. Kansas.
 Adj. Genl. Kansas.

Adjutant General
 RECEIVED
 MAR 6 1899
 ANSWERED
 March 6 1899