

---

SACRAMENTO CITY, *July 6, 1852.*

DEAR SIR: I have received your favor of the first instant, with extracts from General Hitchcock's letter of 31st March, and hope you will excuse any seeming neglect in not writing long since in reply to your previous letter on the same subject, dated some time in March or April last.

That letter reached me just before the close of the session of the legislature, and my duties as chairman of the Committee on Indian Affairs, as well as other engagements as senator, prevented my answering it on the day of its receipt, which was my usual custom. I laid it on my desk, intending to do so at my earliest convenience.

This letter, together with others of a private character from my family, was abstracted; consequently, I had not an opportunity after that period, and especially for the reason that I had not carefully perused it. I then, in the hurry of California business, allowed it to slip my recollection.

I will now answer your inquiries to the best of my ability, after expressing my utter surprise that two officers of the rank and standing of General Hitchcock and Major Wessells should have so far forgotten their duty as to interfere with matters in which they were neither officially nor personally interested.

In July, 1851, I was applied to to furnish cattle to the escort party who were to accompany you to the Klamath and Trinity country.

I made a contract (verbal) with Major Andrews, commissary at Be-

nicia, to receive, for the amount he might want for the command, the usual prices of the country through which they might pass; promising to have them driven through the mountains at my own expense, and agreeing to deliver good fat beef by the pound in such quantities as might be desired. I also closed a similar contract with you.

I started but eighty-eight head of cattle from my ranche. When I overtook the command on Russian river, it was thought there would be a deficiency of beef. I made a contract with a Mr. Marshall, of Bodega, to furnish some seventy-five head of American cattle, allowing him \$75 per head for them, and a portion of the profit, if any, by giving his attention to the driving, &c.

My cattle were put in charge of a Captain Paul, whom I found to be a man of no business qualifications; when I applied to your son, John McKee, to take charge of the memorandum-book, see to the cash and expense account, and act as my agent, for which service I promised him a small amount of gross receipts.

After taking some little time for thought he agreed to do so, in the event that he was to be relieved at his own discretion.

I returned from Clear lake by order of the governor of the State, directing me at the same time to organize the militia in my division, extending from the Bay of San Francisco to the Oregon line. He, at the same time, gave me orders to call out as many troops as I might think necessary to prevent a massacre of the settlers on the Trinity and Klamath, which was then hourly expected—some twenty or twenty-five persons having been, according to accounts received, killed in a few weeks in that country.

With these orders (now on file) I proceeded to organize some companies under the State law, but did not call a single man into active service, with the exception of some four or five persons who accompanied me a short distance, and returned.

I did not call out a "body of men" in Trinity. My orders are all on file, and they disprove it positively. When a bill was under discussion last winter in the legislature, I stated in my place, in presence of the officer (Colonel Harper, who was also a member of that body) who had called the troops referred to together, that he had no such authority, and used all the influence I could exert to prevent the State from allowing them a farthing for their services. The State ultimately agreed to appropriate some \$5,000 or \$6,000 only for all the services ever rendered, from the Oregon line to the Bay of San Francisco, from the Sacramento river to the Pacific ocean, and that against my exertions and vote, as chairman of the committee to whom it was referred.

I regret to see the awkward position General Hitchcock has assumed relative to the beef. In the first place, I sent but eighty-eight from my ranche, and had the pleasure of selling some thirty-six or thirty-seven of these to the Indian commissioner, who absolutely refused to take another head, partly on the ground that the "Indians would not eat beef;" so after driving them some five hundred miles, through deep cañons, over lofty mountains, and at a heavy expense, wearing out my horses and hands, I disposed of this number at twenty-seven cents per pound to the Indian commissioner, whilst I am informed by my letters the amount for the use of the troops under Major Wessells brought me

thirty-three cents, which amount was paid in cash drafts, and which was not enough to pay my expenses; the residue to the Indian commissioner has procured me "receipts" for exactly \$3,000, and no more.

Then this wonderful contract and alleged fraud is the driving thirty-seven head of cattle five hundred miles and selling them for twenty-seven cents per pound, whilst I was selling off my ranche daily, almost as many at from ten to seventeen cents per pound. The truth is, I never would have gone into any such speculation but for the impression it would be a very large contract.

In conclusion I will say, for the information of General Hitchcock, that I was so dissatisfied with what had occurred, that I sold out the two hundred head of cattle I had promised to furnish the Clear Lake tribes, to Colonel McKee's order, some months afterwards, to Messrs. Chenery & Hubbard, allowing them to go to my ranche and select from three thousand head the largest oxen at twenty dollars per head, which cattle would then have brought ten cents per pound, rather than attempt again to follow up the contract; and I am told by these gentlemen they will make no money.

I will say, in addition, I would be delighted to turn over to General Hitchcock all my profits in this *immense speculation*, if he would pay me twenty dollars per head for each head of beef delivered, and expenses. This can be easily done, as the number and weight of each animal so delivered can be ascertained by reference to the receipts.

To do General Hitchcock justice, I take this whole story to be one that originated about the September election in 1851, which was intended for the purpose of operating on it. But those making it did not believe it; and if they did, it could have been refuted in a moment by seeing the amount of money promised me by the Indian commissioner, and for which I hold his receipts.

I now have to reply to a remark in General Hitchcock's letter that I would had not been made. He intends to convey the impression that Indians were sent to my ranche to consume beef at the expense of the United States; that he saw them there himself, &c. I would reply that no charge was ever made by me for beef or other provisions consumed on my ranche; and if not so, like all other contracts, it certainly can be found in the payment of the money.

There is a littleness about this charge that degrades the party making it, as well as the party who is compelled to deny it. I regret, on General Hitchcock's account, that he should have felt himself called on to make this insinuation. I will end by saying it is made without a shadow of truth, and I hope the General will so state to his informer, as I have too much respect for the service to believe a general officer would volunteer such a statement on his own responsibility.

I now invite the closest scrutiny into this accusation, hoping every opportunity will be afforded to General Hitchcock, or any other party, to ascertain if there has been the slightest impropriety in this contract, pledging myself that I never was interested with you in any contract of any kind, personally or privately, and but the one above referred to officially. I further state I lost money by the contract, and could not be induced to take another on anything like the same terms.

I furthermore promise General Hitchcock, if he finds the amount received by me and the prices different from what I have here stated, I will make a present of it all to him, to be given to some charitable institution.

I hope a copy of this letter may be sent to General Hitchcock and Major Wessells, whom I respect highly, in order to disabuse their minds on this subject, as I cannot think they would be actuated by any other motive than for the public good; and the only way to do me justice is to re-examine everything, which can easily be done by obtaining copies of your disbursements from Washington.

The insinuation of some impropriety on the part of your son in the above transaction I regret, and pronounce it uncalled for and unjust. I had to urge his acceptance of the clerkship, or agency, when I found I could not accompany the party myself. He did the business just as I expected, correctly and honorably, and I am perfectly sure he is as incapable of doing a dishonorable or dishonest act as either Major Wessells or General Hitchcock. Indeed, I have met with no young man in California whose moral and correct habits, and honorable bearing, have impressed me more favorably. When you see him, or write to him, make my kindest regards.

As to my opinion of your own conduct and management of Indian affairs in this country, I have not only in the Senate, but in my correspondence, borne ample testimony.

That General Hitchcock does not approve of your supposed mode of issuing rations, &c., to the Indians, is probably because he knows nothing about it, except from gossip. I was dissatisfied myself, and so was Marshall, because your notions about economy, &c., led to the purchase of so little beef, but of this I suppose "*Uncle Sam*" will not complain; and if *he* is satisfied, you can afford to let the grumblers grumble on. No public man in California can escape such criticisms, or hope to please everybody.

Yours, truly and respectfully,

J. M. ESTELLE.

Colonel R. McKEE,  
*San Francisco.*