

California B20
J. Ross Brown
San Francisco June 20. '59

Enc. letter addressed
to me by S. J. Hawley,
Cato's Agent & Co. to suit,
commenced against him
for supplies purchased by
him for the Indian ser-
vice, and ask in his advice
as to the employment of
counsel, together with his
reply thereto.

Recd July 23. '59

Ans^d July 26. '59

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(Copy)

San Francisco, Cal.

June 20th 1854.

J. J. Hurler Esq.

Sir:

In reply to your letter of the 16th inst, in which you inform me that suit has been commenced against you for goods and merchandise purchased for the Indian Service, and asking my opinion as to the course which would be most likely to meet the approval of the Department, I have to say that I do not think the Department will take any part in defending suits of this kind, or recognize in any manner the action of the suitors. As soon as the debts due for services and supplies under your Superintendency can be examined and passed upon by the Department, I have no doubt that in all cases where no exception to them has been taken, the necessary funds to pay them will be transmitted to your successor. I am not aware of any question ^{having arisen} as to the necessity or price of articles purchased

for the Indian service during the past year; and I trust no difficulty will arise in the payment of these liabilities beyond a temporary delay for the transmission of the accounts. The salaries of all the employes whose appointment has been authorized and approved by the Department, are in my opinion justly due, and I earnestly trust the funds to pay them will be promptly transmitted to the Agents or the new Superintendent, as may be deemed advisable.

In the case of the Fresno farm, the owner of which I understand threatens to eject the Agent by process of law, in consequence of the non-payment of rent, the right to do so depends upon the nature of the lease, of which I have not a copy. Some trouble may arise, in relation to the crops and stock on this and the King's river farm through the acts of irresponsible magistrates. But so far as I am advised, no execution upon public property can take place in a suit against a private individual. I hope, however, that some speedy action may be had in these matters which will relieve them

who have in good faith credited the government.

Upon a personal appeal to Mr Arthur, the merchant who has brought suit against you, he has consented to waive all proceedings for three or four months; and I have asked a similar forbearance on the part of others whose claims I believe to be just and reasonable.

I feel confident however, that the Department neither requires nor will sanction the employment of counsel.

Very respectfully,

Ern Oldent.

J. Ross Brown

Special Agent of the Treasury Dept,
Acting for Dept of Interior.

San Francisco June 16th 59

J. Robt. Brown Esqr
Special agt Department Interior
Sir

On the 13th inst a suit was commenced against me for goods and merchandise purchased for the Indian service. I doubt whether I can make a successful defence. I desire to ask your advice as to the course to be adopted by me which will be most likely to be approved by the Department.

If a judgement should be obtained a levy will be made either upon my own private property or upon that of the Department.

In either case there will be a sacrifice, I can not defend the suit without council. ought I to employ council, and if I do will it meet your approbation

Very Respectfully Yours
Jas. T. Hensley
Late Supt Ind Affs.