

NATIONAL ARCHIVES MICROFILM PUBLICATIONS
PAMPHLET DESCRIBING M1407

**Barred and Disallowed Case Files
of the Southern Claims Commission
1871-1880**



NATIONAL ARCHIVES TRUST FUND BOARD
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
WASHINGTON: 1987

The records reproduced in the microfilm publication

are from

Records of the U.S. House of Representatives

Record Group 233

BARRED AND DISALLOWED CASE FILES
OF THE SOUTHERN CLAIMS COMMISSION
1871-1880

This microfiche publication reproduces the case files of the claims submitted to the Commissioners of Claims (otherwise known as the Southern Claims Commission) that the commission wholly disallowed or barred. These records are a part of Record Group 233, Records of the U.S. House of Representatives.

An act of Congress approved March 3, 1871, authorized the commission and mandated it to receive, examine, and consider the claims of "those citizens who remained loyal adherents to the cause and the government of the United States during the war, for stores or supplies taken or furnished during the rebellion for the use of the Army of the United States in States proclaimed as in insurrection against the United States." An act approved May 11, 1872, extended this clause to include property used by the U.S. Navy. According to the 1871 act, commissioners were appointed by the President with the advice and consent of the Senate.

The Commissioners of Claims met first in Washington on March 16, 1871. They were to satisfy themselves of the loyalty of each claimant; certify the amount, nature, and value of the property taken or furnished; and report their judgment on each claim in writing to the House of Representatives at the beginning of each session of Congress. The House then would vote to allow or disallow the claim and to appropriate money for payment. Usually, the House followed the recommendation of the commission.

The commission received 22,298 claims by March 3, 1873, the last day on which new claims could be presented to the commissioners. Investigation and settlement of these claims occupied the commission until March 1880, when the last of the claims was reported to Congress. The whole amount of the claims was \$60,258,150.44, of which only \$4,636,920.69 was approved and paid. Of the 22,298 claims, only 7,092 satisfied the rigid tests of sworn statement and cross examination in proving both the sustained Union loyalty of the claimant throughout the war and the validity of his claim. An act of June 21, 1879, terminated the commission, effective March 10, 1880.

A case file may contain any or all of the following types of documents: claimant's petition, depositions of neighbors and other acquaintances, notes of the special agent investigating the case, reports from the Treasury Department relative to its search of captured Confederate records for any indication of disloyalty, and the final summary and recommendation of the commissioners. For those cases that were later referred to the U.S. Court of Claims for further review, there is usually only a slip of paper indicating the case was referred.

The case files for wholly disallowed claims appear first, filmed by report number and thereunder by office number. Barred claims follow, filmed in alphabetical order by surnames of claimants. For the report and office numbers of a claimant's file, please consult the Consolidated Index of Claims Reported by the Commissioner of Claims to the House of Representatives from 1871 to 1880, compiled under the supervision of J.B. Holloway, clerk to prepare digest of claims, and Walter H. French, file clerk, House of Representatives (Washington: Government Printing Office, 1892). This volume is the only record in which the names of all claimants appear in a single alphabetical list. It provides basic information on each claim, including office and report numbers and final disposition, and should be consulted by anyone doing research in records of the Southern Claims Commission. This index has been filmed on the first four microfiche of this publication.

Related Records

Most of the case files for claims approved in whole or in part are among the settled accounts and claims of the Third Auditor of the Treasury, in Records of the U.S. General Accounting Office, Record Group 217.

The absence of any regularly established tribunal for the adjudication of claims by Southern Unionists, the dissatisfaction of many claimants with the outcome of their cases, and objections to the act of March 3, 1873, which declared that all claims not presented by that date "shall be deemed to be barred forever thereafter," led to the Bowman Act of 1883 and the Tucker Act of 1887. Under the provisions of these acts, Congress could reconsider any of the claims previously handled by the Southern Claims Commission and transmit them to the U.S. Court of Claims for review and recommendation. The result is that some case files for disallowed or barred claims of the Southern Claims Commission are in Records of the U.S. Court of Claims, Record Group 123.

Excluding the case files, the records of the Southern Claims Commission, 1871-80, are part of General Records of the Department of the Treasury, Record Group 56. Those records have been reproduced as National Archives Microfilm Publication M87, Records of the Commissioners of Claims (Southern Claims Commission), 1871-1880.

These remarks were prepared by Mary Rephlo.