5-27-1852

Report: Mr. Underwood

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Mr. Underwood made the following report:

[To accompany bill S. No. 440.]

The Committee on Foreign Relations, to whom the memorial of William Money was referred, report:

That the memorialist claims compensation for forty-five horses seized under the orders of General Kearney in California, and for other articles lost, as he avers, in consequence of the conduct of the troops under the command of said Kearney. The horses are valued at $100 each. The memorialist alleges that he had been engaged for many years as a naturalist, in exploring California, studying the geology, geography, and productions of the country, with a view to publish the information accumulated by his observations and researches; and that he had compiled a large manuscript volume containing many drawings, paintings and maps, which was worth $10,000. He says he had instruments connected with his scientific investigations in natural history, worth $320, and personal baggage and provisions worth $680. He states that in November, 1846, he left the town of Los Angelos for Sonora, and having reached an Indian village called Howargo, was there deprived of his horses by the troops under the command of General Kearney, and thus deprived of the means of pursuing his journey or of returning. He moreover states that information having been given by General Kearney's troops to those Indians and to the neighboring tribes, that the country was under the American flag, and that it became the duty of those Indians to aid and assist in the American cause, and to prevent the passage of all persons from the settlements to Sonora, it was a sufficient incentive to the Indians for the exercise of their natural inclination for pillage; and after the departure of the troops of General Kearney, the Indians took prisoners the whole of the memorialist's party, and commenced an indiscriminate plunder of the property and baggage of the memorialist, and in a few moments totally destroyed all the valuable manuscripts, drawings, maps, and interesting documents, the result of more than twenty years arduous labor, and upon which the memorialist placed his sole dependence for his future maintainance.

The memorialist also mentions the sufferings to which his wife was subjected in consequence of his losses. His statements on this subject present a case of female suffering of very aggravated character and well calculated to make a deep impression on the sensibilities of the heart.
The committee after due deliberation have determined to report a bill
er authorizing an inquiry into the truth of the allegations of the petition, and
to provide for the payment of as many of the horses of the petitioner as
were taken under the orders of General Kearney and appropriated to the
service of the United States.

The committee would have reported a bill for the immediate payment to
the petitioner of the value of the horses claimed by him, but for certain
circumstances which have in a great degree thrown suspicion upon the
whole claim, and which the committee deem proper to state. The affida-
vits which prove the value of the horses and the property, state in words
written at length the value of the articles. It appears from the inspection
of the affidavits, that the value for each horse was first written forty or
fifty dollars, and that the word "forty" or "fifty" has been erased and
100 in figures inserted in its place, preceding the word dollars. It is clear
that the word erased was forty or fifty, but which cannot be distinctly
told. At the time General Kearney invaded California, the committee
has ascertained from various sources that the usual price for the best horses
in California did not exceed the price of $25 per head on an average. It
seems to the committee that the valuation put upon the horses by the wit-
tnesses whose affidavits are filed, was very extravagant compared with re-
liable information obtained from other sources, but when the valuation as
originally written in the affidavits has been erased and figures inserted
doubling the price, such fact brings a just suspicion upon the whole claim.

The committee perceive no ground, no proof, upon which the govern-
ment of the United States can justly be made responsible for the depreda-
tions committed by Indians in the manner stated. There is no evidence
that General Kearney or any of his officers or men gave directions to the
Indians to make prisoners of the memorialist and his family, or depredate
on his property. Nor does the committee perceive that the loss of the
manuscripts, &c., &c., was a necessary consequence of the seizure of the
horses. Thieves may have stolen the property, even if the horses had not
been taken. The damage complained of for the loss of all the property,
except the horses, is too contingent and uncertain to constitute a valid claim
against the government. Moreover the committee have no means of form-
ing a judgment in regard to the value of the maps, drawings, manuscripts,
&c., said to have been destroyed by the Indians. Some samples of the
talent of the memorialist which have been exhibited to the committee do
not produce any favorable opinion of the value of manuscripts, &c., said to
be destroyed.

The committee herewith submit a bill.