

Washington D.C.
August 4th 1894.

Judge A. M. Tamm
Mayville N. Y.

Dear Sir,

Would you kindly advise me upon certain points of military law which I submit below. In explanation I will refer to the fact that one D. H. Meffett, wrote to you along the latter part of April or the 1st part of May 1883 giving you the history or synopsis of a case in which I was accused of issuing an "incendiary circular". I was tried by court martial, found guilty, and sentenced to be reduced to the grade of a private, to forfeit²⁰ pay²⁰ and allowances due, and to be confined at hard labor in the Mil prison at Fort Leavenworth, Kans for a period of two years. The sentence taking effect the 10th day of July 1893. I was released by the Sec of War the 16th day of Nov same year, he finding that the evidence was insufficient and that my trial was unfair. Alas that it was the most remarkable trial ever recorded, so far as bigamy, malice, hate, and prejudice could make it so.

There was not a witness appeared for the prosecution (there was but 3) was not impeached and whose testimony was not successfully rebutted. The record lies before me now, and I can truthfully say that I beat the case at all points. Witnesses for the prosecution lied with impunity, and I exposed them with clearness & certainty, and to the disgrace of the army the court disregarded the evidence, found me guilty, sentenced me. ^{But} General Brooke, the Dept Comdr - approved the sentence, I even proved an alibi, I showed that at the time (12 o'clock) they said I brought the circular into the troop barracks, I was in a ~~not~~ different place altogether, in a word the injustice was so apparent that the Sec of War refused to allow the general's sentence to stand but released me as soon as the case came under his notice.

Now sir I want to know what redress a soldier has, or is there any redress for a soldier when a prejudiced court disregarding all evidence and all forms of law maliciously sentences him to a term of years?

in prison, reducing him from a
 proud position to one of abject
 poverty ^{and} misery and all contrary to
 every law of God ^{and} man, outraging
 every sentiment of decency ^{and} honor,
 you having once been a Dept Judge
 Advocate ~~or~~ must know what steps to
 advise are take to reverse such a wr-
 ong. Is not some court open wherein
 suit can be entered against some one,
 the Gov, the Brig Genl Comdng the Dept,
 or the Judge Advocate Genl whose
 duty it is to review the sentences and
 decide upon their legality, there must
 be some power somewhere in this Gov
 superior to a Court Martial, Would
 you kindly look up this matter ^{and} advise
 what you think can be done. I am
 sorry to trouble you who has given so
 many of the best years of a useful
 life to the cause of the colored man,
 I hope ^{and} pray that each one of my race
 feels the same deep obligation for your
 unselfish devotion to our cause, the
 same great love for you ^{and} yours that
 will ever possess my inmost soul,

I am in very respectfully yours
 obedient servant,

Danmy McKay, 1762. K. St. N. H.
 formerly of Troop G 9. Cav