upon the return of this
claim the auditor is of
opinion it should be allowed
1st because Genl Burbeck
was appointed and commissioned
by the Governor Commander
in chief of the volunteer
army as to the amount he
should receive I am not so
clear what his lineal rank
should have been commander
in chief would place him
in the highest office known
to the Constitution and laws
hence a Major Genl is less
under the law the auditor
is bound to respect the certifi
cate of all legal officers
the Quarter Masters department
has the power of allowing
quarters & fuel
2d the claim whether just or
not is in conformity to law
by the second section of an
act creating the auditor &
controller office the auditor
is bound to support it
3d by the 15 and 16th sections
of the same law and the
law establishing a second