

M1762

SOUTHERN CLAIMS COMMISSION APPROVED CLAIMS,  
1871–1880: WEST VIRGINIA

The records and introductory remarks were prepared for filming by Meg Tilley and Patricia Anderson, based on earlier work by Monroe Freeman, Michael E. Pilgrim, and Paul Crissman.

National Park Service,  
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“These records are part of the series Land, Files, and Miscellaneous Division: Settled Case Files for Claims Approved by the Southern Claims Commission, 1871–1880, West Virginia, in the Records of the Accounting Officers of the Department of the Treasury, Record Group (RG) 217.—P. 1

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1. United States. Commissioners of Claims – Archives – Microform catalogs. 2. West Virginia – Claims vs. United States. 3. United States – History – Civil War, 1861–1865 – Claims. I. Tilley, Meg. II. Anderson, Patricia. III. Title.

## INTRODUCTION

On the three rolls of this microfilm publication, M1762, are reproduced the 47 case files of approved claims submitted to the Commissioners of Claims (known as the Southern Claims Commission) from West Virginia, 1871–1880. These records are part of the series Land, Files, and Miscellaneous Division: Settled Case Files for Claims Approved by the Southern Claims Commission, 1871–1880, West Virginia, in the Records of the Accounting Officers of the Department of the Treasury, Record Group (RG) 217.

## BACKGROUND

The congressional act of July 4, 1864 (13 Stat. 381-82), recognized the debt the Federal Government owed loyal citizens for property losses suffered during the Civil War. This act, like all such Government legislation until 1871, applied only to citizens of states not in rebellion. During the last half of the 1860s, the Government was besieged with claims from people in southern states who had been unquestionably loyal to the Union cause during the war.

It was not until 1871, when the power of Northern radicals in Congress diminished and Northern ill will toward the South began to subside, that sufficient support could be mustered to provide for the losses suffered by Southern Unionists. An act of March 3, 1871 (16 Stat. 524-25), authorized a special board of three commissioners to be appointed by the President, with the advice and consent of the United States Senate. These Commissioners of Claims were 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.”

The commissioners were to satisfy themselves about 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 United States House of Representatives. The House would then vote to approve or disallow the claim and to appropriate money for payment; it usually followed the recommendation of the commissioners. Only claims presented to the commissioners could be prosecuted; all others were to be barred.

The Commissioners of Claims first met on March 16, 1871, in Washington, DC, with Asa Owen Aldis of Vermont as its president. The other two members were James B. Howell of Iowa and Orange Ferriss of New York. Charles F. Benjamin served as the chief clerk. The amount of work soon proved to be so great that they were authorized by an act of May 11, 1872 (17 Stat. 97), to appoint special commissioners to administer oaths and affirmations and to take depositions of witnesses. These special commissioners were local appointees confined to hearing “small claims.” The Commissioners of Claims were also authorized to appoint special agents to investigate pending claims, procure evidence, and examine witnesses. The special agents were traveling investigators of both “large and small claims.” All papers

collected by special commissioners and agents were sent to the Commissioners of Claims in Washington, who were responsible for making recommendations on all claims.

In 1872 the deadline for filing claims was set at March 3, 1873 (17 Stat. 577). By that date, a total of 22,298 claims had been filed, all of which were considered by the commissioners. The final date for submitting evidence pertaining to a claim was fixed at March 10, 1879 (17 Stat. 97-98).

The Commissioners of Claims were occupied with investigation and settlement of the southern claims until March 1880, when the last of the claims was reported to Congress. Of the 22,298 claim petitioners, only 7,092 convinced the commissioners or their agents that their claims were valid, and that the “petitioner remained loyally adherent to the cause and the Government of the United States during the war, and was so loyal before and at the time of the [taking] of the property for which [the] claim [was] made.” The total amount of the claims submitted was \$60,258,150.44, of which \$4,636,920.69 was approved and paid. An act of June 16, 1880 (21 Stat. 253), terminated the Commission and gave the Treasury Department the responsibility to liquidate the business of the Commission.

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 barred forever thereafter,” led to the Bowman Act of March 3, 1883 (22 Stat. 485), and the Tucker Act of March 3, 1887 (24 Stat. 505). Under the provisions of these acts, Congress could reconsider any of the claims previously disallowed by the Southern Claims Commission and transmit them to the U.S. Court of Claims for review and recommendation. The appealed case files are in the records of the U.S. Court of Claims, RG 123.

### **RECORDS DESCRIPTION**

The approved case files for West Virginia, 1871–1880, are arranged by county and thereunder alphabetically by surname of claimant. In a few instances, cases are filed by the name of the administrator/executor or trustee followed by the name of the deceased or minor in parentheses. A case file may contain any or all of the following types of documents: summary reports; petitions; inventories for supplies and property for which compensation was desired; applications to have testimony taken by a special commissioner; testimony of the claimant and others, both favorable and adverse, relating to the claim; vouchers; powers of attorney; correspondence; a copy of the Commissioners of Claims report; and the certificate of settlement issued by the Third Auditor of the Treasury.

### **RELATED RECORDS**

Southern Claims Commission case files have found their way into records of all three branches of the Government—executive, legislative, and judicial. The approved

claims, which were sent to the Treasury Department for payment, were inherited by the General Accounting Office, as the agency that succeeded the Comptrollers and Auditors of the Treasury. Most disallowed claims and barred claims were retained by Congress and are now part of the records of the U.S. House of Representatives, RG 233. Claims that were sent to the Court of Claims for a finding of fact; Case Files, January 10, 1884–May 19, 1943; and Oversize Enclosures relating to the Case Files, 1888–1926, are part of the Records of the United States Court of Claims, RG 123.

The disallowed and barred case files are contained in the series Southern Claims Commission: Disallowed Claims Files, 1871–1880, and Barred Case Files, 1871–1880, and are part of the Records of the U.S. House of Representatives, RG 233. They have been reproduced as National Archives Microfilm Publication M1407, *Barred and Disallowed Case Files of the Southern Claims Commission, 1871–1880* (4,829 microfiche).

An index of claims acted upon by the Commissioner of Claims was published under the title *Consolidated Index of Claims by the Commissioners of Claims to the House of Representatives from 1871 to 1880* (Washington, DC: Government Printing Office, 1892). This index was compiled by Walter H. French, file clerk, under the supervision of J. B. Holloway, clerk at the U.S. House of Representatives. This volume is the only document in which the names of all the claimants appear in a single alphabetical list. This index has been reproduced on the first four microfiche of M1407, above.

Additional records documenting the activities of the Southern Claims Commission have been reproduced in the following microfilm publications:

GENERAL RECORDS OF THE DEPARTMENT OF THE TREASURY, RG 56

M87, *Records of the Commissioners of Claims (Southern Claims Commission), 1871–1880*

RECORDS OF THE ACCOUNTING OFFICERS OF THE DEPARTMENT OF THE TREASURY, RG 217

M1658, *Southern Claims Commission Approved Claims, 1871–1880: Georgia*  
M2062, *Southern Claims Commission Approved Claims, 1871–1880: Alabama*

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## ROLL LIST

ROLL	COUNTY	NAME	
1	Berkeley	Boltz, John H.	
		Dalwick, John	
		Hazlewood, James T.	
		Keiter, Hamilton J.	
		Lock, Benjamin	
		Pitzer, James S.	
		Welshams, P. H. (See Philip H. Welshans, Jefferson County)	
	Greenbrier	Caldwell, Joseph F.	
		Hampshire	Craigen, Jacob I.
		Hancock	Atkinson, John H.
	Hardy	Baker, William C.	
		Randolph, William M.	
	Monroe	Russell, William	
		Campbell, Allen	
Morgan	Largent, Benjamin		
	Larkin, Michael		
Pendleton	Ziler, Jacob		
	Bond, John S.		
	Mowery, Anthony		
2	Jefferson	Cain, Augustine	
		Coyle, John M. (Administrator for William Crow)	
		Custer, Randolph	
		Dixon, William A.	
		Dixon, William H.	
		Dust, Isaac	
		Fulk, Frederick A.	
		Hamilton, Elwood B.	
		Hawk, Elijah	
		Hill, John W.	
		Johnson, Andrew J.	
		Kanode, Joseph H.	
		Kirwan, Thomas	
		3	Jefferson (cont.)
Lloyd, Dangerfield			
Lock, Remington S.			
McCloy, James W.			
Miller, Edward			
Miller, Jacob J.			
Moler, Daniel			
Osburn, Logan (Executor for Mary Osburn)			

ROLL	COUNTY	NAME
3	Jefferson (cont.)	Osburn, Logan (Executor for James Roper) Ramsburgh, John J. Rutherford, Mary E. (Trustee for Mary Jewett) Shaul, Nicholas S. Stipes, Anna Welshans, Joseph Welshans, Philip H.