

WARREN HALL.

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FEBRUARY 2, 1897.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. COOPER, of Texas, from the Committee on War Claims, submitted the following

REPORT.

[To accompany S. 514.]

The Committee on War Claims, to whom was referred the bill (S. 514) for the relief of Warren Hall, report that they concur in the conclusions embodied in the report of the Senate Committee on Claims of the present Congress (a copy thereof being hereto attached as part of this report), and recommend the passage of the bill.

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[Senate Report No. 1273, Fifty-fourth Congress, second session.]

The Committee on Claims, to whom was referred the bill (S. 514) for the relief of Warren Hall, having considered the same, report as follows:

This bill was before your committee in several Congresses. At each time it has been favorably reported by your committee and passed by the Senate. It has also been favorably reported by the House Committee on Claims. Your committee adopt the report made in the last Congress as a part hereof and recommend the passage of the bill.

The report is as follows:

[Senate Report No. 821, Fifty-third Congress, third session.]

The Committee on Claims, to whom was referred the bill (S. 1894) for the relief of Warren Hall, having considered the same, report as follows:

A bill similar to this was before your committee in the last Congress, and a favorable report made thereon, after which it passed the Senate. It has been favorably reported by the House Committee on Claims at this session, but so far no further action has been taken thereon. Your committee concur in the report made in the last Congress, adopt it as a part of this report, and recommend the passage of the bill.

The report made in the Fifty-second Congress is as follows:

"The Committee on Claims, to whom was referred the bill (S. 789) for the relief of Warren Hall, after due consideration report as follows:

"This bill was considered by your committee in the Fiftieth Congress, and a favorable report made thereon, after which it passed the Senate. It was favorably reported in the House in the first session of the Fifty-first Congress, and also at this session. There are no new facts in the case. Your committee concur in the report made by Mr. Hoar in the Fiftieth Congress and make it a part of this report, and recommend the passage of the bill."

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[Senate Report No. 2462, Fiftieth Congress, second session.]

The Committee on Claims, to whom was referred the bill (S. 902) for the relief of Warren Hall, have considered the same, and respectfully report:

Warren Hall, the claimant, alleges that he is the son of a free woman, an Indian,

and that he was born in the city of Alexandria; that when a youth he was kidnapped in New Orleans, where he had gone as a race rider, and sold to a planter in Mississippi by the name of Roach, by whom he was treated until 1863 in some respects as a free man and in others as a slave. Hall further claims that during this period he was allowed to raise hogs and other stock, which he exchanged with Roach for cotton, and in this way he had accumulated some seventy-five or more bales of cotton. In the year 1863 sundry lots of cotton along the Mississippi were seized by the United States troops to be used in the fortifications at Memphis. This cotton was sold at a later date and the proceeds placed in the United States Treasury. In this cotton thus taken, used, and sold were the bales Hall claims, which he had received in exchange for his hogs, by contract with Roach, and of which he was the lawful owner.

Hall endeavored to assert his right of ownership by application to the Quartermaster-General and by suit in the Court of Claims and in the Supreme Court of the United States, but without success, the courts holding that his condition in fact was that of a slave, and that in consequence he was incapable of making contracts or of acquiring property.

It would seem to your committee that under these facts injustice is done to Hall by enforcing the harsh rule of slavery in his case. If the story of his birth be true, he was by law freeborn and his mother was a free woman, and her legal status would determine his. His servitude, therefore, was the result of force and not of law. He was still a freeman, although unable to assert his freedom.

The bill under consideration is intended to refer the entire case to the Court of Claims, removing simply the bar of limitation and the hitherto insuperable bar of so-called "slavery de facto." Hall then would be allowed to prove his free birth, the contract with Roach, and his title to the property, if possible.

Some questions have been raised in the course of the investigation as to the good faith and genuineness of Hall's claim. All these questions would be passed upon by the court if the proposed statute be enacted, and the burden will be upon him to establish his title in all respects.

Your committee recommends, therefore, the passage of the bill with the following amendment: In line 8, after the word "trial," insert: "If it shall appear that said Hall was in fact freeborn, he shall be deemed to be entitled to all such rights as he would have had if he had continued a freeman, notwithstanding he may have been reduced to a state of slavery de facto by the operation of the laws of any State."