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Joseph R. Brown

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Recommended Citation

H.R. Rep. No. 317, 30th Cong., 1st Sess. (1848)

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Report No. 317.

HOUSE OF REPRESENTATIVES.

JOSEPH R. BROWN.

MARCH 7, 1848.

Laid upon the table.

Mr. CROWELL, from the Committee of Claims, made the following

REPORT:

The Committee of Claims, to whom was referred the petition of Joseph R. Brown, report:

That, from the evidence submitted, the petitioner has not, in the opinion of this committee, shown himself legally entitled to relief. The following resolution is, therefore, submitted for the consideration of the House:

Resolved, That the prayer of the petitioner be not granted.

A.

UNITED STATES INDIAN DEPARTMENT,

To Joseph R. Brown, Dr.

May 20, 1845.	To	1 keg powder	\$10 00
"	"	1 pig lead	5 00
"	"	10 pounds tobacco	5 00
"	"	20 flints	0 50
"	"	1 cloth coat	12 00
"	"	1 Mackinac three point white blanket.,	7 00
"	"	1 pair grey list leggings	2 50
"	"	1 grey list breech cloth	1 50
"	"	1 do. do. stroud	7 00
"	"	Provisions furnished Indians	20 00
April 10, 1846,		Presents to relatives of prisoners that died	50 00
			<u>120 50</u>

ST. PETERS, I. T., *May 4, 1846.*

SIR: At the request of yourself and Colonel Wilson, I last spring used my endeavors to induce the Sussetons to deliver the reputed murderers to the United States authorities. In doing this, I incurred expenses, not perhaps specially authorised, which, I believe, the government should in justice assume. You well know that nothing can be done with Indians without incurring more or less expense. At a mass council of the tribe, when the prisoners were demanded, I gave them ammunition for the support of their families, while the principal men were absent to this place for the delivery of the prisoners, and I dressed the principal prisoner and his wife, as an inducement for him to submit peaceably to his delivery. During the trip down I was compelled to provision the whole party the greater portion of the time. The charge of fifty dollars for presents, this spring, is for articles given the relatives of those who died previous to their trial. I was in a manner compelled to do this, owing to the part I took in inducing their delivery, according to Indian custom, making myself thereby responsible for their return, if not proved guilty. I believed this to have been absolutely necessary to the tranquility of my trade, and, in fact, no attempt to appease them would possibly have led to the death of myself or some other American citizens. The sufferings of the tribe the last winter and present spring combined to render this, probably, more indispensably necessary than it would have been under different circumstances. Having incurred the expenses, in my opinion, in furtherance of the best interests of our government, I believe myself entitled to the amount, and I hope you will favor me by forwarding this account to the department, with such remarks relative to the propriety and necessity of the transaction, as your knowledge of the circumstances and sense of justice may dictate.

With respect, I remain, your obedient servant,

JOSEPH H. BROWN.

Col. A. J. BRUCE, *Indian Agent at St. Peters.*

B.

WAR DEPARTMENT,

Office of Indian Affairs, July 22, 1847.

SIR: I have to enclose, herewith, four papers relating to a claim of Joseph Brown for ammunition and goods given to the relations of supposed murderers, and presents to relatives of prisoners of the Susseton band of Sioux, who died after having been arrested. After a full examination of the case, I am forced to the conclusion that the department has no power to allow the claim; and even if it had the power, there is no appropriation out of which it could be paid. Mr. Brown's only recourse will be by application to Congress for remuneration.

You will be pleased to return the papers to agent Bruce, to be handed to the claimant. Very respectfully, your obedient servant,

W. MEDILL.

THOMAS H. HARDY, *St. Louis, Missouri.*

C.

ST. PETERS, (I. T.,) September 1, 1846.

SIR: In the fall of 1844, when on my way to this place for supplies from my trading post on the Coteau d'Prairie, I met Lieut. Colonel Wilson, with a detachment of troops, near Beaver river, who informed me he was on his way to the upper Susseton country in search of the Indians implicated in the murder of some whites near the "Big Woods," and requested I would delay my trip down, join the expedition, and render what assistance was in my power to effect that object. From Beaver river, I was directed to take with me Mr. George Provencalle, an Indian, who had come down with me, and two Sioux chiefs that had joined the expedition at Traverse des Sioux, and proceed, in advance of the troops, to the Susseton camp, then near the head of Rivierre aux Jacque, and endeavor to induce the chiefs and head men of the band to bring down the prisoners implicated in the outrage, and, if possible, meet the troops at my house. In conformity to these instructions, I left the detachment, and proceeded with all the expedition circumstances would admit. At Big Stone lake, the two chiefs became dissatisfied with the rapidity of our march, and I therefore left them, and continued with Mr. Provencalle and one Indian only. Near my post, I found a small portion of the band who were flying before the troops. I reassured them, and got them to await the arrival of their great father's representative. On my arrival at the main camp, I, with some difficulty and hazard, succeeded in inducing the principal men to accompany me down, taking with them those implicated in the murder who were in the camp. The *Sullen Face*, who was supposed to be the principal offender, not being in the camp, and supposed to be encamped near the Oak Grove, on the Janus river, I despatched an influential relation of his, on whom I could depend, with instructions to find and, if possible, to bring him to my house on the day appointed for the arrival of the troops there. On the 8th day from the time I left Beaver river, I reached my post, about half an hour previous to the arrival of the troops. The Indians then delivered to Col. Wilson three of the offenders, and promised, in council, to deliver over *Sullen Face* and the *Forked Horn* the ensuing spring, if not that fall. Colonel W. therefore returned to Lac Traverse, and left me behind to await the arrival of the messenger sent for *Sullen Face*. He arrived in the evening on foot, having left his horse on the prairie, worn out by over exertion. He had not succeeded in finding the camp. I recompensed him for his services, and gave also some ammunition, tobacco, &c., to the chiefs who had come down with me, for which I had Colonel Wilson's instructions. I again overtook the troops at Lac Traverse, where two other prisoners were delivered over, and the troops, with five prisoners, took up their line of march for this place. I continued to serve in the capacity of guide until their arrival at Fort Snelling; which services, together with all advances to Indians, &c., were paid, and I have no account against the government for anything connected with that expedition.

Previous to my leaving this place in November, 1844, for my post on the Coteau d'Prairie, at different times, while in conversation with yourself, Colonel Wilson, and Captain Backus, I was requested to exert my influence over the Indians, with a view to having the Sullen Face and Forked Horn peaceably given over to the government officers as early as possible, as otherwise the troops would again be ordered out in search of them; consequently, every opportunity that offered, I endeavored to impress on the minds of the head men the necessity of fulfilling their promise, laying before them peace and friendship with our government on the one hand, or inevitable war, perhaps extermination, on the other. Aware of the character of Sullen Face, his standing in his tribe, and his great influence as a prominent member of one of the strongest families among the band, I knew the chiefs would not dare deliver him over unless he was willing to go; I therefore, as soon as I ascertained his location, sent an influential and trusty Indian to remain with him, and by arguments suited to his character, prevail on him to be delivered over, and it was by those means he was prevailed upon to submit; and consequently, at a general council of the whole band, held at my house in the spring of 1845, he delivered himself over to me, stating that he was prepared to go down whenever I should go; but as he wished to be accompanied by his chiefs and friends, whose families were not supplied with provision, he requested a distribution of ammunition and tobacco among them, to enable the women and children to live while the men were absent. Success depended on my complying, and I did not hesitate to give them the articles contained in my account, noted as given to Indians. Indian custom also demanded I should dress him, as he was throwing himself away at my solicitation. I therefore gave the articles noted as given to *Itehinaza* and wife. Indians seldom are supplied with provisions for a voyage, and on the occasion referred to, I presume the whole stock of provisions they commenced the journey with would not have supported them one day; I therefore was compelled to supply them during the trip down, and the charge in my account I noted as given to Indians on their journey to St. Peters. I think the whole number of the party would amount to 80 or 100 souls. Sullen Face and Forked Horn were delivered over in May, 1845, and shortly after were sent to Dubuque for trial, where they remained until the fall of 1845, when, at the instigation and through the assistance of a mulatto, who spoke Sioux, named Robinson, they, in company with three other Sioux, absconded, and after the greatest suffering man could endure, two of the five reached their tribe. The Sullen Face and two others died of hunger and fatigue. The death of Sullen Face was, by his friends, attributed to me. By my advice he had gone below; if he had remained with his band he would not have incurred the hardships that caused his death; his wife would not have been a widow, or his children orphans! I was the cause of his death; through my instrumentality alone was he cut off in the flower of his age, and through me alone were his friends now deploing the loss of one of their bravest comrades! Such reasoning

however light and trivial it may appear in a populous *white* settlement, assumes a different aspect, and becomes strong and convincing, when uttered by a band of wild Sussetons at the door of the only white man within fifty miles of them. I found the consequences likely to prove materially injurious to my business, and my property, perhaps my life endangered. My only resource was to adopt the Indian mode of settlement. I dressed the brother, wife, and son of the Sullen Face, and gave a small quantity of ammunition and tobacco among his friends generally; this, together with the influence of my Indian friends, appeased the party aggrieved, and the hostility ceased for the time being. These articles are also included in my account. In the whole transaction, I have been wholly guided by a desire to preserve peace and good will between a numerous band of Sioux and our government. They were always friendly towards our people; the crime they committed was through a mistake, as they supposed the party to be half breeds, who had, a short time previous, killed eight Sioux near their encampment, within the Sioux territory. I firmly believe, that on the voluntary surrender of Sullen Face depended peace or war with the Sussetons, unless government, after demanding the offenders, had rested satisfied without their delivery. This was the view I took then, and I have not yet had reason to change my mind. The duty you requested me to perform has been performed to the best of my ability, and although you did not in direct terms authorize an expenditure, yet the duty itself certainly implied the necessity.

Respectfully submitted.

JOSEPH R. BROWN.

Colonel A. J. Bruce,
Indian Agent at St. Peters.

D.

TERRITORY OF WISCONSIN, } ss.
St. Croix county.

Personally appeared before me, one of the justices of the peace in and for the said county, Benjamin D. Young, who, after being duly sworn, says: I was in the employment of Joseph R. Brown at his trading post on the Coteau d'Prairie during the winter of 1844-'5, and was present in the spring of 1845, when the headmen of the Sussetons, at the solicitation of E-ta-he-azan, delivered that person over to said Joseph R. Brown, with a request that he should be taken down and turned over to the authorities for trial, as one of the principal persons engaged in an outrage on some American citizens near the "Big Woods." I am aware that Mr. Brown gave to the Sussetons at that time, ammunition, tobacco, flints, &c., the quantity not recollected. I am aware that the greater portion of the way down Mr. Brown provisioned the deputation, when on their way to the agency at St. Peters. I am aware that Mr. Brown

dressed the said prisoner, and was at other expenses for the purpose of getting said prisoners to the agency; that he took a very active part during the winter for getting the prisoners delivered over, and that the course he pursued was probably the only one that would have succeeded in getting them delivered up peaceably, and without the intervention of the United States troops, and probably without a war with the Sussetons band of Sioux. I speak the Sioux tongue and am acquainted with their manners and customs.

B. D. YOUNG.

Sworn and subscribed before me, this 7th day of September, 1846, at St. Pauls.

H. JACKSON,
Justice of the peace.

E.

FORT SNELLING, September 1, 1846.

We hereby certify, that we were on the command under Lieutenant Colonel Wilson, to the Susseton country, in the fall of 1844. Joseph R. Brown joined the command near the Beaver river, at the solicitation of Lieutenant Colonel Wilson. He was despatched to the Susseton camp in advance of the troops, and by his knowledge of the country, combined with his influence over these Indians, he succeeded in bringing the headmen of that band to his house, where he met Lieutenant Colonel Wilson, and a portion of the offenders were peaceably surrendered to that officer. Through the exertions of Mr. Brown, the object for which the troops were ordered to the Susseton country, was attained, and their march materially shortened at that season, when the inclemency of the weather and the deficiency of subsistence and forage with the command required the utmost despatch.

GEO. F. TURNER,
Surgeon U. S. Army.
J. D. CARPENTER,
Second Lieut. 1st infantry.
F. J. DENMAN,
Second Lieut. 1st infantry.