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Report : Petition of the Reps. of W. Slacum

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IN SENATE OF THE UNITED STATES.

FEBRUARY 25, 1850.

Submitted, and ordered to be printed.

Mr. DAWSON made the following

REPORT:

[To accompany bill S. No. 130.]

The Committee on Military Affairs, to whom was referred the petition of Mrs. Margaret Hetzel, widow and administratrix of A. R. Hetzel, late assistant quartermaster in the army of the United States, report:

That it appears that her husband died on the 20th day of July, 1847, at Louisville, in the State of Kentucky, in attempting to reach home after a most laborious service at the city of Vera Cruz, during the siege by the troops of the United States, leaving the memorialist, his widow, and three children.

That the deceased had served in the quartermaster's department more than twelve years previous to his death, and had disbursed large sums of money for the government; that his accounts have all been settled at the treasury.

That in the account rendered by the deceased, for a part of the 3d quarter of the year 1838, the following item, charged by him to the United States, was disallowed at the treasury, viz:

"Per centage on disbursements, on account of the appropriation for preventing and suppressing Indian hostilities, from the 4th day of July, 1836, to the 30th September, 1838, \$519,549 78, at 2½ per cent. - - - \$12,988 74."

It will be noticed that that duty was entirely disconnected with his regular quartermaster's account, which was covered by his official bond; but during this very period his official disbursements on account of the army amounted to several hundred thousand dollars, which was duly closed at the Treasury Department.

Upon the account presented by the deceased, in which the foregoing item is found, is the following memorandum under his own hand, in explanation of the charge:

"The amount charged as per centage is not retained, but the undersigned cannot but consider it as a just and equitable claim against the government in consequence of the unusual and extraordinary responsibilities he assumed while on duty as principal quartermaster in the Cherokee nation. The funds placed in his hands, amounting to nearly \$700,000, owing to the system of accountability he established, were

disbursed in such a manner that government lost nothing by the defalcation of agents, whom it became necessary to employ from time to time to assist in furnishing supplies, procuring transportation, &c., at the various posts in the Cherokee nation. His duties were arduous in the extreme, as the several commanding officers, under whose orders he was acting, can testify; and as the money expended, on which he claimed a per centum, was out of an appropriation *distinct from the regular army appropriation*, he considers it, to say the least, equitable, and that it ought to be allowed."

To show the faithfulness and strict honor and honesty which marked the character of this officer, and the rectitude of his transactions, the committee have extracted from the same account the following items:

"Premium on Tennessee funds, \$337." This item is explained thus:

"Drafts on the Quartermaster General commanded a premium in Tennessee currency varying from 5 to 10 per centum. The funds thus obtained were paid out, as far as practicable, as they were received—premium received on the drafts being paid to claimants. In liquidating small accounts the premium was not calculated, which explains the above entry."

By the act of Congress of the 3d of March, 1839, it seems that claims of this character, after the passage of said act, were to be disallowed, and it was, no doubt, intended to cut off all claims not founded in justice; but your committee are of the opinion that that act should not be applied in opposition to a claim in itself reasonable and just, and which is not embraced within its provisions, but was existing and pending for adjustment before the passage of that law; therefore they recommend that the claim of Mrs. Margaret Hetzel, widow and administratrix of A. R. Hetzel, late assistant quartermaster in the army of the United States, be allowed, and that the certificates of Major General Winfield Scott and Major General John G. Wool, marked A and B, showing the justice of this claim, be annexed and considered a part of this report, and be printed with it.

A.

This is to certify—

From 1836 until the actual removal of the Cherokees west, in 1838, Captain A. R. Hetzel was the principal quartermaster of the army, on duty in that Indian country embracing parts of North Carolina, Georgia, Tennessee, and Alabama. To effect the removal of the Indians a large volunteer force was assembled and made to overspread the whole Cherokee nation, by being divided into many detachments, at separate posts. The agents of the quartermaster's department at these several posts were employed in the disbursement of funds, placed by the government in the hands of Captain Hetzel. He was obliged to appoint these agents from the want of government agents, and to instruct them in their duties, as well as become responsible for their acts, to an enormous amount, and thus assumed unusual and extraordinary responsibilities.

Having myself been employed as the commander of the troops in the Cherokee country at the time that the removal of the Indians was effected,

viz: from early in May to the middle of November, in 1838, I take pleasure in bearing testimony to the arduous and able services then rendered by Captain Hetzel, and believe that while the extraordinary responsibilities he assumed greatly facilitated the operations of removing the Indians, they could not have been required of him by the government, and were, therefore, eminently extra official, for which, it seems, his now destitute family may reasonably claim extra compensation.

WINFIELD SCOTT.

HEADQUARTERS OF THE ARMY, NEW YORK,

January 17, 1850.

B.

Captain Hetzel was long known to me as an intelligent, active, and efficient officer. He served under my command, in the Cherokee nation, from the 1st of July, 1836, to the 1st of July, 1837. During this period his duties were highly onerous and responsible. He was chief of the quartermaster's department in that country, and I held him responsible for the faithful performance of the duties of all subordinates in the department. As it was the practice, at this time, of the War Department to allow for extra services, I know of no officer who could claim, with greater justice, compensation for onerous and extra services than can Captain Hetzel. He was faithful to the last degree.

In 1846, during the Mexican war, he again became subject to my authority, when he rendered important services in preparing and providing the means of transporting the volunteers to their distant service. After which, he was engaged in procuring supplies and the means of transportation of the troops for Vera Cruz. Being stationed at this place, he contracted a disease which compelled him to leave for his home, but which, as I am informed, before his arrival, carried him to his grave.

I trust his claim will receive all the attention and consideration which is justly due to gallant, efficient, and extraordinary services.

JOHN G. WOOL,

Major General United States Army.

Claim of Captain A. R. Hetzel, assistant quartermaster United States army.

This claim was made in an account rendered by my husband in the 3d quarter of 1838, in the following item, viz:

"Per centage on disbursements, on account of the appropriation 'for preventing and suppressing Indian hostilities,' from the 4th of July, 1836, to the 30th September, 1838, \$519,549 78, at 2½ per cent. - - - \$12,988 74."

The following explanation of this charge is in my husband's own handwriting:

"The amount charged as per centage is not retained, but the under-

signed cannot but consider it as a just and equitable claim against the government, in consequence of the unusual and extraordinary responsibilities he assumed while on duty as principal quartermaster in the Cherokee nation. The funds placed in his hands, amounting to nearly \$700,000, owing to the system of accountability he established, were disbursed in such a manner that the government lost nothing by the defalcation of agents, whom it became necessary to employ from time to time in furnishing supplies, providing transportation, &c., at the various posts in the Cherokee nation. His duties were arduous in the extreme as the several commanding officers, under whose orders he was acting, can testify; and as the money expended, upon which he claims a percentage, was out of an appropriation *distinct from the regular army appropriation*, he considers it, to say the least, equitable, and that it ought to be allowed.

"A. R. HETZEL,
"Captain and Assistant Quartermaster!"