

THE SIMON CAMERON INDIAN COMMISSION OF 1838.

BY IDA M. STREET.

(*Concluded from July Annals.*)

On January 8, 1839, Mr. Street writes more fully to Major Hitchcock as follows:

The cases of Messrs. Peon and Oliva will show the amount shaved off the sums allowed them by Mr. Broadhead; and I will add another case of a discharged soldier, named Vunk. I am unable to say how much Vunk was allowed by the commissioners, yet a reference to the name in their returns will show. This case of Vunk* is on the information of Mr. Sam Gilbert, a very respectable citizen of this place, and well known to you. Vunk came to this place, sometime in July, with a Winnebago squaw, who had a half-breed child born previous to the treaty of 1837, and lived in an old dilapidated house belonging to Mr. Lockwood, next door to Mr. Gilbert.

Vunk was subject to hard drinking, and told Mr. Gilbert he came to get a part of the \$100,000 given to half-breeds by the Winnebagoes for his child; that he had sold his claim to Mr. Broadhead, and would go as soon as the commissioners decided on the claim; that he was to get \$400, to be paid in Mr. Lockwood's store, and as soon as he could get it, he intended to leave the squaw and go off. Mr. Gilbert saw Vunk getting goods afterwards at Lockwood's, and V. came to T. P. Street's store with orders from Lockwood for goods. Vunk was frequently drunk, and about the time the commissioners left here, V. quit the place, leaving the squaw and child with the Indians; nor is it known where Vunk went. The squaw and child are dependent for food and clothing on their own exertions, and are with a hunting party of Indians on Turkey river. Every cent of the sum divided to this half-breed child is lost forever to the child; the claim, and the money paid to him he drank out or carried away, abandoning the squaw and the child to the care of her people. What good has this done a half-breed ?

There are doubtless many similar cases; but as most of the half-breeds live at Green Bay and the Portage, I have been unable to see them, and no information can be obtained by letter, for few of the half-breeds can write, and a letter would be carried to some trader, or to Boilvin, who is too much involved in the frauds to suffer any information to be given.

I am promised a few leaves from a docket, found in the quarters occupied by the commissioners here after their departure, which I

*This is Ponk on one list and Vark on another, and the amount is \$600.

will enclose if I can get them. On them may be seen, I am told, that every case to which Mr. Broadhead is marked as attorney for the half-breeds, is in the first class, and of course entitled to the largest amount. The classification of the claims was certainly, in itself, unjust, and at once furnished the means of the most shameful speculation. If there had been no classification, the half-breeds, ignorant as they are, could have counted up their numbers, and, by dividing the \$100,000 into that many parts, would see how much would be coming to each one; but placed in three classes, made by arbitrary distinctions unknown to the half-breeds, they and every other person (not in the confidence of the commissioners) were alike in the dark. Some of the first class were quarter-bloods, some still farther off, and some of the third class were full half-bloods.

The commissioners pretended to class them in proportion to their *ability to be useful to the Indians*; this, too, depending upon such information as they could get from Dousman, Lockwood, Boilvin, and Rolette, who are mostly engaged in the same speculations and impositions upon the half-breeds. Mr. Marsh, (a respectable merchant of this place) partner of Bugbee, said to me that he knew not many persons of the half-breeds, but that one, a minor, was allowed \$6,000, and, he understood, had sold his or her-claim to Mr. Broadhead. Mr. Marsh further said, that when half-breeds first came to this place to attend upon the commissioners, the general opinion expressed by them was, that each one would get about \$1,000 of the \$100,000 to their share. They said there was about a hundred persons of the relations. But very soon he heard of the classification and the arbitrary rule of classing, by the commissioners—not on the principles of the laws of the United States, according to blood, but according to the possible usefulness that the person might be to the Winnebago tribe, to be judged by the commissioners, dependent on information obtained from the before mentioned *packed* source. This confounded all calculations amongst the relations and the whites (except those in the confidence of the commissioners) the initiated few. The consequence was, the relations who were in the *dark* were persuaded by Broadhead, aided by Dousman, Brisbois, Boilvin, Lockwood, etc., that they would get *very little*, and strongly urged by all these advisers to sell to Broadhead; and the same management deterred merchants and other capitalists from coming into contact with a man domiciled with the commissioners at private lodgings, who appeared the confidential friend and adviser of the commissioners, and, if he chose, could and occasionally did, let persons know the decisions of the commissioners long before they were known to any other person. So deeply were the half-breeds and many other claimants impressed with the belief that the commissioners and Mr. Broadhead were acting in concert, that they generally spoke of Mr. Broadhead as one of the commissioners.

One evening Mr. Broadhead came into a boarding house with the commissioners and sat for some time figuring on a paper, and exclaimed: "Not a bad business; they amount to \$60,000, which divided by *four*, gives \$15,000 to each—*not a bad business*." Mr. Broadhead did not explain further, possibly as there were several other persons in the room; but Marsh suspected from all appearances, he meant himself, one or both the commissioners, and Messrs. Dousman and Lockwood; if the commissioners were concerned, Dousman, Broadhead, and the commissioners; if Cameron alone of the commissioners, then Dousman, Broadhead, Cameron and Lockwood made the four. Boilvin and Brisbois were evidently merely *used*, and found their account in the passage of such accounts as they laid in against the Indians, or got some small sop; and with this last class Lockwood may be numbered as being bought by something in proportion to their limited headpieces.

Mr. Marsh, though, thinks \$60,000 was too small an amount, if Mr. Broadhead purchased *all* the half-breeds; so he thinks there were four persons engaged in Broadhead's speculation, amounting to \$60,000, and that Dousman and Lockwood had made speculations separately. At this place I can certainly hear of but one case unsold;* that is a half-breed, named Mitchell, for whom Dr. Moore drew as agent, and the draft was placed in my hands by T. P. Street, to be used by me to refund some money advanced by me for Moore & Street, and assigned to Pratte, Chouteau & Co.; this is \$600.† The half-breed lives with Dr. Moore, and is about eight or nine years old. The case of Mrs. Campbell (late Sophia Palen) is drawn to Dousman, agent for Palen, or Campbell, and Dousman said is for \$600; and in my hearing he told Campbell he could let him have but \$300; for, said Dousman, "If I had not attended to your case you would not have got a cent." Moore and T. P. Street are merchants trading as Moore & Street.

The information given is, principally, from the following sources, to-wit: Peon's case from Mr. Peon, the father, and Mr. Oliva, all living here. Oliva's case from Oliva. The other cases given by Oliva. Vunk case, Sam Gilbert, Palen or Campbell's case, of my own knowledge; Campbell and wife, Lower Rapids. Broadhead's declaration of the \$60,000, Mr. Marsh, living here. The other information is from Mr. Marsh, and the general suspicions of the speculations of the commissioners from various persons here, who all seem to think that from all appearances B. and the commissioners were concerned and acted together.

The secretary, Mr. Featherstonehaugh, said that the commissioners did not care a fig whether the disbursing agent paid their drafts for expenses or not; Gen. Cameron had brought upwards of \$60,000 along with him, of his own money. Mr. B. made a similar

*That is, unsold to Broadhead.

† The exact amount in the award.

declaration in Mr. Boyd's presence. What could this \$60,000 be brought here for? And does not the amount strangely correspond with Mr. B.'s soliloquy about the \$60,000 divided by four making \$15,000—"not a bad business?" One thing is certain: \$100,000 was to have been distributed to the half-breeds. Drafts for the whole amount have been made and to whom? And who has the legal right over this large amount? The half-breeds? No. Mr. Broadhead, Mr. Dousman, Mr. Lockwood, etc. Some few thousand dollars in notes of a bank in Middletown, Penn., of which S. Cameron is cashier, were paid for these claims to half-breeds here; and I can hear of no other obligations even for the payment of any more here. This is a strange disappearance of \$100,000. Mr. Dousman said to me that there was not \$1,000 of the drafts for parts of the \$100,000 in Prairie du Chien, for they went to St. Louis on the same boat as the commissioners. Mr. Dousman further said today (8th Jan., 1839): "Major Hitchcock did wrong to suspend the payments, and he will be made to see it, and feel it, too. I have ordered all my cases to be protested legally, and have no doubt about it I will get the accounts and expenses of protest." This was said in my hearing, in presence of several gentlemen. At the same place in a conversation with Mr. Rolette, he said: "It would have been well enough to take security of persons to whom the money of half-breed minors was paid; for at St. Peters, in paying half-breed Sioux, some \$5,000 was paid to Stambaugh, but little of which will ever go to the half-breeds." I did not reply.

The request made in a former letter, that the information given should remain with *you only*, proceeded from a desire not to subject myself to the persecution it might raise, without any benefit to the half-breeds, and not from a want of evidence of the truth of the information. Now if anything can be done to obtain justice for the half-breeds, I freely give you leave to use whatever I have written, in such a way as may best subserve the cause of justice and right. To me it seems base and unpardonable, that men chosen by the president, and sent at a great expense so far, to see justice done to the Indians and to the half-breeds, should suffer such speculations to go on under their noses, as it were, by a lawyer coming with them from the same portion of the country they inhabit, and living all the time with the commissioners and in close intimacy with them. Even if the commissioners were not interested in the speculations, to suffer it, and in such a way, too, is monstrous. Yet, the only money paid out was the notes of the Middletown bank, of which Gen. Cameron is cashier; and his friend, the secretary of the commissioners, boasted Gen. C. had brought on \$60,000; and no other bank notes were flush about this place at this time, but miserable depreciated paper of Wisconsin.

I regret that Mr. Marsh went into the country and I failed to see him, as I expected today; when he promised, if practicable, to

get the leaves of the docket and hand them over to me. If I cannot see Mr. M. before the mail closes, they shall come in the next mail, three days hence. In my conversation with gentlemen here about the commissioners, they unite in an opinion that there was too close an intimacy between Mr. B. and the commissioners for them to remain ignorant of Mr. B.'s speculations; and they think Mr. B. knew too much of the state of their decision before being known to any other persons, for the commissioners to be free from some interest in the business carried on by Mr. B.; at least, such seems decidedly the case as to Gen. C. Mr. Murray is described as a nervous hypochondriac, of extremely singular manners, and of unequalled irritable mind, though generally distant and gentlemanly in his deportment. Public mind here seems to favor the opinion that Murray was innocent, possibly, of any pecuniary interest in the speculations; but, from his disposition declined prying into Gen. C.'s conduct, or thrusting himself forward as an upright man would have done to save a parcel of ignorant fellow creatures from being so cruelly fleeced by Gen. C. and Mr. B.

The half-breeds, too, thought there was no relief—the offers of Mr. B. or nothing. These were men sent by the president, stood high in his favor, and what they did would be approved. Besides, the Sioux commissioners came down at the time, and the whites who had been up to prey upon them, all united in approbation of the plan of classification, and some declared in my presence that this (the classification) was made in obedience to the orders of the secretary of war, which Mr. Dousman assured me he had seen. All this taken together by unlettered, ignorant half-breeds, brought them to the conclusion to take anything Mr. B. offered; for they considered it was that or nothing. Many had come more than 100 miles and remained here on expense for a long time, and had no money to pay; they were forced to sell to get away. The time taken to simply divide \$100,000 between less than 100 half-breeds was out of all reason, and there is no apology for making the half-breeds remain here until the claimants for debts should come in, and their claims be decided upon. The half-breeds might have been acted upon, and their business completed in a few days; and yet, the commissioners kept them here, and their cases undecided, near 70 or 80, days. They did not even know what they were adjudged to receive until a few days before the departure of the commissioners from this place. When they learned (partially at last) how deep they had been shaved, they began to murmur so loud that Mr. B. in Peon's case, had to plank up \$300 in addition to the sum he had given him for the two claims of his children (two minors), who may or may not get the \$1,100 given by Mr. B.; yet the commissioners gave their certificate to pay Mr. B. \$3,200 for those two claims.

P. S. A few days past, Mr. Lockwood said he felt perfectly sure his part of the \$100,000 would be paid; for when the commissioners got to Washington, they would induce the Secretary of War to have all paid, for, said he, Mr. Broadhead has too deep a stake in the half-breed claims for the commissioners to see him suffer. I feel no fear for the event.

JOS. M. STREET.

The classification which Mr. Street so severely criticised was really in accordance with the instructions of the Secretary of War, as shown by the following from the Commissioner of Indian Affairs to the Sioux Commissioners, and quoted to the Winnebago Commissioners:

"In determining the amount which each claimant (half-breed) shall receive, your attention will be directed to the following considerations: The degree of relationship, and the value and extent of services or supplies rendered to the Indians, or the capacity, disposition and intention, to render them in the future, as these constitute the entire foundation for this provision in the treaty."

There could be no objection, *legally*, to the classification. Nor do the Commissioner of Indian Affairs or the Secretary of War make any.

On November 19, Major Hitchcock writes to Mr. Crawford, stating that his duties as a distributing officer close at the end of the month, and asking for leave to come to Washington.

It is my wish to pay a short visit to my relatives and friends in Mobile, Alabama, where a short furlough was voluntarily relinquished for services in Florida in 1835, since which time I have been constantly and laboriously on duty.

In view of the preceding facts and considerations, I respectfully request that my continuance here be authorized until I can collect my vouchers, which periods I will terminate by my certificate on honor; and that then I be called to Washington to settle my accounts, with leave to travel by the way of Mobile on a visit of two months to that place.

Should you deem your own authority insufficient for this, I hope you will not think it unreasonable that I request you to apply to the Hon. the Secretary of War for the necessary instructions.

Very respectfully,

Yo. Obt. Servant,

E. A. HITCHCOCK.

Maj. 8th Infy.

Major Hitchcock's letters of November 6 and 8, called forth an order from Mr. Crawford that the payment of the half-breed claims be stopped. This is shown by Major Hitchcock's letter of December 3.

OFFICE DISBG. AGT. INDIAN DEPT.

St. Louis, Dec. 3, 1838.

To

T. HARTLEY CRAWFORD, Esq.,
Commr. of Indian Affairs.

Sir: I have the honor to acknowledge the receipt of your letter of the 21st ulto. directing that no payments be made from the fund for Winnebago half-breeds without further instructions and requesting me to communicate any further information I may have on the subject of the mode of payment directed by the late commission at Prairie du Chien.

Since my reports upon this subject, there has not been time to communicate with any one at Prairie du Chien; but I have a letter from General Street, dated at that place November 1st after the commission had left there and before he could have heard of any proceedings. General Street says, in reference to the Winnebago commission: "The course pursued by the commission has been very different from that of Mr. Fleming at Rock Island. From the statement of correct persons here the most shameful bribery and favoritism has been practiced."

In a matter of so much importance, involving the reputation of gentlemen honored with the commission of the government for the execution of a high trust and effecting the interests of many individuals who have confided in the integrity of the government agents, it is of the utmost consequence that nothing should be received as decisive of the prejudice of such interests without the fullest assurance of necessity.

I mention this consideration to show that I am aware of the responsibility under which I express my satisfaction with the order of the 21st ulto. and recommend that it be continued until definite reports can be received from the parties interested at and in the neighborhood of Prairie du Chien. There is, however, one claimant living in this city to whom I had sent the order of the 20th with the notice of my readiness to pay him in his own proper person. Should he make his appearance good faith will require me to make the payment. This I presume may be done without injustice to any one. Those who received drafts in their own right might also be paid the amounts awarded them, for they cannot be entitled to less, though it is possible they should receive more.

I have the means and shall employ them of procuring accurate

information from Prairie du Chien and the results will be reported without delay.

I am very respectfully,
Your Obdt. Servt.,

E. A. HITCHCOCK,
Maj. M. D. Agt.

There was a further effect of this complaint, for January 28, 1839, T. Hartley Crawford wrote to Hon. J. R. Poinsett, Secretary of War, objecting to the acceptance of the Commissioners' report. As to the excuse that they could not find books kept by the traders, he says, "other commissioners have found proofs and no difficulty imposed itself that was not overcome." He further shows that the traders who were to profit by this loose way of granting claims were the ones who suggested this method to the commissioners. In regard to the half-breed claims he says:

There is a vital particular in which, in my judgment, the instructions are not wholly violated, but which, if this branch of the report could be sanctioned, would divert \$100,000 from the quarter-blood Winnebagoes, and put it in the pockets of white men! The instructions point plainly to the payment of the money to the Indians, and if they did not, it seems to me the appearance by attorney in fact, and the granting of certificates to those representatives opened so wide an entrance to fraud that I cannot repress expression of my surprise that such a course should have been deemed proper. The money was to be paid to the respective persons entitled to it, except in instances of minors, orphans and incompetents. The execution of the treaty, in either its spirit or letter, forbade any other procedure, and yet, out of 92 Indians of mixed blood, the report shows that only 13 received certificates for their own money, either by themselves or parents; of the remaining 79, certificates were granted on 60 claims to attorneys in fact, and only 19 to trustees. Where was the necessity for these attorneys? Are they not assigners of these claims? I have no doubt of it. . . . The Indians probably received a mere pittance for undoubted rights, previously ascertained, about which no agency was necessary nor service required, and must not be deprived of the benefit intended them by the treaty.

This is endorsed by the Secretary of War and the statement is made that a new commission is to be appointed.

February 16, 1839, the commissioners present a defense, the chief point of which was that they had done exactly as

the Sioux commissioners did, and the Commissioner of Indian Affairs had accepted those reports.

In reply to the charge of paying money to an attorney instead of to the half-breeds themselves, the commissioners say that as the half-breeds were not many of them present the money had to be paid to somebody and that the parties to whom they were paid were respectable. No facts are given, however, to prove how many half-breeds were really present. So that this excuse has no support in fact. Moreover, both Mr. Street and Mr. Merrell speak as if all half-breeds entitled to money were present.

The report says further:

Under ordinary circumstances, we should have thought that, in a new and wild country, the claimants were fortunate in being so respectably represented. But the commissioner says that they were assigners of the cases they represented. We ask, where is the proof to sustain this assertion? We have seen none. And here we take occasion to assert, in the most unqualified manner, that until after the awards were made in favor of the mixed bloods, and the certificates delivered, we had no knowledge that speculations had been made by attorneys in fact in those claims, and we challenge contradiction.

But, suppose the fact had been known to us; what power had we to prevent it? It may be said that we might have cut down the sum awarded to the sums paid by the speculators. But all cases, without exceptions, as far as we remember, were in the hands of attorneys in fact; and the instructions required that all the money should be distributed. Besides, if it was necessary to employ attorneys, it was also necessary that they should be paid.

This is certainly a naive defense and worthy one of the brainiest politicians of his time.

To the charge that they paid in certificates, they answer that the money was not there. It does not occur to them that they might have given the certificates to the half-breeds instead of the attorneys, and had the money sent up at once from St. Louis as they were going down there. Of course, the commissioners were ready to swear to anything to shield themselves. They produced affidavits from men in the west to the effect that Dousman and others concerned were hon-

est men. Dousman was a partner in the American Fur Company. He could find plenty of interested parties to swear for him. They also produced statements from men in the Indian country stating that the half-breeds concerned were voters and intelligent men and could sign away claims if they wished. And Simon Cameron obtained letters from his secretary, Mr. Featherstonehaugh, and Messrs. Satterlee Clark, Jr., and Mr. Boilvin, as to the justice of his awards at Prairie du Chien. These men were his partners in this business.

Mr. Boilvin says: "I have received letters from Prairie du Chien since I left; they all manifest their satisfaction of your proceedings with the exception of Major Boyd and T. P. Street, with whom the commissioners had some personal difficulties."

What these difficulties were does not appear from the letters on either side, nor is there any other reference to them.

By the way, this letter of Mr. Boilvin's is written in a good style and without mistakes in spelling or use of capitals, and is dated at Washington city, while one written by him to Thomas Street and given in this article verbatim from the original is of a different style. Could this letter have been written by a better scholar and signed by Mr. Boilvin?

In answering the question, "Who were the attorneys in fact?" the commissioners reply, "We have no list before us at present; but we are under the impression that they were men of the highest standing in the country—the attorney-general of Wisconsin (H. S. Baird), a lawyer of eminence from Mackinac, another from Philadelphia (Broadhead), a person holding a responsible employment under the War Department at Ft. Winnebago (Clark), and another at Ft. Crawford (Dr. Moore), and as well as we recollect, one or two intelligent and respectable merchants."

The list, however, shows that the attorneys in fact were Boilvin, Broadhead, Dousman and Satterlee Clark. Baird's name does not appear on the list; and Moore was trustee for one case only, that referred to by Mr. Street.

Major Hitchcock in defense of his action in not paying the money at St. Louis as demanded by the commissioners, says in a letter to the Department dated at Washington, March 12, 1839, that although he had not the money on hand for the purpose on September 11, he sent from another fund the money for the half-breed Sioux to St. Peters as there might not be another chance to transmit it. The Winnebago money had not come and he did not supply it, as he thought boats were going so frequently to the Prairie that it could be sent at any time.

He says in his instructions to Mr. Pfister, the special disbursing agent at St. Peters, September 10, 1838:

The commissioners have been directed to decide upon the half-breed claims under the Sioux treaty, . . . it seems important that payment should immediately follow the decision; otherwise the claimants may disperse. . . . You will therefore place in the hands of Lieut. Whitehorn \$110,000 in specie, for payment, under 2d Par. 2d Art. of the treaty with the Sioux of 1837, advising him that it is the express directions from this office that no part of this money be paid to any proxy, to any person holding a receipt, or pretending in any manner to represent a claimant. That the money be paid only to a claimant in his own person, and then only on the requisition of the commissioners, countersigned by the Indian agent.

He knew that these conditions had not been observed at Prairie du Chien and he refused to pay attorneys or third parties. Mr. Cameron in his defense says that he cannot see how the money could have been distributed except through attorneys. Major Hitchcock, as distributing agent, seems to know how it could be placed through government paymasters in the very hands of the claimants. The commissioners do not seem to have had sufficient confidence in the regular officers of the Indian division of the War Department to trust any money to their charge. It would seem natural that men whose official duties kept them in the Indian country would know more about the half-breeds and to whom the money could safely be paid, than commissioners who had spent only two months there, and an attorney who lived in Pennsylvania.

While in Washington the winter and spring of '39, Major Hitchcock interested Horace Everett of Vermont in the matter. Mr. Everett, in the House of Representatives February 19, 1839, offered the following resolutions:

Resolved, That the Secretary of War be directed to lay before this house a statement of the proceedings of the department in the execution of the 1st and 2d provisions of the 4th article of the treaty of Nov. 1, 1837, with the Winnebago Indians and copies of all correspondence relating thereto, and also a statement of any information received relating to any speculations or alleged misconduct of any person or persons employed in the execution of said provisions; and copies of all correspondence relating thereto.

Amended as follows:

And that the report made on the subject by the commissioners of Indian affairs and decision of secretary therein be referred to a committee.

Mr. Bell was chairman of this committee, and March 1, the papers were placed before them.

It is very natural that these men who had been caught in a scandalous transaction should attack their accusers. Mr. Street, who was only an Indian Agent, had nothing but his reputation as an honest man to back him. He practically stood alone at Prairie du Chien, which was little more than an American Fur Company trading post.

When feeling ran highest over the matter in Prairie du Chien, Major Hitchcock, in a letter from Washington to Mr. Street, dated March 17, 1839, says:

Your uninvited sentiments and views in relation to the proceedings of the commissioners has given you a standing in the opinions of both (Sec. of War and the Com. of Ind. Affairs). I took care to let them know that your first two letters to me—parts of which I have furnished—were the results of your individual feelings.

In your subsequent formal reports, which are on file and in course of printing by order of the *House*, you are severe upon sundry people about Prairie du Chien.

You and myself must sustain the brunt of the war against the corruptions at the Prairie, but we have the President, Sec. and Com. (of Ind. Affairs at Washington) and I verily believe all of Congress to sustain us. We can afford to be assailed. As to the white claimants, I know nothing and have never said anything; but for the half-

breeds, my life upon it, they would get their money from the government.

I wish you to note down everything you learn in relation to the proceedings of the commissioners and to inquire for facts whenever you have a fair opportunity.

The commissioners have accused me of sending paper money 2 or 3 times under eastern exchange. They wish artfully to give out the inference that it was depreciated paper, which is false as you know. It was Mo. State Bank paper every dollar of it. They also accuse me of a wish to retain and use the money when they must know that I was so anxious to have the half-breeds of the Sioux paid that I sent the money to them without orders, assuming a great responsibility. They also handle very rudely my privately writing to you and my not furnishing my letter to Mr. Lowry. My letter to Mr. Lowry was public and I have put it on file. It will show the utmost consideration for the reputations of the commissioners. I expressly cautioned Mr. Lowry on that point.*

Congress has not organized the Indian Dept. and has not suspended the law relieving officers of the army and I have therefore written a letter signifying my wish to be relieved. I may have to return to St. Louis for a few months and will then try to go up to the Prairie.

He did return to St. Louis in the summer of 1839 as a letter dated St. Louis, June 11, 1839, shows:

I think I may assure you it will be impossible for your enemies to touch you. They have cut their own throats, especially Dousman. I believe I showed you his letter to me refusing information. I sent it to the Sec. of War, who cannot fail to understand the drift of the business. We are both of us to be abused by the defeated party, but the cause of truth and justice must prevail and we shall be sustained.

I enclose also a copy (on no account to be used until I see occasion) of a letter to Mr. Buchanan. I have the information principally from Bailly in writing and I have printed the letter for the mere convenience of sending a few copies to friends, holding the balance in reserve for the members of Congress the next session, in case I shall think proper.

I was told that *Marsh*† intended denying what he said to you. If it comes to a mere point of veracity between you and him or you and any one at the Prairie, you must triumph. They said things unguardedly and have forgotten what they said or have been induced to deny it by those interested, if not interested themselves. Keep this view in mind and be *cool* in any answer you may make.

*Mr. Lowry proved a turn-coat, as shown by later letters.

†Formerly sub-agent at Prairie du Chien.

When aroused by an act of injustice, Mr. Street's indignation glowed at white heat, and he was liable to do rash and impolitic acts. Hence Major Hitchcock's injunction to keep cool.

What Marsh intended denying as stated in this letter, was explained in a letter from Agent Street to the *Missouri Republican*, July 25, 1839:

I presumed he [Dousman] had engaged with Mr. Broadhead in purchasing half-breed claims, as B. in a soliloquy had spoken of "\$60,000 divided by four makes \$15,000—no bad business."

Although Mr. Marsh certifies he was too sick to be at Taintor's tavern during the stay of the commissioners at Prairie du Chien and that, in our *social conversation* he had not mentioned Mr. B.'s soliloquy, no one will for a moment believe that I manufactured the statement. I will not be positive, but I think Mr. M. told it as coming from some person boarding with Taintor at the time.

I appeal to the returns of the Com'rs to sustain the opinion I have put forth in relation to the half-breed claims, and to the evidence I have in my correspondence adduced, and which is not *denied*.

Apropos of Mr. Dousman's connection with this affair, Gen. H. H. Sibley, formerly an agent for the American Fur Company, says in his memoirs of Hercules L. Dousman, in the *Minnesota Hist. Coll.* Vol. III, p. 197, that the Hon. Simon Cameron when acting as Commissioner to settle the debts of the Winnebagoes received material aid from Mr. Dousman in settling these accounts. He also quotes a eulogy on Mr. Dousman which Senator Cameron delivered upon the floor of the Senate.

Major Hitchcock also says in the letter of June 11, "Gen. Brooke is not pleased with your inference that Dousman had been talking with him about the money, but you only gave opinions and could not have intended disrespect."

It appears from a letter to Thos. Street from J. M. Street that he thought Gen. Brooke was to blame for sending the money intended for the half-breeds back to St. Louis. It will be remembered that he speaks of Gen. Brooke coming into the office of McKissack with Dousman, when the money was delivered to the quartermaster.

Agent Street says:

As to Gen. Brooke I have every respect for him as a brave soldier and feel pained that he happened to be mentioned in such company. Yet in giving the details of fact, as to the disposition of the \$100,000, it became necessary to screen a subordinate officer into whose hands I paid the money, from censure by taking the money to St. Louis which had been ordered to be disbursed at Prairie du Chien, and was turned over to him, to be disbursed under Major Hitchcock's instructions to Doc Reynolds, which instructions I handled with the money. I especially did not intend any allusion to Gen. Brooke, but detailed the facts as he and Mr. McKissack will remember they occurred. In giving my supposition on the facts, if I *erred* I regret it as to Gen. Brooke. Though if he ever makes oath that he was not operated upon by Mr. D. in the order to Mr. Mc, then what cause can he give the general? The Sec. of War ordered the money to be disbursed to half-breeds and agents at Prairie du Chien. Major H. sent it for that purpose to F. de C. and I paid it as money belonging to the U. S. Dept. to the Quarter Master and the Military Commander directed the Qr. Master to take the money back to St. Louis. And Gen. B. and Mr. H. coming together increased my confusion. Now was not this a natural conclusion when Mr. D. had just been with me, endeavoring to induce me to send the money to St. Louis, which I refused. And how did Gen. B. know I had brought the \$100,000 and *that* the money, the \$100,000, I was aching to Mr. Mc? I had only arrived a few hours before and I went to Mr. Mc's office and for the first time disclosed the fact to him a few minutes before I gave him Maj. H.'s letter and proceeds of my pay over the money. How then could Gen. B. know what money it was and why send it back to St. Louis? I can not and feel unable by some information from Mr. D.?

The fight did not stop with the adjournment of Congress, as shown by the following letter from Thos. Street to his father, August 5, 1839:

Dear Father:

Since my last letter to you I have heard some news which is important to you, particularly in the controversy between Freeman, Lockwood & Co, and yourself.

Gov. Horner (John A. Horner, late Sec. of the Terr. of Wis.) came here a few days since and in a conversation with me informed me that Maj. Hitchcock had written a letter to a friend at Green Bay last spring, requesting that friend to collect evidences of fraud in the settlement of the claims by the Commrs. Cameron and Murray, and that this person had employed Horner to take 5 or 6 affidavits which were sent to Maj. Hitchcock some time since. The affidavits

were from half-breeds at Green Bay and go to charge *Bullfinch*, Broadhead, and the Com. with improper acts, implicating also H. L. Dousman in a positive manner as a speculator.

One was the affidavit of Jos. Paquette, a relation of the late Pierre Paquette; the substance was as follows: Bodivin came and told him that he had better sell to Broadhead, that the money would not be here for a long time, that the half-breeds would all be classed off and the probability was that he would see his title unless he sold, and he finally agreed to take one-fourth, which was about \$1,200 or \$1,500 for his place off about \$4,000 or \$4,500. Mr. Paquette was then sent to Dousman, who paid him the money, principally, if not entirely, in U. S. Wisconsin Bank notes. He then made a power of attorney authorizing Broadhead to receive the money which should be awarded to him and went before Mr. J. S. Cameron and Murray in company with Broadhead. The power of att. was exhibited, the matter talked over and Paquette was informed that all was right by the Com's themselves. The other affidavits were something near the same thing, though not all contained stronger matters.

Dousman, Lockwood and all others are waiting for the Com. (Mr. Fleming) who has not yet arrived. They are now too busy to say anything further on the title matter or against you.

As stated in the report of the Secretary of War in January, 1839, a new commissioner was appointed to look over the half-breed claims. This was Mr. Fleming, who had acted as Commissioner in the Sac and Fox adjustment the year before. There had been no complaint then; with Agent Street and George Davenport at Rock Island he had been guarded from the kind of temptation that would assail him at Prairie du Chien. Mr. Street in a letter to his son, September 5, 1839, says:

Fleming is a correct and clean man and will do what he thinks right.

And in another place:

Dousman is a wily dog and will deceive Fleming if he is not guarded. I suspect Maj. Hitchcock is at Ft. Winnebago on a court martial and will be at Prairie du Chien when the Com. arrives. He is a sterling man and can be depended upon.

Now from what source could Dousman obtain the remark as to my expecting the Com. appointment? I never did; nor could anything I said be so construed.

Mr. Street was wrong in his suspicion that Major Hitchcock would be at Prairie du Chien when Mr. Fleming was

there. Whether Major Hitchcock was at Ft. Winnebago in September, and did not stop at Prairie du Chien on his way down I have no means of knowing, but the commission closed this sitting October 14, and October 17, Major Hitchcock writes from Washington to Mr. Street:

My Dear General:

I had a long conversation today with Mr. Crawford and took occasion to speak of the efforts made by your enemies to injure you. Being myself acquainted with some of the particulars, I went into detail and had the pleasure of hearing Mr. Crawford express his entire satisfaction. I told him the circumstances relative to the \$100 referred to by Lockwood, for I very well remember the matter, as General, then Colonel, Taylor explained it to me four or five years ago. I also explained the particulars regarding the Sac and Fox half-breed money and told him the bond was in his own office, which could speak for itself. I am confident you have no occasion to give yourself a moment's concern. It is doubtless unpleasant to have the papers bandying one's name about, but I have heard numberless people speak of the Winnebago affair and of the part you took in it, and at the same time sneer at the efforts made to injure you, and have never heard a single individual express a doubt of your integrity. The only wonder expressed in regard to the business was that you had the courage to brave a parcel of sharpers who "as a matter of course" would attack you.

The following account of the new Commissioner's proceedings is interesting, as showing how futile "investigations" were; not very different from some of them now:

PRAIRIE DU CHIEN, Oct. 28, 1839.

Dear Father:

The commissioner Mr. Fleming closed his business on the 14th inst. and left that evening for Washington or home. He re-examined the half-breed claims, made his award, and had the money paid to each person entitled to receive it. Broadhead's brother received the amounts paid last year with an average advance of 15 per cent. In the claim* cases he received and filed such as were presented together with the evidence and determined not to decide upon them here, but took them with him for the purpose (as I suppose) of submitting them to the Com'rs of Ind. Affairs before he makes his decision. This I do not know, as I do not think he made known his intention with regard to them. Having now stated briefly the heads of the matter I proceed to particulars.

The most of the claimants in both cases arrived here early in July and waited anxiously for Mr. Fleming until nearly the last of

* Traders' claims.

that month, when a notice was received and posted up, stating that he would be here and ready to commence business on the 6th of Aug. He did not, however, arrive until about the middle or last of that month. As soon as he came he commenced receiving claims in the half-breed cases and continued that matter until it was finished, or the awards were made. It then became necessary to wait a few days for the Indians to come in, and that interval was employed in receiving debt claims, and receiving proof, etc. On the 16th of Sept. the Indians assembled at the office of the Comr. and the half-breed business was resumed by submitting the names of each half and qt.-breed on the list to the Indians separately. They agreed to all on the list except 3 or 4 who they declared were not their relations, and not entitled to receive money. These cases were Kuthoko, Caroline Harney, her daughter, Mary Gunn and one other that I do not now recollect. The Com., however, in making his award afterwards included these persons. I presume he had proof enough to satisfy his mind, notwithstanding the desire of the Indians. It may be well here to notice an incident which occurred this day (Sept. 16) in the council. So soon as the Com. explained to the Indians the object for which he had assembled them, one of the chiefs arose and made a speech, the substance of which was that Boilvin was appointed by them last year to look after their interests. They wished him to do so this year, and they desired the Com. to give them a list of the names of all the half and qt.-breeds that they might get Boilvin to look over and read it to them, and they would assemble again tomorrow and settle the business. The Com. replied that if they demanded such list he felt bound to give it to them and they might get Boilvin or any other gentleman to read it to them, but strongly urged upon them the propriety of acting on their own judgment, and to beware of the influence of each and every person in settling the matter. After a few minutes of reflection they waived the demand and proceeded to pass upon the names as read by the Com. The Comr. took no notice at that time of the request that Boilvin should act.

From the 16th of Sept. to the 28th was taken up in classifying and arranging the amount due to each person. During this time there was much maneuvering. I have seldom seen a time of more excitement according to the number of persons here. Broadhead's brother John H. was using every means to get [back] the money paid out by his brother; sometimes endeavoring to intimidate the claimants by threats of legal process; then coaxing, and all the time in perfect fever. Boilvin was busy, Lockwood was hanging to the skirts of every claimant that passed his door. Several others were assisting. The general outcry among this party was "Pay Broadhead or he will make you suffer severely for it." At this time was it that Mr. Fleming issued a notice requiring every claimant who

had received an award last year to produce and give up the certificate issued in his or her case by the Com. Cameron and Murray, or failing to do so no money would or could be paid to them. Then commenced the triumph of Broadhead and the party; the whole matter was in their own hands, they could laugh securely at the puny efforts of the claimants and the counselors. The claimants, however, did not yield without some struggling. The most of the claimants from Green Bay assembled, directed their lawyer to draw up a protest against the notice and requisition of the Comrs. and set forth therein the fraudulent manner in which their claims were obtained. This paper they signed after it had been fully explained to them, but 2 or 3 days after being intimidated by Broadhead and others, and the arrival of the deputy marshal of the territory (whom Broadhead had sent a special messenger for to Mineral Point) and the pending of the Comrs. notice the combination of circumstances was too powerful—they gave up the unequal contest, desired their lawyer to withhold the protest and most of them had their names erased, and finally all settled with Broadhead on the terms stated in the first part of this letter. For the Green Bay portion see paper herewith marked "A"—drawn up by John S. Horner. For the portion of half-breeds near Rock River and elsewhere see paper "B" drawn up by John Catlin, which met the same fate ultimately.

We now come to the 28th Sept. (Saturday). This day the payment of the half and qt-breeds commenced. It was made in the office of the Am. Fur Co. by Mr. Haverty—Dis. Agt., in presence of the Comr., Gen. Brooke, Mr. Lowry and some others whom I do not know. The room next the office was filled with persons of the *proper kind*, to-wit, Boilvin, Clark,* Broadhead and Co. Broadhead received his money as before stated; the persons who were of what we call the other party or opposed to the cheats and frauds of Broadhead contented ourselves perforce in walking about the store room and casting a wistful look at some fellow as he passed out with a box or bag of dollars in his arms. The payment was not finished this day, but postponed to Monday, Sept. 30. That day there appeared the following notice on the counter of the store: "Gentlemen are requested not to come inside the counter." We had therefore to remain outside still more remote from the scene of action. Some fellows passed in, however, who I suppose considered themselves *loafers*, not gentlemen. Same arrangement in inner and outer rooms as first day. Same persons present. This day Dr. Moore rec'd the award of Mary Ann Mitchell, \$1,000, by giving security—he had previously filed his indentures of apprenticeship.

Oct. 1. Payment continued this day and finally closed. This morning they adjourned to the Com. office to finish. A great dispute arose between Broadhead and Boilvin. Boilvin had taken Mad.

*Satterlee Clarke, Jr.

Myotte's certificate last year, had sold it to Broadhead, received the money, used it, and now wanted Mad. Myotte to come forward and claim it *herself* and not let Broadhead have it. So soon as she would have obtained it, Boilvin intended to go to her and take it, and then realize a double portion. Broadhead kicked up at this; here was rogue to rogue opposed and a hard time they had of it. But Broadhead was too hard for Boilvin. The Com. called Boilvin up and under oath examined him as to his claims upon the money and asked him whether Mad. Myotte owed him; this took him aback, and he was *unprepared* and stammered out some almost unintelligible words,—in fact, he stood convicted of falsehood and knew not what to do or say. Those few moments while under examination must have been exquisitely painful to him. The matter was finally settled by the commissioners determining to carry the money to Washington and end the dispute there.

From this time forward a change came over Boilvin's spirit. Dousman and he quarreled. D. told B. he was a liar. B. retorted by calling D. a liar. They bartered such like epithets for a short time, but the affair "came off" *bloodless* and I presume neither much *worsted* in character. It reminded me of a somewhat vulgar saying about a pot and kettle. A few days after this (the Comr. had now commenced examining debts) an affidavit subscribed by old Menard, one of the persons who had an award last year, was filed with the Com. The substance of which was that Boilvin had cheated him out of nearly if not quite half his award; that Mr. B. told him the draft was only so much—being only half the real amount, and that B. took M. to Lockwood's and there sold L. the draft, and L. gave M. a note for the one-half. Both L. and B. told M. that the amount of the draft was only one-half what in reality it was. I regret my inability to send you a certified copy of this affidavit now, but will in a few days, as I consider it important. . . . This affidavit remained a few days in the Com. hands; on the 10th of Oct., however, Boilvin, John Kinzie and others of that same class were seen to talk earnestly with Menard, shortly after which M. and Boilvin came to the Com. and asked to withdraw the affidavit. Menard stated that he was unwilling to prosecute his claim further and wished to withdraw his affidavit and stick to the award of last year. The Com. consented, handed him his affidavit and Menard left the house, frightened almost out of his senses. Boilvin had told him that the charges contained in the affidavit were such as would subject him (Menard) to a suit for defamation of character and heavy damages, the old man was pale with fright. The die was cast, however, the party had determined to sacrifice Boilvin, too much fraud had been developed. A scape-goat was necessary, and by common consent they pitched upon Boilvin. A few days after the quarrel with Dousman, Antoine Grignon (the company's interpreter) served out a writ of attachment against Boilvin for \$1,690, being a part of

the \$2,000 given to Grignon under the treaty of Nov. 1, 1837, and the same matter about which the quarrel arose between B. and Dousman. The sheriff went to Taintor's and took all Boilvin's trunks and *even* his wife's trunks of clothing (Mrs. B. was here all summer). After overhauling them the sheriff gave them back to his wife, as they were found to contain no money or property value. This was a *finisher*. Boilvin at last found he was to be the victim and gave up the contest. Next day he took a steamboat to St. Louis in company with his wife, and I now take leave of him. Possibly he is now convinced that honesty is the best policy and that there is such a thing as retributive justice.

The Com. continued several days longer to receive claims and proofs, several new ones were introduced. Several of the claimants of last year still refused to put in their claims and finally refused; to-wit, R. Stuart (claim of old Am. Fur Co.), Dousman (for present company), Rolette, the Brisboise, Pauquette's estate (Dousman was executor). Lockwood and some others being the persons who received the highest sum last year, in fact about 2-3 the whole amount set aside by the treaty. These claimants who constantly refused to have their claims re-examined were constantly working with the Indians. Everything was tried, no stone left unturned, to prevent the Com. from proceeding in his examination, and at length they succeeded, the spell worked and the Com. abruptly closed on Oct. 14. And the commissioner himself left on a steamboat accompanied by Stuart, Kinzie 'Co. At Galena he took the stage and returns to N. York by the Lakes.

Some days before the close of the debt claims examination, the Indian chiefs assembled at the Com.'s office and One-Eyed Decorah rose and said that the nation was glad that Mr. F. had come on and examined the half-breed claims, that their half-breeds were pleased with his awards and felt *proud*, that he had done what was right and they were glad. "But," said he, "we do not wish you to examine the debt claims. 2 Com'rs were sent here last year and examined our traders' claims, they also did right. We want our traders paid, and we do not wish you to 'tear to pieces' what they did last year in the traders' claims."

He then handed the Comr. a paper tied together with blue ribbon and a string of wampum, saying, "Here is a paper that contains our thoughts; read it and take it on with you to our Great Father; this is all I have to say."

The paper was then read and proved to be a sort of protest against the re-examination of the traders' claims and a full and complete ratification of those acts of Cameron and Murray. It was signed or purported to be signed by the chiefs in the presence of Mr. Lowry and Nicholas Boilvin.

Several persons present and particularly the new claimants were extremely anxious to have the claims re-examined and asked Mr. F.

to allow them to propound questions to the chiefs in order to ascertain by whom they had been advised to present such a paper; which was allowed. Two or three questions were asked which were answered evasively by the chiefs. Wacon Decorri then got up to speak, repeating pretty much what had been said before, though he went on and was about to let the cat out of the bag. This I saw and was highly delighted.

Just at this moment, however, Boilvin became uneasy and moved across the room and whispered to an interpreter to tell Wacon to stop and as they had now finished their business to go away immediately or leave the room.

Accordingly, Wacon stopped short, saying, "This is all I have to say," and in a few minutes away went the Indians. The interpreter referred to is A. Grignon and I got the statement of what Boilvin whispered from him. It was somewhat surprising to me that Mr. F. would permit such a thing, if he saw it, and I do think he must have seen it. Mr. Lowry did, I am certain.

Two or three days before Mr. F. closed he was asked by Col. Stambaugh, counsel for some of the claimants, to let him see a protest which Col. S. had heard was on file in the office. After some time Mr. F. consented; the paper was produced and appeared to be a lengthy protest signed by Stuart, Dousman, Lockwood and several others against the re-examination of the traders' claims.

It was addressed to Mr. F. to be laid before the Sec. of War and was, I am told, somewhat abusive of that officer, for the course he had taken in appointing a new Com. and setting aside the report of last year. Stambaugh tried to get a copy, but could not. A committee was appointed to wait on the Com. and ask a copy. The committee addressed him a note, but he refused in a written reply. The reasons he gave I do not now recollect, but I do not think they were at all satisfactory. It seems the protest had lain in his hands since the middle of August or thereabout and would never have been shown had not Stambaugh called for it.

It is my opinion that both Mr. F. as Com. and Mr. Lowry as sub-agent were too much influenced by the power and authority of the Am. Fur Co., its agents and hangers-on. And also it seemed to me that the Com. was anxious to save Broadhead and if possible the commissioners of last year.

This he could not in fact do; because in the re-examination of the half-breed matter he must have seen the fraud, and his award has been different in almost every case from that of last year. Now one or the other is wrong. Either the old Com'rs acted improperly or Mr. F.; they can't both be right. I, as well as the claimants themselves, choose to think that Cameron and Murray were wrong. There was much intimacy between Mr. F. and several of the persons concerned in the Co., but I hope and believe Mr. F. is still a

correct and honest man. I took no sides for him or against him. When I spoke of him it was always in high terms from my slight acquaintance. Mr. F. continued to speak highly of you and seems to have a regard for you. What impression is made on his mind, however, by the many stories he must have heard, I know not. He desired me to present his best regards to you when I wrote and wished much that you had been here during his session.

Of Mr. Lowry I am compelled to judge harshly. I had supposed he would make an independent, active, and energetic sub-agent. Activity he does not lack, but he is too subservient to the A. F. Co. He has, in my opinion, scarcely any opinion of his own, but runs to Dousman for his. When Boilvin came on, he took him by the hand, had him to assist him, sent him on expresses for Ind. in the country and gave him consequence and countenance, though there was no earthly reason for it, and he knew well Boilvin's character and actions. Other persons of far less exceptionable character might have been found who would have answered as well if not better. Had Boilvin been a stranger it would have been different. But Mr. Lowry said that the company and Broadhead still countenanced Boilvin, and he thought it was therefore to his interest to do so. He was too short-sighted to see that there would be a blow up in the end, that rogues would quarrel. It is disagreeable to animadvert thus severely on Mr. L., but I am certain there is reason for it, and he has not gained much credit among the lookers on by his course. I have heard much said of his want of firmness. The opinion entertained by the most disinterested of the persons here this summer is better expressed in the Galena paper which I send herewith. The writer I do not know, but that he states facts I do know. I send you also a copy of a letter from Lowry to Broadhead; on this I leave you to comment. I am still friendly to Mr. L., nor has any difference occurred between us. I have occasionally spoken of some of his acts to himself in a disapproving manner, he endeavored to explain and the matter passed.

Col. Stambaugh (of St. Peters) as agent for 10 or 12 claimants has written a lengthy protest against the confirmation of the report of Cameron and Murray in the debt cases. He read it to me. It is well written and accompanied by a good deal of evidence. I regret that you could not see it, but its great length prevented me from getting a copy. Col. S. expresses much friendship for you; how true his professions are I know not, but he seems sincere. I desired him to advise you of and assist if he could in case anything was doing against you. He will be in Washington all winter and told me he would attend to your interests as far as he could.

I think it is the intention of Broadhead, Cameron, and Murray, and all that party to do all they can this winter. In expectation of this I have spoken to a friend or two here to ask the half and

qt.-breed claimants to give an expression of opinion for you. I was present when the two papers were signed. The Green Bay half-breeds signed the one in which Col. S.'s name is interlined. They wished it so. The others signed another of the same kind leaving out Stambaugh. This they did with pleasure. They spoke highly of you and with feelings of gratitude for your disinterested course; see here Stephen Mack's separate letter—he is a good man. The half-breeds are your friends and what is more no one can now change them, they are convinced by too powerful proofs. The money they received this summer in silver they looked upon as having been obtained through you and Maj. H. and they will so consider it no matter who says to the contrary, nor will they be made to say anything contrary if they only understand it.

I send two affidavits about Lockwood which show how bare-faced a liar he is—how unprincipled a villain. I think, too, that the statements in Horner's protest show that H. L. Dousman knew more about the speculations than he was willing to admit. If I understand the matter right he seems to disregard truth entirely in his publication which I send you. . . . It is time to close this long and desultory letter. I have endeavored to give you a statement of what took place as well as I could from memo's which I kept and without much regard to perspicuity; however, if you have time, it will serve to give you some idea of the matter and may be useful.

Yr. Sincerely Aff. Son,

T. P. STREET.

This closes the Simon Cameron Commission case, so far as I have documents bearing upon it. The papers mentioned by Thos. Street in his letter are not now in possession of the family. I have let the letters tell the story from the point of view of my grandfather and his friends, not so much to vindicate him in this particular proceeding—for his connection with it was but slight compared with the storm of abuse he aroused at the time—as to show the readers of American history to-day how poorly the Indians have been protected by commissioners appointed by this government.

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