

Dear Ben Howard -

(Seattle, Jan 21. [1873])

There is a chance to get a first class Pastor for Olympia, Rev. S.E. Eastman of Swansboro, Mass., by helping him to move. Olympia gladly pledges his passage paid - 3 fares - from San Francisco up. I have written the Berlin Chs to know if they will stand good for his first bill thro' from Swansboro to Olympia, & to Dr Webb to secure passage to San Francisco. If you & Dr. A. can unite in an appeal to Dr. W we may be able to secure the prize. God bless you! Truly, J.T. Ellis.



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GEO. W. DYER,
Attorney and Counsellor, at Law,

519 Seventh Street.

Lock Box 100.

Washington, D. C. Jan 22 1878

Genl O. O. Howard.

Portland Oregon.

Dear General, I have to day
your letter of the 9th inst. and am much obliged to
you for looking up the references in the printed
testimony, although I have looked over the same
lately with a good deal of care. The District Attorney
Gov' Wells has not yet received the new transcript
upon the interest account suit, so that I can
give you no details upon it. I presume that
the suits will be called up by the Government
during the month of February. Genl Vincent
has not yet left town, but I understand that
he will go in a few days.

Yours truly,
Geo. W. Dyer

Syph. Alc. Jan 22.

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Mar. Jun. 30th A.D. 1878.

Hannibal - Chas. A.
Jan. 22nd 1878.



President of San Francisco,
Cal., Jan. 22nd 1878.

Gen. Q. Q. Howard, U.S. Army,
Portland, Oregon.

Sir.

I have the honor to ask of you a letter regarding your opinion of me from any knowledge you may have received during your late campaign against Indians, or from any general reputation as an officer and man. I make this request having been particularly promised by the President a captaincy in the L. M. Dept. I desire in order to strengthen my position to have letters from you, Gen. Burney, Col. Eddy and Col. Miller. I have written Col.

Edely and respecting that gentleman, I
trust you may consider this commun-
ication confidential.

I am, Gen.,
Yours etc servt
Chas. F. Humphrey.
~~per~~ Lt. H. A. Culy.

Cataldo. J. M.
Jan. 22. 1878.

St. Joseph Mission Lapwai I. S.

Jan. 22^d 1878,

O. O. Howard B. Gen. U. S. A.

Respected Sir

Your kind

favor of 12th inst. is received. in answer to it I must say that Father P. Guido S. J. was here only a few months on a visit; he took a great liking to the Nez-peaces language, so much so that he copied for his own use almost all our Nez-peaces writings, and in a few months he could speak well enough. He is now in Helena.

I shall be glad to give to the gentleman, you speak of, any information he wants about the ³⁴³ Nez-peaces language, as far as I am able, and as far as time will allow me: you know, Sir, that I am



very busy always, and that the very
peru language is an immense ocean!

I thank you very much
for your compliments to me; we
shall always prove with our doings
that we are true american citizens—
I mean we Jesuits—many things
are said in our name, which we
never thought of, or dreamt about.

I remain, Sir,

Your most humble & ob. serv.

J. M. Cataldo S.S.

Cath. Presb.

Firm of J. C. WILSON & CO.

GEO. W. BALLOCH,

GENERAL

Claim, Patent, and Insurance Agent, and Broker,

631 F STREET N. W.,

Box 804.

Washington, D. C. Jan 22, 1878

My Dear Gen.

I send this notice because I am obliged to, but it dont amount to anything. Even if they should cancel your stock it wont hurt you much, at it never will be worth anything —

Judge Hartley has killed the whole enterprise as dead as Julius Caesar. The only

charis ever sold were the 16 I sold to the A & M. R.R. Charles has been here several days. He is on his way to Florida & Havana — He looks poorly. As ever

G. W. Balloch

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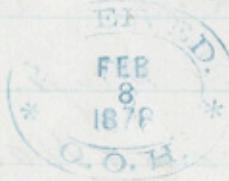
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Pellock - S. C. 1

Jan 23. 1878

Aus. Feb. 8. 1878
~~C. O. H.~~



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OFFICE OF COMMISSIONERS
OF THE
Freedman's Savings and Trust Company)

Washington, D.C. Jan'y. 23 - 1878

Jno. R. Custer Esq.

Attn: es.

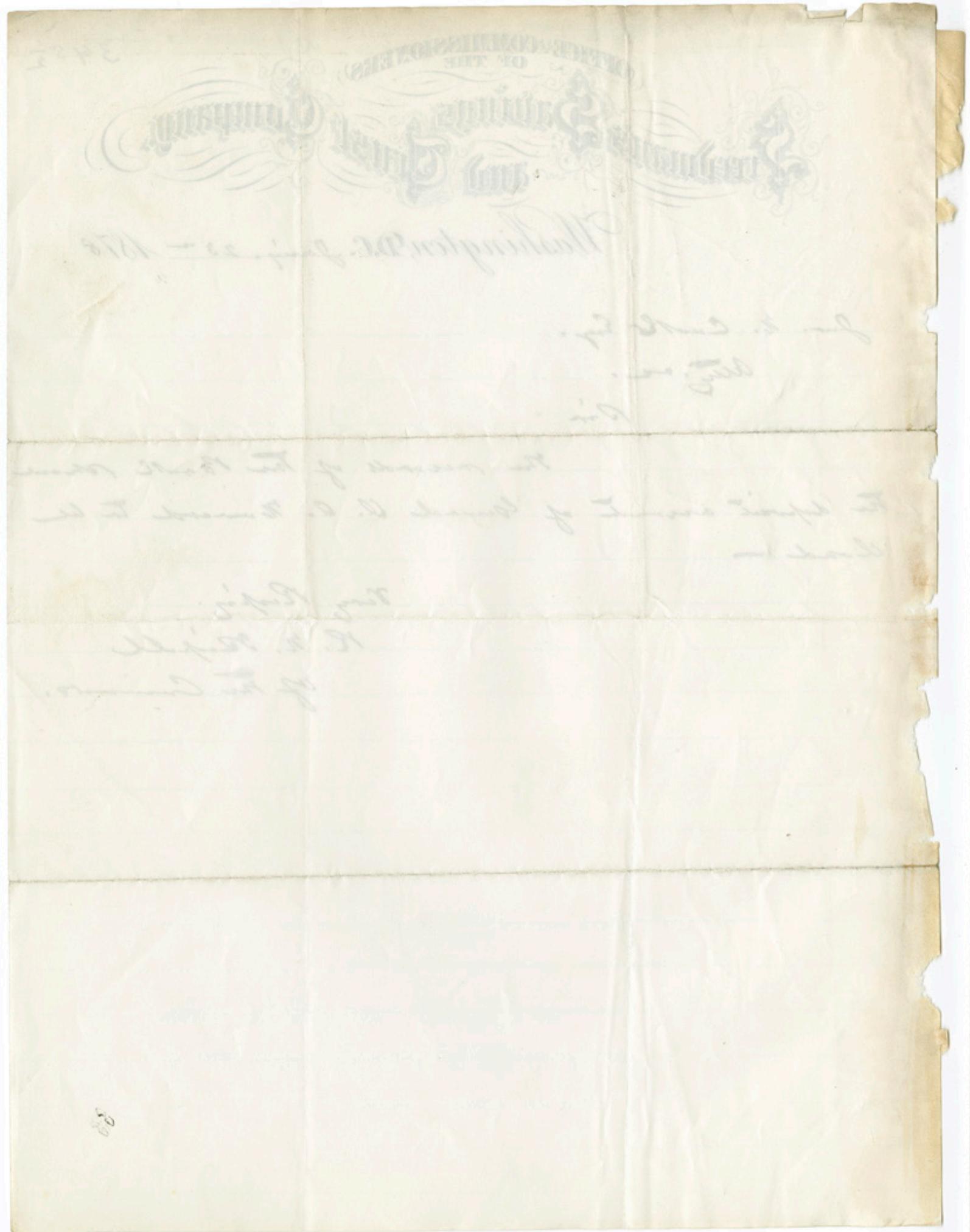
Rm:

The records of the Bank show
the deposit account of General U. S. Grant to be
closed —

Noy Rippy.

R. R. Rippy

of the Committee.





File

Jan. 23. 1878.

Department of Justice, 345

Office of the Solicitor of the Treasury,

Washington, D. C., Jan. 23, 1878.

Mr. O. O. Howard,

I received your letter, in regard to the suit against you. I also received, two days since, a very kind letter in your favor, from Genl. Sherman - in which he says all in your favor, that a man and a brother officer can say. - I have this day answered Genl. Sherman's letter at considerable length, in which I have explained to him my powers over, and my official relations to, your case.

I wish it were in my power to direct a dismissal of the suit against you. But I have no such power. I have the power of compromise (that is, to recommend it to the Secretary) - either before or after judgment. -

I enclose to you a copy of my letter to Genl. Sherman - that you may in the letter understand my position. -

I see no chance, but for you to come
on here, and defend the suit, in person. Your
presence here would have a moral force in
it - and then, you can the better avail
yourselves of any advantages, that might pre-
sent themselves - and besides, you will meet
friends here, as well as enemies.

If judgment should be obtained
against you - you can the better judge of the
chances of compromise, by being on the
ground, and judging of what is most advi-
sable. I will this day write to District
attorney Wells, and ascertain when he
will probably be prepared to take up
your case, for trial.

I assure you general, I will
do any thing in my power to serve you,
that is within the scope of my official
duty - so well am I convinced, that you
never did knowingly money the government
out of one cent. - I will inform you, what
Wells may say, in regard to the time of trial.

Faithfully yours
K. Raynor

Department of Justice,

Office of the Solicitor of the Treasury,³⁴²

Washington, D. C., January 22, 1878.

Genl. W. T. Sherman,

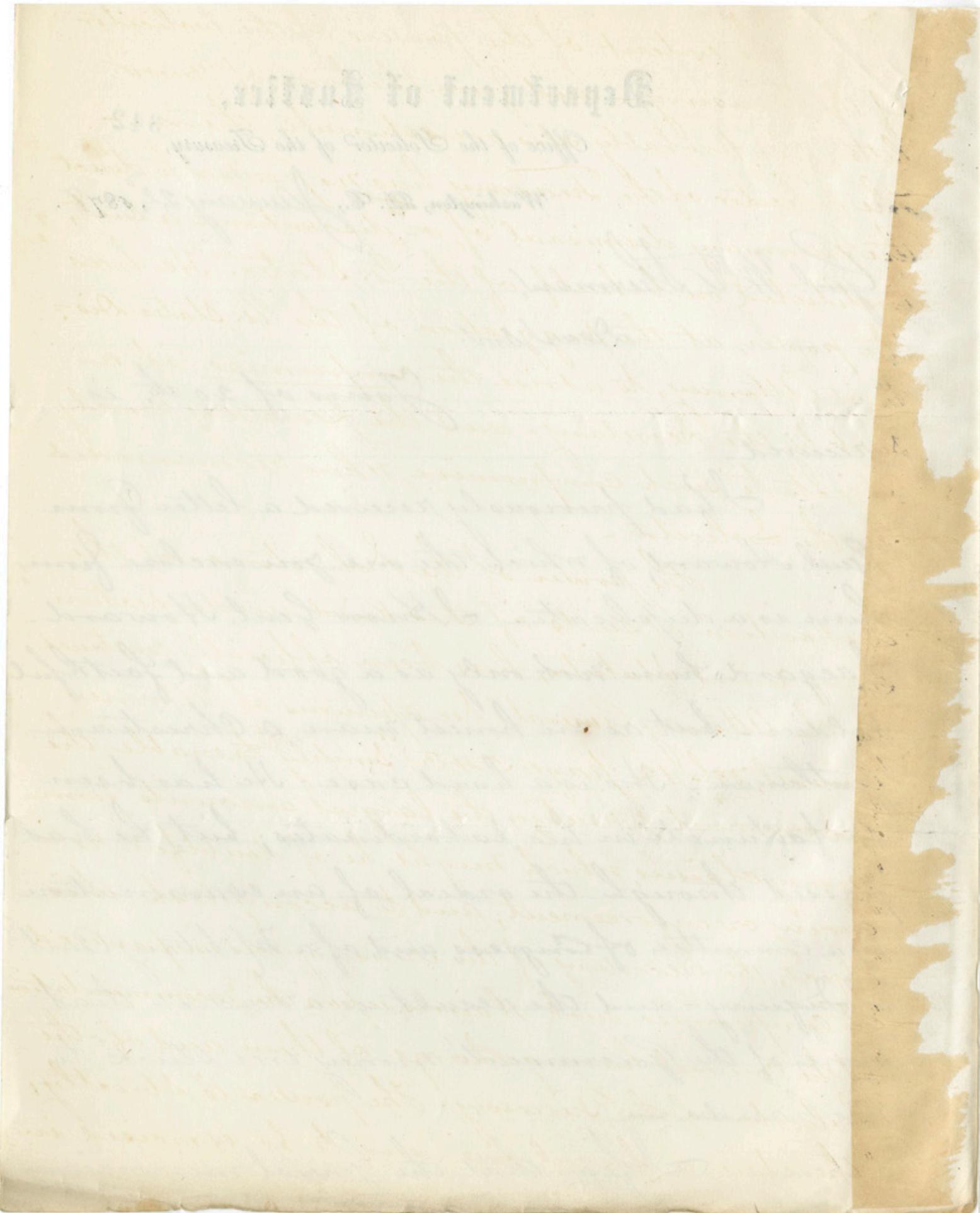
Dear Sir:

Yours of 20th. is

received.

I had previously received a letter from Genl. Howard, of which the one you enclose from him is a duplicate. I know Genl. Howard. I regard him not only as a good and faithful soldier - but as an honest man, a Christian gentleman. His is a hard case. He has been unfortunate in his subordinates; but, he has passed through the ordeal of an examination by a committee of Congress, and of a Military Court of Inquiry - and the result is, a verdict that none of the Government's money ever stuck to his hands. —

I fear that the General misconcieres



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the extent of the powers of the Solicitor of the Treasury; - and from the tone of your letter, you probably also overestimate them. - The Solicitor of the Treasury has no power to direct the summary dismissal of, or ^{to} discontinue a suit, instituted on behalf of the U. States. He has the power, at the suggestion of the U. States District Attorney, to advise the compromise of a suit, by the Secretary - and the Secretary rarely objects to such compromise, when recommended by the Solicitor.

The power of the Solicitor over the disposition of suits of this kind, under section 3469 Revised Statutes, has been officially construed by the Attorney General (See Opinions of Attorney General, vol. 12, page 543) "simply to enable the Government to realize the largest amounts from money claims, which might be of doubtful recoverability or enforcement; and to accomplish this object, the Secretary of the Treasury was empowered to compromise such claims, upon the recommendation of the counsel having charge of them, and of the Solicitor of the Treasury. The power is strictly, therefore, a fiscal one, and to be exercised in

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"each case, upon fiscal considerations
"alone" -

Here you see the power of Compromise
is to be exercised, with a view to the best in-
terests of the Government, only. The equities
and merits of the defendant's case are to be
urged before the Court that tries the case-

However, in the practical adminis-
tration of the functions of my office, I do
consult the promptings of generosity and hu-
manity, as far as I dare do so, within the
limits of the law.

Suits brought by the U. States
for amounts found due from delinquent
officials, on accounts stated by the accounting
officers of the Government, differ materially
from suits between individuals. - The account
as stated, showing a balance in favor of the
Government, constitutes a case for the U. States,
prima facie, without the aid of other testimony.
Such statements of account by the Auditor and
Comptroller are binding. They are binding, by
law (see Section 191, Revised Statutes) upon the
Secretary, even the President. As I have before

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Said the power of "compromise" does
belong to the Solicitor, at least the initiative.

I have taken the advice of my Assistant
Mr. Robinson, who is thoroughly acquainted
with the routine of business in my office -
having been in it some twelve or thirteen
years. - He agrees with me that Genl. Howard
is entitled to a speedy trial - that it is unjust
to him to keep these suits pending over him.
Therefore, we shall have the District Attorney
here (for the suits are pending in the Court of
this District) enquired of, when he will be
ready to try, and intimate to him, that an
early trial should be allowed to Genl. Howard -
and inform the General accordingly.

Inasmuch as there is no power
in any officer here, to "dismiss" the suit en-
tirely - I see nothing else that can be done,
but for Genl. Howard to come on here, and
defend in person. If I had the power to
dismiss these suits, I would do so. - But I
have no such power. Neither have I the power
to revise, amend, correct, or in any way interfere
with, the stated accounts, as they come from

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the Auditor and Comptroller. The power of compromise exists after, as well as before judgment - I will send Genl Howard a copy of this letter to you -

Genl. Howard's letter to you is returned enclosed herewith -

Very respectfully

K. Rayner
Solicitor of the Treasury.

Laynes T. C.

Sherman Co., T.

Jan. 22, 1878.

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