

**WAR CLAIMS,**  
**AGAINST**  
**THE UNITED STATES.**

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## PREFACE TO THE WAR CLAIMS.

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THE following essay on claims against the United States for injuries done to the persons and property of foreigners by our military and naval forces during the war, was in substance prepared while the author was Solicitor of the War Department. In pursuance of an understanding with Mr. Seward, Secretary of State, and Mr. Stanton, Secretary of War, a practice was adopted, and adhered to throughout the war, of referring to the Solicitor of the War Department for his investigation and opinion such claims against the United States for damage or indemnity, growing out of our military operations, as had been or should be presented by the ministers or other representatives of foreign powers. The results of such investigations were transmitted in writing to the Secretary of State, who was at liberty to make such use of them as he thought proper in preparing his official correspondence.

The Opinions appended to this essay, which embrace some of those above mentioned, were written under great pressure of business. It is hoped that, however imperfect in style, they may be found correct in substance. The essay on "War Claims" was composed at the request of the Secretary of State, in order to facilitate the labors of those on whom, after the author's retirement from office, the duty might devolve of examining similar

questions;\* and with a view to secure uniformity of decisions by the government. The first printed edition was issued in 1866, and was distributed among the officers of the War, State, and Navy Departments, and has been in use down to the present time. A request for a new edition has induced the author to add it to the present publication, with the subject matter of which it is closely connected.

\* The office of Solicitor of the War Department was created by Statute 20 February, 1863, Chap. 44, Sect. 3. The author was appointed Solicitor under this act at the time of its passage. Although he resigned his office when the war was over (in April, 1865), and the law which established it was not repealed until the passage of the act of 28th July, 1866, no successor was ever appointed.