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**Petition of Redick McKee, late Commissioner and Indian Agent for California, praying to be indemnified for expenses incurred and disbursements made by him, as he alleges, while acting as disbursing agent of the Board of Commissioners to arrange the difficulties between the whites and the Indians in California in the years 1851, 1852, and 1853.**

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## PETITION

OF

# REDICK MCKEE,

LATE COMMISSIONER AND INDIAN AGENT FOR CALIFORNIA,

PRAYING

*To be indemnified for expenses incurred and disbursements made by him, as he alleges, while acting as disbursing agent of the board of commissioners to arrange the difficulties between the whites and the Indians in California in the years 1851, 1852, and 1853.*

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JANUARY 15, 1866.—Referred to the Committee on Indian Affairs and ordered to be printed.

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*To the Senate of the United States:*

The undersigned, a citizen of California, respectfully represents, that in the year 1850, being then a citizen of Western Virginia, he was invited to this city, and appointed by the President, by and with the advice of the Senate, one of three commissioners to proceed to California to arrange the difficulties then existing between the Indians of that country and the intruding whites searching for gold, and to obtain, if possible, by formal compacts or treaties, guarantees for the future. He accepted the appointment, but, before sailing, the Indian Department, in view of economy and convenience, concluded to intrust one of the commissioners with the care and disbursement of the funds appropriated and to be appropriated by Congress for the accomplishment of the objects in view; and the Secretary of the Interior accordingly appointed the undersigned disbursing agent of the board, requiring of him a bond with security satisfactory to the Attorney General. This unexpected and *additional* trust was also accepted, under a verbal assurance from the Acting Commissioner of Indian Affairs that a reasonable compensation, *in addition* to the stipulated *per diem*, &c., would be allowed by the department.

As the government was without authentic information in relation to the country, the number and character of the tribes, and the policy which the commissioners might find it necessary to adopt, the instructions of the department were necessarily general and plenary. The commissioners were in no wise restricted to the observance of the rules and regulations of the office binding on local agents on the Atlantic border, but were expected to gather information and initiate a *new system*, adapted to the Pacific slope, with a view to the future employment and location of local agents, artisans, farmers, &c., among the numerous tribes now about to be recognized as wards of the government. Their field of labor extended from Mexico on the south to the Oregon line. Due provision was made for the payment, *by the disbursing agent*, of their *mileage out*, their *per diem salary*, and *all incidental expenses while in the country*.

Under these instructions, with his colleagues he proceeded to San Francisco with a large supply of Indian goods, made additional purchases there, and by

close personal attention to the matters of transportation and prices saved the government some thousands of dollars in expenses.

He continued in the service three years, until an act was passed by Congress authorizing the appointment of a general superintendent of Indian affairs for that State.

Although it was not deemed politic by the party then in power that the numerous treaties made by commissioners appointed by a previous administration should be approved at Washington, it is nevertheless gratifying to the undersigned to know that the general policy indicated and recommended by them has been substantially adopted as the basis of operations on that coast ever since, so far as any useful progress has been made.

At regular intervals he rendered to the department full statements of his accounts as disbursing agent, accompanied by what he supposed to be satisfactory vouchers; repeatedly asking that they might be audited and the balance due him for advances transmitted. The receipt of these papers was in most cases politely acknowledged, but no report upon them, indicating the least informality or dissatisfaction with any of his disbursements, was returned. Some time in 1854, after a very urgent letter from me to the Secretary of the Interior, my accounts, vouchers, &c., were all referred by the Commissioner to Superintendent Beall, of California, for examination and report as to their correctness, &c.

This examination was made, and the accounts returned to Washington *with Mr. Beall's official approval of every item, except one or two which he referred back to the Commissioner.*

The undersigned felt encouraged now that by an early mail he would receive a final statement from the department, accompanied by a draft for the balance due; but the Commissioner, Mr. George W. Mannypenny, unable to realize the propriety of such high charges for travelling expenses, subsistence, &c., as at that early day obtained in California, and which as disbursing agent *I had actually paid*, quietly ignored Superintendent Beall's report altogether, and set about a re-examination of the accounts in the light of the rules and regulations of 1833!

For about two years the subject then remained in abeyance. At length, in 1856, I was favored with a long copy of "remarks," made by the Commissioner, requiring, as to some fifty or more items, explanations and sub-vouchers. To these I gave immediate attention, explained many things which to my mind were plain enough before, and furnished some corrected or additional vouchers. For some of my payments at that late day it was impracticable to obtain new vouchers, for the parties were either dead or removed to parts unknown. With this report I made another urgent appeal for the settlement of my accounts, but received no reply.

In justice to Mr. Mannypenny, however, I should state that since my arrival in Washington I find that in 1857 he did review, and reverse, some of his previous rulings in my case, but could not see how the sums I had paid for board and subsistence of myself, my colleagues, &c., while awaiting orders or escorts in San Francisco and other towns, could be allowed under the general head of "travelling expenses;" and so the whole schedule was disallowed and remains so now. The commissioners, distant six thousand miles from their homes and their families, took a different view of the case, and so I presume will Congress.

In 1858, the undersigned sent a special agent, Mr. A. W. McKee, to Washington, to settle these accounts. He was told at the department there were no funds applicable to such claims, and he must apply for a special appropriation. At the instance of a senator from California your honorable body, in the year 1859, and again in 1860, passed a joint resolution instructing the Secretary of

the Interior to audit and settle my accounts upon *principles of equity and justice*, appropriating for my relief \$8,681 77; but in both years the resolution failed to reach or to be acted on in the House. Despairing, almost, after twelve or fourteen years' trial, of getting my accounts settled, and the sureties on my official bond released, by correspondence or agencies, and in view of the reported discrepancies in the accounts, (over \$60,000,) I concluded in February, 1865, to undertake the long journey from San Francisco to Washington, and see what could be effected by a personal application. Arriving here in March, I was agreeably disappointed; every facility was afforded in the Indian Bureau for looking up and re-examining the old accounts, vouchers, &c.; but, owing to the press of current business, the excitement attending the death of the President, and the close of the rebellion, it was the middle of August before "a statement of differences" could be prepared, and an "office balance" struck, clearing off my *apparent indebtedness*, and showing a balance *in my favor* of some \$2,224. This sum was paid me in currency, and has barely sufficed to defray my personal expenses.

In reaching the above result, the accounting officers had necessarily, under the technical rulings of the former Commissioner, to exclude a whole schedule of bills paid by me in 1851, '52, and '53 for board, &c., of myself, colleagues, secretary, interpreters, &c., other expenses incurred under special orders from Superintendent Beall, my charge of a small percentage, or commission, for making purchases and disbursing the funds, &c.; amounting in the aggregate to \$7,424 59. For this sum, with interest from October 1, 1853, and exchange, if paid in currency, (all my disbursements were made in gold,) I submit that I have a just and equitable claim against the government, whose interests, while in office, I endeavored faithfully to protect and promote.

Informed by the honorable Secretary of the Interior that there is no fund at the disposal of the department, out of which my claim could be paid, and that I must seek relief in a special appropriation by Congress, I therefore pray your honorable body for such relief as *a pretty hard case, partly detailed in the foregoing history*, may seem to merit.

I append a list of the items of account disallowed by the accounting officers, and a copy of the Senate's resolution in 1860.

Your fellow citizen,

REDICK MCKEE.

*Items in the account of R. McKee, late disbursing agent of the Indian Department in California, suspended or disallowed in the office, and for which he now asks a special appropriation.*

January 23, 1851.	Payment of Dr. Wozencraft's board bill at Mansion House, San José, on special mission to Governor McDougal.....	\$18 75
	Payment to Drs. Billings and Bascomb, medical attendance on secretary, at same place.....	36 00
February 7, 1851.	Payment of an employé at tavern in Stockton	9 58
May 2, 1851.	Payment to J. S. Cummins and John McKee as commissaries, or storekeepers, expedition to the San Joaquin and Klamath.....	864 00
December, 1850, to October, 1853.	Sundry payments to Mrs. Scott, and others in San Francisco, for board of self, colleagues, secretary, &c., from date of arrival in December, 1850, to October 1, 1853, viz: As per vouchers filed, (\$158, \$126, \$161 65, \$230 66, \$88 97, \$98 50, \$525, \$325, \$66, \$147, \$162).....	2,088 78

PETITION OF REDICK M'KEE.

November and December, 1852.	Payment of sundry tavern bills for board and other expenses, at Nevada, under orders from Superintendent Beall, (\$32 76, \$69 70, \$20, \$269 49).....	\$391 95
February 5, 1852.	Charge for extra services as disbursing agent: purchases and transportation of goods and money from New York, and disbursements to date, say, \$53,405 42; at 5 per ct.....	2,670 27
	Payment to special agent in Scott valley \$414 37.	
	\$372 39	
	Less allowed .....	226 50
	—————	145 89
		560 26
	To reverse error in the credit to the United States in my account rendered February 5, 1852, for mules sold McDonald, but not paid for.....	685 00
	For a second payment to L. R. Nye for copying journal and correspondence, omitted in account, (one payment for same allowed) .....	100 00
		—————
		7,424 59
	Interest from October 1, 1853 .....	\$
	Difference in exchange.....	—————
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