

Speech of Hon. R. McClelland, OF MICHIGAN.

In the House of Representatives, Saturday, July 1, 1848... Mr. McClelland said: Mr. Chairman: During five years of service in this House, I have never yet made a strictly party speech upon any question, and would not trespass now upon the rule I prescribed for myself, had not the character of a distinguished citizen of my own State been most violently attacked and traduced...

The most prominent charges against Gen. Cass is, that the whole of the Territory of Michigan, he drew, besides his salary as Governor, enormous amounts of extra compensation—some making it, in the aggregate, \$100,568 91; but the gentleman from Pennsylvania, with every disposition to increase it, has been obliged, by some regard for truth, to reduce it to \$60,412. I propose to examine this charge, and believe it is susceptible of the most satisfactory explanation. One great error committed by those who have endeavored to distort his matter is, in assuming that each of the three documents (No. 6, 27th Congress, 3d session, and Nos. 112 and 214, 25th Congress, 3d session) usually referred to, and which contain all the necessary information on the subject, relates to and embraces different and distinct classes of allowances; and they are figured out and additively woven together so as to make up the sum arrived at; while the slightest glance and most cursory examination will show, clearly and unequivocally, that the documents are reports from the Secretary of War, in answer to three separate calls of Congress for nearly the same information, and that they embrace, with slight variations, precisely the same allowances, except that of the amount contained in document No. 6, \$12,712 is left out of the other two documents. Thus the whole of the allowances in document No. 214, and all in document No. 6, except the sum of \$12,712, are set forth and contained in document No. 112.

General Cass was Governor of the Territory of Michigan, and ex officio superintendent of Indian affairs in and for that Territory. An ex officio superintendent of Indian Affairs, he discharged his duties within the limits established by the Territorial organization, which embraced and included only the Indians and agencies in the Territory of Michigan, and the agency at Green Bay, on the western shore of Lake Michigan. In document No. 112, the accounting officers say, "that as superintendent of Indian Affairs, General Cass was paid no salary by the Treasury Department; but an allowance of fifteen hundred dollars per annum was made to him by the Secretary of War, and paid by the Treasury Department, during his superintendency, for his expenses of office, and for his salary, equal to \$730 per year, ten dollars per diem, equal to \$270 per year, from the date of his appointment, in 1813, till the end of 1827." They then go on to show the circumstances under which these allowances were made, quoting for that purpose a letter to Congress upon the subject from Mr. Calhoun, the Secretary of War, in which, by what they were made, in which the facts and circumstances are fully set forth. It appears, from this letter, that General Cass not only performed his appropriate duties of superintendent, but, in addition, actually executed those of agent for several tribes which were without agents, both within and without his superintendency. In reference to the allowance, Mr. Calhoun states, (Doc. No. 112, page 2), that shortly after General Cass received a bill to cover the various personal expenses to which he was liable in the performance of his duty as superintendent. Without objecting to the amount which he thought necessary for the purpose, he was informed that a specific amount could not be allowed; but at the same time it was stated, that on presenting his account, what was reasonable would be allowed. The claim, from its nature, could only be adjusted on equitable principles, being impossible to state the terms of expense which situated as he was, he was exposed from his intercourse with the Indians. The duties which Governor Cass performed as superintendent being similar to those of Governor Clark, (Governor and superintendent of Indian Affairs for the Missouri Territory,) "but more extensive, and in their performance attended with greater expense, in the adjustment of his accounts reference was had to the allowance which had been made to the latter, making each additional allowance as the difference in the two cases and a regard to equity required." Among the reasons given by Mr. Calhoun for the allowance was "the expense necessarily attending the intercourse with the Indians at a point to which it is so great a resort of Indians as Detroit, and where, from the neighborhood of the adjoining province of Canada, it is necessary to extend to them greater liberality of attention than at any other place." The case had previously been submitted to the President, (Mr. Madison,) who expressed the opinion that General Cass "should be remunerated for these additional expenses." Notwithstanding all this, the gentleman from Pennsylvania intimates that these claims were allowed by Mr. Calhoun six years after he was out of office. "What means I can conceive, unless it be to charge Mr. Calhoun with a gross dereliction of duty. But the action is so clearly one of reasonableness and liberality, without taking into consideration the parity of that distinguished man's character, that it must be ascribed to the gentleman's disordered imagination, as no man in his proper senses would make so unwarrantable and dishonorable an imputation.

Mr. Bell said, by the permission of my friend from Michigan, I wish to add a word to the explanation he has already made. I speak to the terms of extra allowance made by the Secretary of War during Mr. Cass's administration, and of that share. I am authorized to say, that this item was allowed during that administration, and thus the gentleman from Pennsylvania (Mr. Stewart) is utterly mistaken in supposing that it was allowed subsequently. The allowance was to remunerate General Cass, as Superintendent of Indian Affairs, for subsistence actually furnished Indians from a distance, who visited him on official business. These demands upon him became very heavy and very frequent. It was an expense which he was under no duty to bear, and his salary was inadequate to sustain it. From the very nature of the expenditure, specific vouchers could not be aduced or obtained. This sum was allowed, because it was supposed no more than sufficient to cover the actual expenses made by General Cass in the course of his official duties. Sir, I undertake to say, it was a charge as just on the part of Gen. Cass, as its allowance was honorable and proper on the part of Mr. Calhoun. His reasons are assigned on the account, and fully vindicate the propriety of the allowance.

sanctioned by President Madison, for expenses and expenditures to which General Cass was actually subjected in the performance of his official duties as superintendent of Indian Affairs, and amounting in all to \$33,325, in any of his numerous reports, and he is said to have only run out for the whole period at \$3,330 per annum as "extra allowance for services incident to the office of Governor," but, by their peculiar facility at figures, is taken up from another document and made to amount to a much larger sum than that of the gentleman from Pennsylvania. He must be surprised, and admire their facility of invention, when he finds it surpasses his own.

The next item of allowance, as shown by the documents, is \$1,500 per annum from 1822 to July 31, 1831, inclusive, amounting to \$14,375. This is the item in regard to which the most infamous and groundless charge has been made, that Mr. Calhoun refused to allow it, and that General Cass allowed it to himself when he became Secretary of War. It has already been seen from the quotations from Mr. Calhoun's letter that General Cass actually performed, besides the duties within his territorial limits, those of agent for Indians for which no agents were provided, as well without as within the boundaries of his appropriate superintendency. He could not legally be required to attend to other duties than those strictly pertaining to his legitimate superintendency, and within its limits; but so great was his activity, efficiency, and success in the management of Indians, that under peculiar circumstances of difficulty and embarrassment in conducting our Indian relations in that quarter at that time, he was selected to take charge of numerous other tribes far beyond his superintendency, in Ohio, Illinois, and what is now Wisconsin. Many of those Indians it was difficult to manage, being disaffected towards our Government and citizens, from having been employed against us during the last war with Great Britain, and in consequence of the intrigues of the agents of the British Government, and the Hudson's Bay Company, who made them large presents annually, and taught them to look to their Government and citizens as friends and protectors, and to ours as enemies and foes, from whom they had nothing to expect but injustice and wrong. It was only by the most energetic measures and firm and determined personal conduct, that on frequent occasions they were prevented from breaking out into open hostilities, and deluging our frontier with the blood of our scattered and defenceless citizens. On one occasion the Indians abruptly withdrew from the council with threatening words and gestures, and had drawn up in battle array and hoisted the British flag in defiance, when General Cass, at the imminent peril of his life, accompanied only by an interpreter, went directly among them, tore down the flag and trampled it under his feet, and told them that no such emblem of foreign power should wave over the territory of the United States in his presence. This charge, as yet, astounded the Indians and excited their admiration for his daring and courage, as to change completely the whole tone of their feelings, and they soon submitted, and entered into friendly council and satisfactorily arranged their difficulties. This is only one of the many instances in which General Cass subjected himself to similar risks and dangers within some compact and determined limits, and with a view to the peace and well-being of our country, and the interests of our people, and his difficulties and embarrassments were greatly increased by his being compelled to take with him large amounts of money, which, on account of the bad state of the currency, he had to collect and transport to Detroit with much cost and risk. Any one who will take the trouble to consult the documents referred to, will acknowledge the almost insurmountable difficulties he had to encounter, and wonder how he ever succeeded so well in the discharge of his duties. It was customary at the time to allow two and a half per cent. on all moneys disbursed under similar circumstances; and though some \$400,000 passed through his hands, the most of which he had in his own pocket, and an expense to the Government of about two hundred miles, he never was allowed one cent for it, except in what the gentleman from Pennsylvania calls extra allowances.

Under these circumstances, he considered that some reasonable allowance should be made to him for the extra labor and heavy expenses to which, in various ways, he was subjected, and for discharging this large amount of money, much of which duties legitimately belonged to him. Accordingly, in the year 1827, he submitted an account for these extra and extraordinary services, for the seven years ending with 1828, amounting to \$14,375 58, being at the same rate as had been allowed to his predecessor (Governor Hull) for similar services. Without questioning the justice of the claim, the Secretary of War, General P. B. Porter, submitted it to the Attorney General, the upright and eminent Mr. Wirt, for his opinion, and Mr. Wirt deciding it favorably, said:

"I understand the facts stated in Governor Cass's letter of the 29th November to be admitted; and if so, I can perceive no ground on which his claim can properly be resisted. His salary as Governor is compensation for Governor, but the services for which he claims do not belong to his duty as Governor of Michigan Territory, and having been employed by Government to perform these services, he has a fair claim for them on the principles of a quantum meruit. The facts conceded, his right is undeniable."

Thereupon the Secretary of War allowed General Cass \$10,500, being at the rate of \$1,500 per annum for the period embraced in the account, and his becoming Secretary of War, and Mr. Calhoun never had the claim under consideration, (so far as I can ascertain,) and therefore could not have rejected it.

When General Cass entered upon his duties as Secretary of War, there was due to him the same allowance for the balance of his term as superintendent, namely, from 1829 to July 31st, 1831, inclusive, amounting to \$3,875. This allowance never had the honor of being mentioned in the case, as decided by Mr. Wirt, there would have been no impropriety in the accounting officer's acting on the account and paying him the amount; but governed by the most scrupulous delicacy, and the nicest sense of propriety, he endorsed upon the account the following:

"In the peculiar position in which I now stand in relation to the department, although the charge is not only unexceptionable in itself, but supported by a previous decision of the War Department, yet I am unwilling it should remain suspended and not acted upon until it can with propriety be decided."

It accordingly remained suspended until November, 1837, a year after he had left the office, and when it was taken up and allowed, as a matter of course. Another item of the tissue of misrepresentations, that in addition to the other allowances noticed, General Cass was paid \$27,087 for extra services as commissioner in negotiating treaties with various tribes of Indians, &c. This item is taken from document No. 6, and \$14,375 of the amount is a repetition of the same sum contained in document 214, being the allowance before noticed for labor and expenses in superintending Indians and making disbursements not within his superintendency granted under the opinion of Mr. Wirt. Thus, instead of being the amount falsely stated, it was only \$12,712; and even of this sum the document shows that a considerable portion was for expenses. The items have been critically analyzed and the expenses calculated by a gentleman of long experience, and perfectly conversant with such matters, who was with General Cass on many of the occasions for which the allowances were made, and who states that the actual and unavoidable expenses could not have been less than \$6,442, leaving for compensation only \$6,270—a small compensation for prolonged absences from his family, through a period of seventeen years; great exposure, risk, and danger, and a travel of over ten thousand miles, in birch-bark canoes, along the lakes and rivers, on horseback and on foot—all involving great toil and discomfort. Of all the posts of Governors or Territories, that of General Cass was, perhaps, the most important and responsible. His salary as Governor was \$2,000 per annum; whilst that allowed to the Governor of the Territory of Orleans, who had no superintendency of Indian affairs, was \$5,000 per annum; and the strong probability is, that the duties of the one as Governor were more arduous than those of the other.

To recapitulate: the allowances, as shown by a correct analysis of the documents which have been so frequently referred to, were as follows: 1. The allowance made by Mr. Calhoun, November 2, 1821, and sanctioned by President Madison, and continued to him by subsequent Secretaries of War, (from 1821 to October 9, 1831, to May 29, 1832—10 ratons per day, at 20 cents each for supporting the Indians, \$6,610; and the other being for office rent, clerk hire, fuel, stationery, &c., from October 9, 1831, to July 31, 1831, \$26,715. See Doc. No. 112, p. 2, and Doc. No. 244, p. 2.) \$33,325 00

2. The allowance made under the opinion of Mr. Wirt, by the Secretary of War, during Mr. Adams's administration, and subsequently (one for services in superintending the agencies of Piqua in Illinois, Fort Wayne in Indiana, Chicago in Illinois, and \$1,500 per annum, for the years 1822-23-24-25-26-27 and 28, \$10,500, and another, for similar services, same agencies, for 1829, 1830, and the first seven months of 1831, \$3,875, at 20 cents per day, at 10 ratons per day, at 20 cents each, for supporting the actual services and expenses, as superintendent, in travelling, attending councils, and discharging some \$400,000, for which other persons received, at the rate of \$1,500 per annum, for the years 1822-23-24-25-26-27 and 28, \$10,500, and another, for similar services, same agencies, for 1829, 1830, and the first seven months of 1831, \$3,875, at 20 cents per day, at 10 ratons per day, at 20 cents each, for supporting the actual services and expenses, as superintendent, in travelling, 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