

Chas. M. ... 1893
Richard ...
San Francisco May 15. '34

Explanations concerning
his accounts, and enc.
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Rec'd ...
June 10. '34
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10 - Finance

San Francisco May 15. 1854

Wm. G. W. Manning

Comr. Ind. Affairs Washington

Sir,

On Superintendent ~~Smith's~~ return, a few days since, I received an extract from a letter addressed to him by Acting Comr. May - in relation to several suspended items in my late account, as Ind. Agent. I was not aware that formal certificates to each separate voucher was necessary, but these are now attached, No. 1 & 2 and returned to his office to be again transmitted to your office for approval to wit, I hope, be promptly returned, in order that I may be refunded the money expended in the service nearly a year since.

The exception to the item charged for printing Sacramento, \$95, - is probably correctly taken, in view of the "Revised Regulations" - in relation to the duties & powers of ordinary Ind. Agents - That bill & voucher No. 73 I have withdrawn from the account - as incorrect & improperly pertaining to my acts as Ind. Commissioner & disbursing Agent of the Department, prior to Mr. Peale's appointment.

The account was contracted while I was acting as Commissioner and properly belong to that period. My address & explanatory paper the Legislature, 20 March '52, was transmitted to your office in printed form, & is doubtless in file. To it, I beg to call your attention - Its general circulation at the time, was considered important by the State Authorities, as an expose, of the policy, which the Federal Government deemed proper & expedient, for the settlement of the Indian difficulties then afflicting this State, and about which the most erroneous & exaggerated reports, had

been circulated far & wide, causing great excitement and
much ill feeling. Its publication I am happy to know,
allayed this excitement, and prepared the way for Mr
Perry's Experiment of an agricultural Colony, at the
Tucson Paps. - The full & complete success of this experi-
ment, will I hope, demonstrate the propriety, and
suitableness, of the policy then announced & explained.

The Certificate of Genl Estell, Chairman of the Senate
Committee on Indⁿ aff^s; - attached to the bill for printing,
expresses what was the general opinion of the Members
of the Legislature, who took an interest in the subject. Though
the amount is comparatively trifling, I never the less hope that
when the act is submitted, you will feel authorized to order
its payment - as a proper expenditure. -

But my chief design in addressing you at this
time, ~~is~~ to ask a reconsideration of the opinion expressed in Mr
Beall's letter to Mr. Beall, touching my claim for salary from 5th May '53. to
the time of that Officers arrival in Calif^a, in September. -

The grounds on which my claim for Salary & Subsistence stands
are. 1. Congress made the necessary appropriation.

2. My Colleague in the Southern District, - Mr Wilson, was paid
up to the time of Mr Beall's arrival at Los Angeles, in the
May to this City, say last of August or 1st Sept^r.

3. In announcing to me by letter from Washington dated 31
March '53, - that the President had approved the new Law
which abolished the office of the three Indⁿ Agencies in Calif^a
- or in &c, Mr Beall did not release me from service,
or say that my "services were no longer required"; but on
the contrary expressly directed me to make arrangements
for settling my accounts & for turning over to him, all public prop-
erty &c, on his arrival in California. In accordance

with these instructions, there being no necessity for my remaining longer at Nevada, & expecting to meet Mr Beale in May, or Early in June, I came to this City, and awaited his arrival for several months. Finally about the last of Sept he reached this City, & I immediately reported to him at his Office. I was disappointed in finding that he could for a moment suppose that I was only entitled to pay Subsistence to the 5th May, when his letter of 31st March reached me. With almost equal propriety I submit, he might have said only up to the time of its date. Having expended all my own money & having no other means of subsistence, I received pay to May 5th & agreed that the question as to the balance of my claim, should be referred to your Department for instructions!

By referring to Mr Beale's letter of 31st March, you can judge of the correctness of my quotations & construction. A failure to comply with its requirements, would have rendered me liable to Censure, or to a suit upon my official bond. In other Departments of the Public Service, and among Business Men in private life, I submit that, an Agent charged with certain duties at a distant point is always allowed pay & Subsistence, up to the time of his departure for meeting his Superior, for settlement at his charge. Then, and not till then, is he released from responsibility, although the Corps to which he belonged, or the Party, for which he had been doing business, may have been formally ordered to disband months before.

If in these views you shall concur, you will oblige me, by transmitting the necessary directions to the Superintendent for the settlement of my claim, at your earliest convenience.

With great respect

I Am Your Obedt Servt

Levick McKee

San Francisco May 30 1854

Hon. Geo. W. Manning
Comdr. Ind. Art. Washington
Sir:

I wrote you hastily yesterday, in relation to an old claim of Genl. Don Estel, & some others of the same class, and previously on the 15th in reference to one of my two first salary of, suspended by Mr Beall.

I have now the honor to state that on the 17th inst. Mr Beall & myself concluded a careful & detailed examination of all my old Genl. Vouchers, relating to my transactions as Disbursing Agent for the Ind. Comm. & Agents, appointed for this State, in 1850: & which were referred to him for examination by your Department. After a careful scrutiny of each & every charge, he was pleased to express himself fully satisfied, & promised to send back the acc'ts, Vouchers &c, by first mail, with his approval, excepting only the items for purchasing & disbursing (\$2670; 70) & for printing &c (\$95.) both of which he preferred leaving entirely to your decision. In deciding upon the allowance or dis-allowance of the latter, I should simply refer to my explanation under date of 15th Inst. And as to the former, to my letter to Comdr. General Lee, July 17/52, in connection with the Certificate of Survey Banking House, Public Officers, which will be found among my Vouchers. I should just add that, the service which that charge was intended to cover, was very arduous, & involved a responsibility which could not properly ^{be required} ~~be required~~ at my hands in virtue of my appointment. I was long & experienced

in the purchase & shipment of goods &c, and by giving personal
attention to the transmission of the same via the Isthmus, I think
I saved the Government, in that one transaction, nearly the amt. charged.
I may add also that, instead of charging the highest rates for Cables &
Other necessary Supplies, — as some other Govt. officers, one said
to have done, for the purpose of covering Commissions or compensation, my
Account shows no charge of ~~over~~ ^{cent} over the first cost, and that the
very lowest rate that money would command. You will also take
into consideration that, in the money advanced for the service, I had
lost some 2 years Interest — Equal ^{here in California} to 72 per cent of the Principal —!
I submit the whole matter however, to your decision, as I proposed
long since to your predecessor Mr. Lea.

In the hurry of making up the package of Accts. on which we
on the evening before Mr. Beale left for the Tejon pass, I may last yr.
have omitted, — His own Enclosed. Nett balance \$6755.²⁴/₁₀₀
Mr. Beale informed me, that objection had been made to his auditing
my Accts. exceeding in amt., the Appropriation. — Now apparent by
my Account how so, — but a few words of explanation will show you
that the difficulty originated at the Department, & not with me; that my
being an unwilling creditor of the Government, was a positive ground
upon me, by permitting funds, monthly to my late colleague, Messrs
Barlow & Hayscraft, in June 1857 — which should have been
remitted to me, on the regularly designated Disbursing Agent
of the Department in California. (See Arizona instructions.)
and for the faithful performance of which duty, bonds with
Approved Security, in a large sum ^{were required and} given, prior to my
leaving Washington. Before leaving this City. — My brother
was in ^{August} ~~July~~ 1857, in anticipation of the receipt of the money

Appropriated by Congress - the winter previous - say \$9000.
for salaries, & \$25000. for the general expenses of the mission.
I actually borrowed money from my Bankers to supply the press-
ing demand of my Colleagues, - to the amt. of some \$4000:
to be repaid out of the expected remittance from the Department.
You can judge of my feelings when advised that, the Depart-
ment in utter disregard of my arrangements here, - of my rights, and
prescribed duty, - remitted ^{had} ~~the~~ ^{to} Messrs. B & H. \$5000: of a
fund the receipt of which, I had already anticipated - and
which to this day forms the principal part of my claim against
the Government. When the remittance came, I was absent in the
mountains north of Rufian River, and when I returned, Mr. Barlow
had gone back to the States, & Dr. W. instead of refunding what I
had advanced, insisted on having more! The result was that, I
was short of funds to pay off my men party, & had to borrow on my
personal credit, & have been paying interest at the rate of 3 per cent
per mo. ever since! Up to that time, my payments on 1/2 of salary
& for Exp^s, to Dr. Wozniak was \$7088.64 & to Col. Barlow \$4903.²⁰/₁₀₀
- together \$12,091.⁸⁴/₁₀₀. Had the appropriation been remitted to me, and
I submit, ~~for~~ ^{as} the only proper business-like - course, my general
acct. would have shown a balance left by \$5000: and saved
me a large amt of interest, which I suppose in any event, you cannot
allow without a special appropriation. As matters stand, I trust you
may have from the succeeding appropriations for salary, or your con-
tingent fund, sufficient to transmit me such balance as you
may deem equitable due, without waiting for special future legis-
lation. - Having again embarked in our cantile pursuits in
this city, it is exceedingly important for me to have my late

And present accounts with the Department closed.—
I trust therefore, you will pardon any seeming impertinency
or warmth in my letters, — And confer upon me a lasting
favor, by giving to the whole Subject an hours attention
at your earliest convenience.

With high regard
Your most obedt. Servt
A. McKee

As Mr. Beale shows the purpose
taking up the acts of Barber, Wrenn
& Johnston. and I have promised to assist
him, in an Endeavour to unravel, & state
them, in more intelligible form and with
some regard to the law.

A. McKee

20. Finance.

Apr 11 1849