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Sacramento Daily Union, Volume 3, Number 364, 21 May 1852 — "Omclftl Correspomlt-iict [ARTICLE]

Official Correspondence.

EDITOR OF THE HERALD:—AS THE CONDUCTOR OF AN independent press, I beg you will afford me space to bring before the public a matter in which I am not only personally interested, but which involves a rare specimen of official management, not to say delinquency, on the part of the present Executive of this State, which in my own defence it becomes necessary I should expose. If the sequel shall exhibit a sort of politic manœuvre, unworthy of the incumbent of that high office, and repugnant to the instincts of all honorable minds, neither the Governor nor his friends can blame me for acting on the defensive.

In the *Times and Transcript* of the 28th ult., as well as in the pamphlet edition of the "official correspondence" published for the Senate by the State Printer, is the following:

Official Correspondence.
"EXECUTIVE DEPARTMENT, }
"Sacramento City, April 19, 1852. }

"To the Senate of the State of California: In compliance with a resolution of the Senate, adopted on the 12th inst., requesting the Governor to present to the Senate copies of any and all correspondence which may have been had between the Indian Agents for California and the Executive of this State, and also of any correspondence which the Executive may have had with the Commander of the U. S. troops now in California, and any information which may be in his possession in relation to any recent Indian difficulties in the Northern portion of the State, I have the honor to transmit, herewith, the communications and the information required by the Senate.
JOHN BIGLER."

From this communication, the Senate and the public generally would very naturally conclude they had the whole correspondence before them; that the Executive had, in good faith, complied with the order of the Senate, and will be surprised to learn, that so far from this being the case, an important part of the correspondence has been wholly omitted—kept back—suppressed—for the amiable purpose of placing me in an unfavorable position before the good people of my Northern district, while he might appear as the special champion of their interests and reputation. But this game cannot win. I do not choose to allow even Governor Bigler to make political capital in this way at my expense.

The letter suppressed is dated 16th April, 1852 – was forwarded by Gregory's Express on the 19th, under that gentleman's special frank, with directions for its delivery early on the morning of the 17th at Sacramento, and he

early on the morning of the 17th at Sacramento, and he is quite confident it was so delivered to the Governor in person. In conversation with a mutual friend, a member of the Senate, some days after, the Governor admitted the receipt of the letter, but justified his withholding it by saying that he had furnished all the information on the subject which he considered necessary to an understanding of the case. He had, indeed, sent in two letters on each side, of about equal length and weight, and may have had very satisfactory reasons for thinking my third inconvenient and unnecessary; but the call of the Senate was for "any and all correspondence," and I certainly never anticipated its publication in a mutilated form. For such an exercise of judgment, no provision was made; nor is there, I apprehend, any precedent in the books. His worthy and "illustrious predecessor," the Governor of New Amsterdam, during the good old primitive times of the Knickerbockers, in the celebrated law case of the Butcher vs. the Tanner, after carefully weighing the accounts in either hand, arrived at the conclusion that they were about balanced, and decided that "the Koonstoppel" should pay the "kosts." In this case, the Governor of California throws the "kosts" upon the injured party, the complainant. Under other circumstances, the appearance of the letter in print would be matter of very little importance to any one. The Governor's faithful or unfaithful compliance with the order of the Senate might have remained a question to be decided by themselves, without either interest or interference on my part; but the Senate having ordered the printing, and the unfair construction attempted to be put on my previous remarks, in the Governor's second letter, about to take its flight on the wings of the press, common justice seemed to require the publication at the same time, of my hastily prepared reply and explanation. As matters stand, anxious only to place myself *rectus in curia*, I am fully aware that I labor under great disadvantage in sending out these addenda so far behind the "official correspondence," but it is all I can do. An intelligent public will decide whether the original suppression was or was not a gross injustice to myself, to the Senate, and to the truth of history touching the subject matter of the correspondence.

I am, gentlemen, your obedient servant.

San Francisco, May 10, 1852. REDICK McKEE.

[Copy.]

DISBURSING AGENCY, INDIAN DEPT. IN CALIFORNIA. }
SAN FRANCISCO, April 16, 1852. }

His Excellency JOHN BIGLER, Governor of California—

SIR: I have the honor to acknowledge the receipt, by Adams & Co.'s Express, of your communication of 15th inst., in reply to mine of 12th, and covering a copy of the memorial addressed to you by the members of the Legislature from the Northern counties.

Some of the matters referred to by your Excellency seem to require from me a few additional explanatory remarks, which will necessarily be made in haste, as I wish to send this by the afternoon boat.

1. I did not ask your Excellency to decide points of difference between the gentlemen representing the counties named and myself. My suggestions referred simply to the precise, specific character of the facts I...

to the precise, specific character of the facts I communicated, the priority of dates, and the sources of my information. I am happy to find that the signers of the memorial—for whom, personally, I entertain all proper respect—undertook neither to discuss the particular facts I communicated, nor to raise an “issue” as to their accuracy. Although the difficulties may have occurred within the limits of two of the counties named, that circumstance could not in any way affect their authenticity.

2. I respectfully submit that your Excellency again misconstrues my remarks, as to “the imputation made upon American citizens,” in the account given of the late outrages. My object was not to “palliate” any previous statement, but to explain, and prevent the injurious construction put on those remarks by your Excellency from going out to the public without a correction. I did say that the massacre of the Indians by the whites had brought “lasting disgrace upon the American name,” because such I believe, and still believe, to be the fact. In the first place, the murder of those defenceless Indians was disgraceful, as your Excellency must admit. The Indians know no distinctions among white men—all are Wagas or Bostons. In the second place, our own citizens in other parts of the country would naturally suppose the outrage had been committed by Americans, or with their cognizance. They could know no better, nothing to the contrary, until the facts should be investigated, and a different result announced, by the civil authorities. In default of such investigation, and of all proper efforts to bring the perpetrators to justice, I am of opinion that “the American government would be justly responsible for the crimes even of Mexicans, Chileans, Sydneyites, &c.,” and that the only way to efface or purge out the disgrace which, *prima facie*, had attached, is the course your Excellency assures me shall be adopted.

3. I have not forgotten that in my respects of the 5th inst., recapitulating the facts reported to me by the temporary agent in Scott’s Valley, I gave, as I considered proper, the name of the man who was reported to him as the person who shot the Indian as he was leaving Happy Camp, and which appears to have been the origin of the subsequent difficulty. If this Mr. Tompkins, is the son of my old friend W. M. Tompkins, Esq., of St. Louis, I can only say that I shall the more deeply regret and deplore his indiscretion. That his “business partners, Messrs. Roach, McDermitt, and Stentz are gentlemen of irreproachable character.” I am happy to believe from my own personal acquaintance with them all. This circumstance, however, cannot alter the fact, if it be one. In that letter I might have quoted further from the agent’s report, his closing remark, viz:—“This has all resulted from Captain Tompkins’ shooting the Indian.”

I will now add that Captain Charles McDermitt, one of his “business partners,” was the very man selected by the agent to assist him in the investigation of the facts, and united with him in deploring their occurrence. Mr. Stentz, also, another “partner,” has, since then, in person, given me a full detail of the occurrence, substantially the same. I will take the occasion to add a short

extract from a subsequent report, dated Shasta Butte City, March 27, received here yesterday:—

“I wrote you also that Captain McDermit and myself were engaged in investigating the facts relative to this Indian massacre on the Klamath, and mentioned that two or three, who were concerned in the affair, stated that the whites had learned through a Rogue river Indian, in the employ of a Mr. Owen, that the Indians contemplated killing all the whites. We have since seen Mr. Owen and his Indian; both deny having heard any such threats—on the contrary, Mr. O. says he denounced the affair as a cold-blooded massacre, and that it was commenced without his knowledge, being awakened out of his sleep by the guns; and further, that the only excuse they can have, is former animosity. I have had several long talks with the Indians near Shasta, in relation to this and other matters. They appear to be fearful the whites will kill them; and when I pressed them to move over into the valleys they replied “the game is all gone, and the fishing time not yet commenced; that the Indians are very poor, and are now actually dependent upon the offal of the Butcher shops and taverns for food. The squaws go through town every day for the scraps,” and they say “if they go over to the valley now, they will starve, unless I will feed them.” They speak truly, and while I know that their proximity to the town is fast degenerating them, I also know it is at present their only support.”

4. In case Gen. Hitchcock shall deem it proper to send small garrisons to the points indicated in my letter of 7th inst., the officers in charge will doubtless confine themselves to their legitimate duties, in preserving the peace of the country. As a matter of course until the treaties are ratified by the President and Senate, no permanent improvement will be made on any of the reservations, nor will any alteration be made in their boundaries, already fixed, as heretofore remarked, upon the advice and recommendation of the white settlers in the neighborhood, most immediately interested. I am aware, your Excellency, and others have expressed the opinion, that the setting apart of certain lands for the use and

occupancy of the Indian tribes, is contrary to the wishes and interests of the people of California. In this, however, it is possible your Excellency may be mistaken. I think you have been misinformed. The general tone of the public press, and the still more general feeling of cool, reflecting, intelligent citizens as far as my observation has extended, are decidedly in favor of the policy approved by the General Government, of separating the Indians from the white population, as far as possible, allotting them some small patches of good land, with a considerable mountain range, where they may learn to subsist themselves and families, without being a perpetual burden on the treasury, or annoyance to the white settlers.

5. I doubt not your Excellency has had many assurances of “the united opposition of our delegation in Congress to the ratification of the treaties;” and very honestly entertains the opinion “that their rejection by the U. S. Senate may be regarded as beyond a doubt”

I have paid some attention to this subject, and have an opinion that quite a different conclusion will be reached. Some of the treaties may be modified; provision may be made for changing some of the reservations, but I have too high a regard for the public character of "our delegation in Congress," to believe for a moment that they, or either of them, will offer to these important compacts a mere factious opposition, array their State against the long approved policy of the General Government, and thus open again former causes of disquietude and warfare, at least without proposing some other, and manifestly better policy. In the second place, the matter is now better understood than it was when our delegation left the Pacific coast; facts are before the public now, which were not then known to exist, and have produced in the public mind a reaction, which public men are not generally disposed to disregard. In the third place, "our delegation in Congress" numbers four out of 295 members—and if even both our Senators should feel bound to oppose the ratification, it is a possible case that in a full Senate there might be sixty equally honorable members, of a different opinion. The whole system will, I hope, be examined and decided on with calmness and wisdom, in entire disregard of all mere local or party influences or prejudices.

6 I shall endeavor "to wait patiently the action of the Senate," and take especial care that in my own district at least, and elsewhere, so far as I may have influence, nothing shall be done "to aggravate difficulties—the speedy termination of which is so imperatively demanded by the public good." To act otherwise, would be as contrary to my own habits of life, and to my own "well matured judgment" as it could possibly be to that of "the people or authorities of California." I have deemed it a most unfortunate circumstance that any portion of the good people of this State, or of the "State authorities," should have been led, under an entire misapprehension of facts, into an indiscriminate opposition to our treaty arrangements. I am not of the opinion expressed by some that all action on the subject by the Legislature is necessarily impertinent and improper; on the contrary, I believe that if a system for arranging these important Indian relations in California should be proposed, palpably injurious to the landed, monied or social interests of the people, it would be the duty of the authorities to interpose and ward off the evil. Such a case is not, however, existing here, and I trust never will exist. In opposing the system we have felt it our duty and privilege to advocate, unfortunately, condemnation and denunciation have been substituted for argument, examination of details, modification, or the proposal of a different and more acceptable plan; and hence has arisen the difficulties which, to some minds, envelope the whole subject.

In the sincere hope that this important interest may soon be better understood, and be happily arranged for the mutual good of both races, and the honor of our common country, I remain, in haste, though very respectfully, your Excellency's obedient servant.

REDICK McKEE, U. S. Indian Agent,
Northern California.

