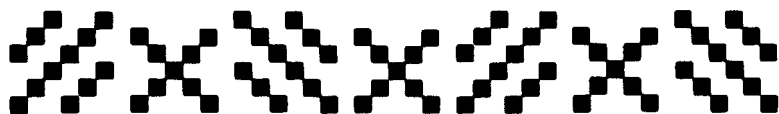


## A Delaware Indian's Reservation: Samuel Cassman vs. Goldsmith C. Gilbert

*Dolores M. Lahrman and Ross S. Johnson\**



At St. Mary's, Ohio, on October 3, 1818, commissioners of the United States, Jonathan Jennings, Lewis Cass, and Benjamin Parke, concluded a treaty with the Delaware Indians.<sup>1</sup> In that treaty the Delaware ceded to the United States all claim to their tribal lands in the newly formed state of Indiana in return for the promise of a "country to reside in, upon the west side of the Mississippi" and a guarantee of the "peaceful possession of the same." Special provisions for several members of the tribe not expected to make the trek west were made in Article 7 of the treaty:

One half section of land shall be granted to each of the following persons, namely: Isaac Wobby, Samuel Cassman, Elizabeth Petchaka, and Jacob Dick; and one quarter of a section of land shall be granted to each of the following persons, namely: Solomon Tindell and Benoni Tindell; all of whom are Delawares; which tracts of land shall be located, after the country is surveyed, at the first creek above the old fort on White river, and running up the river; and shall be held by the persons herein named, respectively, and their heirs; but shall never be conveyed or transferred without the approbation of the President of the United States.<sup>2</sup>

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<sup>1</sup> The Delaware cession, part of the federal land acquisition often referred to in Indiana as the New Purchase, included principally most of the territory east and south of the Wabash not previously relinquished by the Indians. See Logan Esarey, *A History of Indiana* (2 vols., Fort Wayne, 1924), I, 260, 272, facing 375; Baynard Rush Hall, *The New Purchase* (Princeton, 1916), iii-iv. The Delaware dwelt in the Wabash drainage area on sufferance of the Miami who extended hospitality to them and other Algonquin. See C. A. Weslager, *The Delaware Indians* (New Brunswick, N.J., 1972), 332; Bert Anson, *The Miami Indians* (Norman, Okla., 1970), 135, 147-48, 177-79.

<sup>2</sup> Charles J. Kappler, ed., *Indian Affairs: Laws and Treaties* (5 vols., Washington, 1904-1941), II, 118-19. The Cassman reserve roughly approximates the present area of Yorktown.

According to Delaware County historians, Samuel Cassman, one of those designated as recipient of a 320 acres, was a half breed.<sup>3</sup> Some family sources call him a full blooded Indian of the Delaware tribe, but the consensus is that he had some Caucasian ancestry.<sup>4</sup> Cassman family tradition indicates that about 1812 he left Montreal, Canada, with his two brothers, Jasper and Newton, who settled near Detroit, Michigan, and became prosperous farmers.<sup>5</sup> Samuel chose to live in the area which later became Delaware County, Indiana, though he may have wandered about the northeastern United States for some time before settling in Indiana.

Samuel first married a French woman whose name was Elizabeth. The marriage is thought to have taken place in Canada. Six sons were born of this union: Lathrup, Philander, Ethen, Hampton, Isaac, and Oregon. Lathrup was born in 1808, some four years before Cassman came into the United States.<sup>6</sup>

After Elizabeth's death, Cassman married again.<sup>7</sup> His second wife was called Thirza. A Delaware County document

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<sup>3</sup> See Thomas B. Helm, *History of Delaware County, Indiana* (Chicago, 1881), 266; G. W. H. Kemper, *A Twentieth Century History of Delaware County, Indiana* (Chicago, 1908), 19; Frank D. Haimbaugh, *History of Delaware County, Indiana* (2 vols., Indianapolis, 1924), I, 55.

<sup>4</sup> Cassman family data, unpublished. A compilation embracing both verifiable facts and tradition was made about 1933 by Henrietta Cassman (Mrs. Charles Stallard) of Lafayette, great granddaughter of Samuel Cassman. It was based on reports made to her by family members, reminiscences, bible entries, newspaper obituaries, and information gleaned from conversations and correspondence. A family tree was developed some years later on the basis of Mrs. Stallard's data by Richard L. Cassman of Indianapolis, a great, great, great grandson of Samuel Cassman. Copies of the Stallard compilation and of the tree are in possession of the authors, who have also questioned descendants of Samuel Cassman about family matters.

<sup>5</sup> The presence of large numbers of Delaware in Canada is well documented. See Weslager, *Delaware Indians, passim*. They settled tribally in the Thames River area, Ontario, however, not around Montreal.

<sup>6</sup> Cassman family data. Delaware County historians, Thomas B. Helm, John S. Ellis, and G. W. H. Kemper state that Cassman's first wife was a Negro woman. They give no source for their information. No mention of a Negress has been found either in documents or correspondence. The children are considered Indians (heirs to the reservation under terms of the treaty), though later in the 1840 census, as "free white persons." French Creoles were often of mixed heritage, however, and black persons were known to have lived among friendly Indian tribes and in the Moravian communities.

<sup>7</sup> In *Our County: Its History and Early Settlement by Townships* (Muncie, n.d.), 162, John S. Ellis says that Elizabeth, "died here at their home." Helm, in his *History of Delaware County*, 266, adds that she

refers to her as a "free white female."<sup>8</sup> No children are known to have been born of this marriage. In the 1840 census she is recorded as being between forty and fifty years of age, while Samuel is between fifty and sixty.<sup>9</sup> Lathrup Cassman, in a letter written in 1832, speaks of his father as an old man, though he could not have been more than fifty-two if the census data are accurate.<sup>10</sup>

No record has been discovered explaining the grant of land to Cassman. There is no indication that he was being rewarded for a service nor that he was related to an Indian chief or scout, as is the case with grants made in some other treaties, notably with the Miami. Nothing has yet come to light about his parentage. Cassman is not listed among the signatories of the treaty at St. Mary's nor in his pleas and petitions to government officials does he ever refer to having done the tribe or the United States a service.

Though Cassman may have applied for confirmation of title to his land as early as 1820, the survey stipulated by

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"bore him several children [*sic*], and while he still resided upon the land he owned, she died." In *Twentieth Century History of Delaware County*, 19, Kemper states, "after her death he married again." John Johnston refers to Elizabeth's death but gives no date. See below, p. 111.

<sup>8</sup> Certification by William Van Matre, clerk of the Delaware County circuit court, February 24, 1832, that a deed for Cassman's property "was sold and transferred by said Cassman, and Thirza his wife (a free white female) . . ." *Land Volume of Indian Deeds*, I, 212, Bureau of Indian Affairs, National Archives Record Group No. 75. Copies of over fifty pages of documents and correspondence relating to Cassman have been furnished to the authors through the cooperation of Richard S. Maxwell, Natural Resources Branch, Civil Archives Division, National Archives and Records Service. Record Group No. 75 (re Samuel Cassman) includes: *Land Volume of Indian Deeds*, I, 210-13; II, 295-97; Bureau of Indian Affairs, Land Reserve File A 33, Central Correspondence Files, 1907-39, and File No. 91441-20-310 General Services. These papers are hereafter cited as National Archives Record Group No. 75, unless otherwise noted.

There is a family joke about the tendency of some of the Cassman men to imbibe: they were descended from an Indian woman named "Thirsty" and had been so ever since. Though amusing, this is quite inaccurate. The woman's name was Thirza, not "Thirsty" (though nineteenth century pronunciation may have been closer to "Thirzie"). She probably was not an Indian but a white woman (see note above). Moreover, the son from whom the jokesters were descended was born in 1815, prior to the death of Cassman's first wife. They more likely derived their drinking prowess from Cassman than from his wife.

<sup>9</sup> U.S. Sixth Census, 1840, population schedules for Delaware County, Indiana, National Archives Microfilm Publication No. 704, Roll 78. Heads of households are identified by name in the 1840 census. Other persons in the household are listed by sex and approximate age.

<sup>10</sup> Lathrup Cassman to Lewis Cass, January 15, 1832, National Archives Record Group No. 75.

the treaty was completed only in 1822.<sup>11</sup> A patent dated September 10, 1823, granted to Samuel Cassman the north half of section twenty-two, in township twenty, of range nine, in the land district of Brookville. It differed from the usual patent by stating that in accordance with the provisions of the Treaty of St. Mary's he had "located" the land, and by repeating the treaty prohibition against transfer of the property without approval of the president.<sup>12</sup> Patents regularly stated that evidence of payment for the land had been presented. Although Cassman's tract has been called the "first purchase" in Mount Pleasant Township,<sup>13</sup> no mention of payment appears in his patent.

If Cassman selected this particular half section himself, he showed considerable perspicacity. This was rich and desirable land. It is described as having the "White river crossing the northwest part and Buck creek the center, in a northwesterly course, furnishing excellent water power for mill sites, which were in later years utilized."<sup>14</sup> Originally a heavy growth of timber covered Mount Pleasant Township creating a rich woodland of oak, walnut, poplar, ash, hickory, maple, beech, and sycamore.<sup>15</sup> It would seem that Cassman had reason to expect the possession of such land to bring him respect, comfort, and security; but it soon became a source of anguish to him, partly through his own fault, but largely because of the insatiable hunger of pioneer entrepreneurs to acquire and develop the wilderness lands.

It seems that Cassman moved onto his property in 1824 or 1825, cleared land, built, and began farming.<sup>16</sup> In 1832

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<sup>11</sup> The Delaware County Tract Book, [n.p.] (Delaware County Archives, Ball State University, Muncie, Indiana), lists a half section of land under Cassman's name with the date 1820 and a reference to the treaty, but the record is obscured by use of ditto marks and the entry is in the form of two 160 acre tracts. Microfilm copy of the United States Land Office Tract Book (Delaware County Archives), lists Cassman but records "no date" on the date line. Archival materials rescued from the old Delaware County Courthouse in 1966 by Dr. Althea Stoeckel and assistants, are housed in the Ball State University Library and regularly serviced for the public.

<sup>12</sup> Deed Record Book, CCXXI, 265 (Delaware County Archives).

<sup>13</sup> Ellis, *Our County*, 152-53.

<sup>14</sup> *Ibid.*, 162.

<sup>15</sup> Helm, *History of Delaware County*, 266. Ellis, *Our County*, 152, repeats this list of trees verbatim. Ample corroboration of the richness and desirability of the soils, minerals, water supply, topography, and flora is found in Lewis A. Hurst and E. J. Grimes, *Soil Survey of Delaware County, Indiana* (Washington, 1915).

<sup>16</sup> Andrew Kennedy to Lewis Cass, January 31, 1835, National Archives Record Group No. 75.

Lathrup reported that he had been given eighty acres on which he had built a house and made improvements before his father sold the land.<sup>17</sup> The Cassman name does not appear in the 1830 census of Delaware County, possibly because Cassman's land was still classified as a reservation (Reserve No. A 33) at that time and, being considered Indian, the family was not enrolled among citizens or taxpayers.<sup>18</sup> The 1840 census lists three separate Cassman households headed by Samuel, Lathrup, and Philander, each of whom has agriculture as his occupation.<sup>19</sup>

Cassman's ambition and industry apparently did not impress some of the white settlers. An assessment of Samuel Cassman, though published much later, is sweepingly denunciatory: "Such facts as are known of him do not honor him in his distinction as the first recorded land owner in this county. He had the Indian thirst for whisky, and had neither the thrift nor industry to develop his land and become a factor of civilization."<sup>20</sup> Examination of documents, however, seems to reveal the more complex picture of a bewildered Indian trying to cope with official red tape, unresponsive agents, and Jacksonian policies in handling Indian affairs. Cassman was hampered by his poverty, lack of education and business acumen; by the white man's prejudice, greed, and impatience to possess the land; and especially by his own frequent intemperance. Cassman obtained whiskey at stores kept by white men who then hypocritically condemned his use of it.

One such storekeeper was Goldsmith C. Gilbert, an energetic, shrewd trader born in New York of New England ancestry. He arrived in 1823 in the area which became Delaware County, and eventually established a trading post along the Mississinewa River. This post was burned out by a group of Indians "who had been excited to riotous conduct by the Gilbert brand of whiskey . . ."<sup>21</sup> Compensation for the loss

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<sup>17</sup> Lathrup Cassman to Lewis Cass, January 15, 1832.

<sup>18</sup> "Your assistants will also bear in mind to include all persons of a family (except Indians not taxed) . . . ." Instructions to Marshals-Census of 1830(a), in Carroll D. Wright and William C. Hunt, *The History and Growth of the United States Census* (Washington, 1900), 140.

<sup>19</sup> U.S. Sixth Census, 1840, population schedules for Delaware County, Indiana.

<sup>20</sup> Kemper, *Twentieth Century History of Delaware County*, 19.

<sup>21</sup> *Ibid.*, 104.

was made with money withheld from Indian annuities. This money purportedly permitted Gilbert to begin systematically buying up Indian reserve lands, starting with the tract granted to Rebecca Hackley under the treaty with the Miami at St. Mary's.<sup>22</sup>

Gilbert is generally regarded as the founder of Muncie.<sup>23</sup> The two cabins he built on the site were centers for social and governmental activity, and he engaged in a wide variety of activities necessary and beneficial to a pioneer community. He dug a race, operated saw and grist mills, a woolen factory, a dry goods store, a blacksmith shop, a distillery, and a tavern. His promise to donate land to the county was influential in getting Muncietown established as the county seat. Gilbert also served in the state legislature.<sup>24</sup>

On August 6, 1830, Cassman with Thirza's consent sold his land to Gilbert for five hundred dollars.<sup>25</sup> Dickinson Burt, deputy recorder of Delaware County, certified that the grantors acknowledged the sale to be their voluntary act and that Thirza had been interrogated separately according to law concerning her voluntary role in the transaction by which she relinquished her dower right in the property.<sup>26</sup> In spite

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<sup>22</sup> The treaty with the Miami, October 6, 1818, is found in Kappler, *Indian Affairs*, II, 119-21. Rebecca Hackley was the granddaughter of Little Turtle, the daughter of William Wells, and the widow of Captain James Hackley, United States Army. See Haimbaugh, *History of Delaware County*, I, 55-56. The deed, June 13, 1831, transferring her property, indicates some previous arrangement in 1826. Deed Record Book, I, 74. Difficulty in securing payment resulted in a judgment in her favor. Circuit Court Record Book, 1829-1842, 61 (Delaware County Archives). Deeds recording sales of the Delaware Indian reserves exist for the Cassman and the Solomon and Benoni Tindell lands. Deed Record Book, I, 25, 63. On page 32 of the same deed record is found the sale of the Isaac Wobby land by Gilbert, whose letter to Elijah Hayward, May 25, 1835, National Archives Record Group No. 75, claims purchases including the Jacob Dick land from Thomas Dick.

<sup>23</sup> Muncie, Indiana, derives its name from the Delaware Indians (Muncees), who had settled along White River. The name had various forms: Muncey, Muncy, Munsey, Muncie. Surveyors (1821-1822) indicated on the original plat an Indian settlement in the area as Munsee T. See Haimbaugh, *History of Delaware County*, I, 87-88. By the time the county was established in 1827, the form "Muncietown" was commonly used. Later, the name was changed to Muncie. See "An Act to change the name of Muncietown," Indiana, *Local Laws* (1844-45), 247.

<sup>24</sup> At the close of the 1843-1844 session, Gilbert became ill. He died in Pendleton, January, 1844, and was buried in Muncie. For brief biographical data and a portrait of Gilbert see Helm, *History of Delaware County*, facing 130.

<sup>25</sup> Deed Record Book, I, 25. The transaction also appears in the *Land Volume of Indian Deeds*, I, 210-11. Since much land in Delaware County was being sold at the government land office for \$1.25 an acre at the time, the price of \$500 for Cassman's three hundred twenty acres does not seem unreasonable.

<sup>26</sup> Deed Record Book, I, 25; *Land Volume of Indian Deeds*, I, 211-12.

of the resounding terminology of the documents emphasizing the completeness and irrevocability of the transfer, the sale still required the approval of the president for legality.

Concern felt by the Cassman heirs, none of whom had signed the deed, began to surface.<sup>27</sup> Gilbert had paid only a part of the purchase price in chattels and had mortgaged the property for three hundred dollars to be paid to Cassman within eighteen months.<sup>28</sup> In the fall of 1831 Lathrup Cassman wrote to John Johnston, who had been Indian agent at Fort Wayne and later at Piqua, Ohio, the following letter asking for advice and assistance.

Muncy Town Oct. 23rd 1831

Mr John Jonson Sir Being informed that my Father has Contracted the Land away that Goverment Donated to my Father and his Heirs and it is Contrary to there will that it Should be Disposed of as ther is Diferant Heirs that will be likely to Sufer if it is Put out of there hands and as I am not a quainted with the Propper Agent that acts at this time I wish you to forweed this letter to him, and it is my wish as one of the Heirs that you will not Rattify the Sale of the Land to Goldsmith C. Gilbert from my Father and I and all the Rest of the Heirs are intirly unwilling to Sign our Wright [over?] and we now luck [look] to the Agent to Se us Rited you [know] the Citizans of Delaware County would be very glad to git the Property out of our hands if they Could and they will be very apt to Do it if the Agent Dos not Protect it for us you Mr Jonson will Due me a grate Kindness to con duct this letter to the Agent Acting in your Place as Soon as Posible and then Send me a letter on the Subject as Soon as Posible I will in form the Agent that there is one of the Heirs that is a criple and will be likly to Suffer if the Land is Sold from Her

Lathrup Cassman<sup>29</sup>

to John Jonson  
and & Agent

<sup>27</sup> Some satisfaction by the heirs seems to have been important to the transaction. See below, Lathrup Cassman to Elbert Herring, April 24, 1833, p. 115. Just exactly what legal claim Cassman's heirs had in the case, however, is not clear. The treaty specified that the land could pass only to the heirs without presidential approval, but did not state what claim the heirs actually had. The Delaware County records seem to indicate that each case was handled separately on its own merits.

<sup>28</sup> Deed Record Book, I, 182. There are references in correspondence to items in kind received by Cassman from Gilbert. See below, pp. 117, 119.

<sup>29</sup> Lathrup Cassman to John Johnston, October 23, 1831, National Archives Record Group No. 75. The crippled girl has not been identified. Lathrup Cassman in a letter to Lewis Cass, January 15, 1832, below, p. 112, says that she is about twenty years old and has never walked. A Janet Cosman is listed as owner of eighty acres in a compilation from a scarcely legible Federal Land Sales, state of Indiana record on microfilm, Ball State University Library. Her land is located within Cassman's half section. Her residence is given as "same as



LEFT TO RIGHT: SEYMOUR LIPPERANT; HIS WIFE, ELIZABETH O'HALLORAN LIPPRANT; FRANCES CASSMAN O'HALLORAN, ELIZABETH'S MOTHER; CECILIA LIPPRANT. THE THREE FEMALES REPRESENT THE 2ND, 3RD, AND 4TH GENERATIONS OF SAMUEL CASSMAN

Courtesy Dennis Head

Johnston took the trouble to add a note to this letter before sending it to the War Department. He showed a fatherly concern for the family's problems, but he had recently been a victim of President Andrew Jackson's spoils system and no longer had authority to do more than make recommendations. After a summary reference to the treaty provisions concerning Cassman's grant, Johnston continued:

During my Agency application was several times made to me to procure the Presidents consent, which I always declined on account of Cassman's intemperate habits and inability to manage money or prop-

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Samuel Cosman" who in turn is listed as having his residence "located under 7th art. of Treaty with Delawares." October 3 [or 13], 1818, has been uncritically entered in the "date of sale" column in both cases. In this and subsequent documents the editor has made an attempt to reproduce the text as closely as possible to the original. Complete consistency of interpretation in spelling, capitalization, punctuation, and spacing, however, has not always been possible. The editor has been as consistent within each document as it allows. Due to the frequency of run on sentences and the absence of punctuation, liberties have been taken with spacing and use of dashes to indicate what seems to be the end of a sentence. Needless repetition of words or authorial flourishes have been deleted. Brackets have been used around words and letters where such are absent from the text but are needed for clarity. Words or letters bracketed with a question mark indicate that they were unclear in the text.



erty, and from a desire to have the Land devolve to his children. I have little doubt the Sale alluded to within is a fraudulent one in all its material features, and should not be approved by the Executive. Cassman's [first] wife is dead, and has several children born in lawful wedlock. Some of them must be now of lawful age.<sup>30</sup>

This letter with these remarks are submitted respectfully to the War Dept. and not sent to my successor, he being unacquainted with this business

John Johnston

Upper Piqua

late Indian Agent

Novr. 24. 1831.

in Ohio & Indiana

I am under the impression that Gilbert kept a whiskey establishment on the frontier and sold Liquor to the Indians. Cassmans family has long resided on the Land and still reside on it, and have made considerable improvements. J. J.<sup>31</sup>

Early in the following year Lathrup Cassman wrote to Lewis Cass, secretary of war, at the suggestion of John Johnston, as he said:

Muncy town January 15th 1832

(Dear Sir)

You having the management of Public affairs I wish to inform you of my Situation my Father being one of the York Indians<sup>32</sup> and having had one half Section of Land Donated to him and his Heirs by Government at the Treaty at St Marys My Father gave me Eighty Acres of the land to Settle on and i had Built a House and made Some other Impruvement on the land and then my Father Sold the lot I had Settle on to Samuel Mc Clure<sup>33</sup> and Goverment Failed to make him a rite and Sence that time my Father has sold the other Three Eighty acres lots ot [to] Goldsmith C Gilbert and I understand that he has sent on to Goverment for a Deed and I wish to inform you that the Heirs are all

<sup>30</sup> By 1830 Cassman had remarried. Johnston would not likely have been regularly briefed in Piqua concerning his former charges.

<sup>31</sup> Johnston's note and its postscript were written on the reverse of Lathrup Cassman's letter to him, cited above, p. 109.

<sup>32</sup> No identification of "York Indians" has been made, though numerous reference works have been consulted. The authors are grateful to Richard S. Maxwell, National Archives and Records Service, Laurent Châteauneuf, Indian and Northern Affairs, Ottawa, and C. MacKinnon, Public Archives of Canada, for assisting in the search, though fruitless, through sources available to them. There is another reference to "York Indians" in a statement by John Tipton concerning Solomon Tindell's property that he was not the agent for "the Delaware or York Indians." Deed Record Book, I, 64.

<sup>33</sup> McClure has not been identified. Possibly he was the same Samuel McClure forbidden to provide whiskey to Indians on August 4, and September 29, 1827. See Nellie Armstrong Robertson and Dorothy Riker, eds., *The John Tipton Papers* (3 vols., *Indiana Historical Collections*, Vol. XXIV-XXVI, Indianapolis, 1942), I, 757, 793-94. Several other references to a McClure are found in the Tipton papers but no mention of Cassman in relation to them.

intirely unwilling to Sell for this Reson the Heirs are all farmers and wish to make there liven in that way Except one girl that is a Criples She is about Tweely [twenty] Years Old and has Never walke[d] a Step in her life and must Suffer if the Land is Sold from us there fore we luck [look] to you for Protection we Wrote to John Jonson on the Subject and he Instructed me to write to you I do not wish to defraud Gilbert the Contract betwene my father and Gilbert is as folows to wit one Wageon and Three Yoake of Oxen at two Hundred Dallars the Property was at a very high Price and the Balance to be Paid in Eighteen Months and is Not Due<sup>34</sup> We Dont wish to take any advantedge of Gilbert he cen have the Property at any time that my Father got of him my Father is giting old and is not Capable of making Contracts for him Self in conciquence of his being Subject to Intoccication<sup>35</sup> not Such as would be for the benifit of his Heirs as he has sold lots the Land and we are Destitute of home and we wish Instructions from you to now [know] if we would be Safe in going on the land or not or any other Precedings that would be nesenary on our Part as the Nabors I think are [will?] that we Should hold our Land (You will Pleas to write an answer to my Request as soon as Posible as we are Destitde of a home)

I am with Respects your  
Humble Servent  
Lathrup Cassman<sup>36</sup>

Gov Cass

<sup>34</sup> Gilbert's note was nearly due, since it was given August 7, 1830. Deed Record Book, I, 182. Though the witnesses to Cassman's deed had on the previous day signed the statement that Samuel and Thirza had "five hundred dollars to them in hand" from Gilbert, this seems to have been only in the form of the barter Lathrup mentions and a promissory note.

<sup>35</sup> Though Cassman's habitual intoxication is well attested, there is little evidence that he became unruly, so as to get into trouble with the law, unless perhaps the sale of land to McClure or later references to a judgment in McClure's favor represent satisfaction for damages rather than payment for goods. Lathrup Cassman himself was indicted for disturbing a religious worship, motion not sustained. Circuit Court Record Book, 1832-1834, September term, 1832. Lathrup and Ethen Cassman with three other persons were fined one dollar each for an "affray committed" on December 9, 1837. "A list of Fines by William Jones," covering criminal cases, April 30, 1838 (Delaware County Archives). Surprisingly Samuel Cassman's name is affixed to a testimonial of "good moral character" in favor of a tavern keeper, along with the signatures of William Van Matre and a dozen other subscribers. Petition to the board of justices of Delaware County, March 2, 1830, Delaware County Archives.

<sup>36</sup> Lathrup Cassman to Lewis Cass, January 15, 1832. The Cassmans still addressed Cass as "Governor." He had been governor of Michigan Territory from 1813 to 1831 before becoming secretary of war. See Louis Martin Sears, "Cass, Lewis," *Dictionary of American Biography* (22 vols., New York, 1928-1958), III, 562-64; Robert Sobel, ed., "Cass, Lewis," *Biographical Directory of the United States Executive Branch, 1774-1971* (Westport, Conn., 1971), 48-49. Cass seems to have referred the letter to Elbert Herring, commissioner of Indian Affairs, since Lathrup Cassman later, in writing to Herring, April 24, 1833, refers to a reply from Herring of February 11, 1832, to his letter of January 15. See below, p. 115.

While the Cassmans were seeking assistance in their dilemma, Gilbert was trying to bring the transaction to a legal conclusion. Documents were forwarded to Washington in an effort to establish the regularity of the proceedings. A certification by William Van Matre, clerk of the Delaware County circuit court who had been recorder at the time of the sale, was added to a copy of the deed. Van Matre testified to the terms of the transfer and stated that he was "well acquainted" with Cassman and his wife and knew "that they rank in point of intelligence [*sic*] and education with the mediocrity (at least) of our society (in general)" and that Cassman was "received in our Courts on equal privileges with all others *accept* in giving testimony against white persons."<sup>37</sup>

At this point in the controversy evidence reveals the involvement of John Tipton. A major general in the Indiana militia before becoming Indian agent, Tipton served in that post from 1823 to 1831. Described by a biographer as a "typical frontier politician, a hard-drinking, hard-hitting Indian fighter and an adroit land speculator,"<sup>38</sup> Tipton was currently United States senator for Indiana.

In a letter to Tipton, February 29, 1832, Dickinson Burt recalled their meeting at Gilbert's establishment on Tipton's return from the Jackson inaugural, and begged to explain the role Burt played in the Cassman land transaction. Secretary Cass may have asked Tipton to inquire into the circumstances surrounding the sale which had taken place while Tipton was in charge of Indian affairs in Indiana. In any case Cass had received Lathrup Cassman's letter by February 4, 1832, as shown by the War Department's received date written on the reverse, and about two months earlier he had heard from John Johnston. Burt's letter justified his acknowledgment of the deed as deputy recorder in the absence of the recorder as provided by law. The need to expound this small point of Indiana law to Senator Tipton seems questionable unless Burt had been grilled concerning the dissatisfaction of the Cassman heirs. Burt attested that Cassman, his wife, and the two oldest heirs were well pleased

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<sup>37</sup> Deed certification by William Van Matre, February 24, 1832, *Land Volume of Indian Deeds*, I, 212. Dickinson Burt, Van Matre's deputy, had actually recorded the Cassman sale, as stated in the letter cited below, p. 114.

<sup>38</sup> Glen A. Blackburn, "Tipton, John," *Dictionary of American Biography*, XVIII, 564.

with the bargain at the time of the sale and proceeded to choose animals and equipment from Gilbert's stock. He concluded with a thrust at some unidentified interference from "some persons in this place," to which he attributed the trouble regarding the land.<sup>39</sup>

On April 2, 1832, Tipton transmitted the Cassman deed to Elijah Hayward, commissioner of the General Land Office, for approval by the president,<sup>40</sup> and on the same day declared:

I was personally acquainted with Samuel Cassman and consider him capable as men generally are to preserve property, the price paid for the within mentioned land is a fair consideration for it, and I respectfully recommend its approval 2nd April 1832

John Tipton<sup>41</sup>

This endorsement by Tipton of the Cassman sale is particularly interesting since he had earlier declined to support a similar sale declaring he was not the agent for the Delaware or York Indians.<sup>42</sup>

Nearly eleven months passed before further action toward finalizing the transfer was recorded. Then Elijah Hayward addressed President Jackson a letter which briefly reviewed the facts of the treaty reservation and the sale of Cassman's land for five hundred dollars acknowledged in the proper form. Since Tipton had certified the fairness of the price and Cassman's competency, Hayward recommended approval.<sup>43</sup>

In the first *Land Volume of Indian Deeds*, just below Tipton's endorsement, is a two line entry:

Approved this 27th of February 1833

Andrew Jackson<sup>44</sup>

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<sup>39</sup> Dickinson Burt to John Tipton, February 29, 1832, *John Tipton Papers*, II, 536-37. A note below this letter mentions another, no longer legible, to Tipton from Gilbert, March 1, 1832, concerning the sale.

<sup>40</sup> John Tipton to Elijah Hayward, April 2, 1832, National Archives Record Group No. 75.

<sup>41</sup> *Land Volume of Indian Deeds*, I, 213.

<sup>42</sup> This statement was in relation to the sale of Solomon Tindell's reserve to Gilbert in 1829. Later, learning that Tindell had left for Green Bay, Tipton reversed his decision and in "justice to Mr. Gilbert" certified that Tindell had been satisfied with the price paid. Deed Record Book, I, 63-64.

<sup>43</sup> Elijah Hayward to Andrew Jackson, February 26, 1833, National Archives Record Group No. 75.

<sup>44</sup> *Land Volume of Indian Deeds*, I, 213.

One might suppose that the president's approval wrote *finis* to the Cassman land story, but not so. About two months later Lathrup Cassman, having heard indirectly that the land had been transferred, sought advice from the commissioner in the Indian Office:

Munceytown April 24th 1833

The Hon Elbert Hering  
Sir

In your letter to me of the 11th Feby 1832 in answer to mine of the 15th Jany upon the subject of the half section of land granted my father and his heirs by the treaty of St Maries you say that land by the peourpious [purpose] of the treaty was never to be conveyed without the consent of the president and that that consent will not be given without the heirs will join in the transfer Mr Gilbert I understand a few days ago stated he had a letter from the department inclosed him by Tipton that the transfer to him was approved by the president now the object of this communication is to know if this statement be true and to know wheather the department has any new evidence to in duce a change and to know what further is necessary to be done by the heirs to prevent the rattification of the transfer if is not done an answer is respectfully requested

I am very respectfully  
your obt servt  
Lathrup Cassman<sup>45</sup>

Since apparently his son did not receive a reply to this letter, Samuel Cassman himself, in his tortuous hand and phonetic spelling, addressed a pathetic plea to Secretary Cass:

1833

October 3th Delaware County State of indiana at Munce town  
Dear Honorable sur governnor Cass at Conggrass i take thes opertunyte to inform you of my sitaumatoin i hope these fu lines well find you in good helth i am sic and in destress and now ho shall i cry to you i beg of Mr jonson to intersede for me and with the consent of the com-misners of the united staes got me a pese of land on whaite river and you was one you made thes reseve it was not to be dis poset of no way with out the aprebatoin of the presedent of the Unite Staes thes tock all my right of dessposeing of the land in any way to an at vantage you cept [kept] the hol power in your own hands for what so that soch yankkey as Mr gilbert need not take the at vantage of weakness of poore he has not only yanked me but the hole united stetes he give Mr tipton the rite to helpe him Blind the hol Congress i never sent to the presed praying for his apprabation to sel god help the presedent to consider the poor and needy and the hole Congress Consider gilbert has worke aginst me in Congress with out my nowing he has take en the at vantage of me and the Conggess has let him & had i none it

<sup>45</sup> Lathrup Cassman to Elbert Herring, April 24, 1833, National Archives Record Group No. 75.

i could of aske some gentleman to of interseded for me as Mr gilbe[rt]  
 ded if I had not so much monney as Mr. gilbert the jenerl<sup>46</sup> and gilbert  
 both have got welththy of the indaans Mr. gilbert took the at vanteg  
 of me when i was sick of fever I was not at myself he charge me  
 dubble press for the propety and what he ded let me have he took back  
 o marcy marcy where shall I go for help I rote to jenrel when he set  
 as agent<sup>47</sup> my son rote to the secatary at Conggress and no help is  
 found here I am sufring noble governner you fare supttuously avry day  
 like the rich man<sup>48</sup> here i am on bred and water I cry unto you for  
 assistance how shall I persue for jistes is there aney way pese to tell  
 me the jenrel never new me nor the land he never was to look over  
 the land to give a correct valley [value] of the land how he has rong  
 poor creyter as well as me thare is the propety of the wedow hackley<sup>49</sup>  
 now worth 01 000 dollors and got for [9?] hun[red?] and stell thay ar  
 both<sup>50</sup> embetterd enemas to the indaans the indevedauals that he has  
 cheat be Soloman tendel dick<sup>51</sup> thes gilbert Well the governver Cass  
 job ess to send to the agent at logansport not to give up that deede till  
 i am presant satisspide plase drect a leter to muncy town

Samuel Cassman<sup>52</sup>

There is in this letter a direct contradiction of Tipton's statement that he was personally acquainted with Cassman. It seems unlikely that Cassman would have been unaware of having known and been known by the Indian agent. Personal acquaintance is a two way street. Cassman, in his naïveté, seems not to have realized that President Jackson, for whom he begged God's help to consider the plight of the poor, was politically committed to effecting the removal of Indians from the lands east of the Mississippi and had at his beck a number of like minded men.

Possibly, Cassman's letter in his own behalf helped to slow down the legal processes, since about sixteen months later a long explanatory plea on behalf of the Cassman heirs appeared in the form of a letter addressed to Secretary Cass

<sup>46</sup> "jenerl" and "jenrel" in context, seem to refer to Tipton.

<sup>47</sup> No letter from Samuel Cassman to John Tipton has been found among the published Tipton papers, nor in the correspondence re Samuel Cassman furnished to the authors from the National Archives.

<sup>48</sup> The reference seems to be to the parable of the rich man and the poor man named Lazarus, Luke 16: 19-21. This and the preceding reference to God ("god help the presedent") suggest that Cassman had some acquaintance with Christian teaching. His expressions occasionally take on a psalmodic quality.

<sup>49</sup> Rebecca Hackley.

<sup>50</sup> Probably Tipton and Gilbert.

<sup>51</sup> Solomon Tindell and Jacob Dick, Delaware who received land grants by the treaty of St. Mary's along with Cassman, October 3, 1818.

<sup>52</sup> Samuel Cassman to Lewis Cass, October 3, 1833, National Archives Record Group No. 75.

by a young lawyer, Andrew Kennedy, concerning the contest for Cassman's land. He stated that the heirs were six in number, three of age and three minors. "Those kind of contests," he said, "are attended with much trouble, and often I fear, with much injustice to the heirs of those men to who the aborigenese of our country have saw fit to make donations." He told Cass that he was omitting the terms of the treaty since the secretary was perfectly acquainted with the matter. Cassman, he said, took possession of his land in 1824 or 1825 and remained in quiet possession of it until 1829 when one Samuel McClure, having some claim against Cassman agreed to settle it in consideration of an eighty acre lot of Cassman's land. Though no deed to McClure has been discovered, Kennedy stated that a deed was executed and that McClure tried to obtain a patent for the land, but failed. McClure then relinquished the land and took Cassman's note for the amount owed, with Goldsmith C. Gilbert offering security.

Kennedy thought that Gilbert bought the remaining two hundred forty acres of Cassman's land in the meantime, though no evidence of such a transaction has been found. He also stated that Gilbert agreed to pay Cassman six hundred dollars for the property, half the amount in chattels, namely: three yoke of oxen, three log chains, and a wagon; and the remainder in the form of a promissory note.<sup>53</sup> He continued with an accusation suggesting doubledealing on the part of Gilbert when Cassman offered for sale the oxen, chains, and wagon which had been delivered to him and executed as his property. Before the day of the sale, Kennedy said, Gilbert, fearing he would not get a patent for the land, disavowed the contract and reclaimed the farm equipment which he eventually used to pay his own debts. Besides that, Gilbert also advertised and forewarned the public that he would not pay the amount of his note to Cassman. That note, Kennedy said,

is now in the hands one of the heirs, unpaid!! Gilbert has paid the note to McClure on which he was security amounti[n]g to 125\$ he has

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<sup>53</sup> Kennedy's letter is the only source which quotes this higher price. It may be that he simply misstated the facts in his enthusiasm to espouse the Cassman cause. Kennedy served in the state legislature and in Congress. See *Biographical Directory of the American Congress, 1774-1971* (Washington, 1971), 1223; Helm, *History of Delaware County*, 219.

likewise let Cassman have one Milch Cow worth 10\$ one [hog?] worth 6\$ which from what I can learn amounts to the sum *total* of all he has paid, for the whole  $\frac{1}{2}$  section which he now claims!! the Land is worth at *least* 2000\$. It is said that Gilbert says! that he has paid the amount that he agreed, to wit 600\$ G[ilbert] charging Cassman some 4 or 5 Dollars per day for his team of oxen!! at the time they were in his possession, before he (Gilbert) [probed?] them away!! *A shame!* That this is the true citation of the matter there can be abundant *proof* adduced! Lathrup & Ethen, Cassman sons & heirs, of the old man have been & still are in the possession of the Land; Gilbert however, tells them that Government has made him a pattent for the whole amount of the land . . . .

Kennedy pointed out that the Cassman heirs were anxious to know whether they were to be deprived of the right to be heard in the matter by government officials, "unaided as they are by great men to advance their interests." He further stated that they had reason to believe they had been wronged by the representations of General John Tipton, but that the government would do them justice if the facts were made clear. Kennedy signed the letter "on behalf of Cassmans heirs."<sup>54</sup>

Kennedy's letter may represent some of the interference Dickinson Burt hinted at in his letter to Tipton and to which Gilbert alluded in his complaint of the delay in processing the land transfer:

Muncietown Delaware county Indiana  
May 25th 1835

Honl. Elijah Hayward  
Sir—

Having some years back made purchases of some Indian Reservations in this neighborhood and having as far as I am acquainted made every necessary statement to the proper departments requisite to the approval of my titles I have thus taken the liberty of requesting you to inform me if you know why my papers have not been forwarded, I had understood from Genl. Tipton more than a year past that the Presedent had approved of them, but if he has they have not come to hand—One of my purchases that is from Samuel Cassman, I have understood some persons unfriendly to me, have interfered in and no doubt have made misrepresentments of the purchase—

I am fully prepared to make satisfactory proof of the fairness of the purchase and payment, if that should be any obstacle with the Department . . . My claims are for one Section purchased from Rebeca Hackley, one half section from Isaac Wabby one half section from Thomas Dick,  $\frac{1}{2}$  Section from the Tindals &  $\frac{1}{2}$  Section from Samuel Cassman, as this

<sup>54</sup> Andrew Kennedy to Lewis Cass, January 31, 1835, National Archives Record Group No. 75.



last is the only purchase that I know of any interference in—I request you to retain my papers if in your possession until I can be fairly heard [in?] the question—You will confer a peculiar favour on me by answering me on this subject as soon as convenient—

Yours respectfully

Goldsmith C. Gilbert<sup>55</sup>

Noteworthy is Gilbert's confidence that he could prove, against Cassman's denials and with the mortgage by now long overdue, that he had paid enough for the land. Since, according to Andrew Kennedy, Gilbert had charged Cassman a specious per diem "rental" for the oxen which he later reclaimed, he may now have calculated, given the lapse of time, that the family actually owed him "rent" for the land on which they were still living. Though Gilbert's letter was answered on July 3, as noted on its reverse, the case was not yet settled. Tipton, writing to Cass in the following spring in reference to a trip made by Colonel Abel C. Pepper to look into some agency business, commented:

The case of Gilbert and Cassman was of long standing, involves property *now* of considerable value. the parties are pressing for a decision. the duties assigned Col Pepper were necessary and proper and might be performed at such place as Col P deemed most convenient to all parties, and I hope that no objection will be set up to his claim when all the facts are understood.

Yr obt Servt

John Tipton<sup>56</sup>

Whatever the duties and place referred to, Pepper was able to report success to Commissioner Ethan A. Brown, General Land Office, with regard to the Cassman-Gilbert controversy. When it is recalled that Pepper superintended the harsh removal of Potawatomi (and other Indians from Indiana as well as tribes from Illinois, Michigan, and Wisconsin) during his tenure as assistant and then full Indian agent from 1829 to 1839, his mediation resulting in a substantial payment to Cassman seems the more surprising.<sup>57</sup> When forwarding papers finalizing the Cassman-Gilbert nego-

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<sup>55</sup> Goldsmith C. Gilbert to Elijah Hayward, May 25, 1835, National Archives Record Group No. 75.

<sup>56</sup> John Tipton to Lewis Cass, April 17, 1836, *John Tipton Papers*, III, 261.

<sup>57</sup> For references to Pepper's role in Indian removal see Irving McKee, *The Trail of Death, Letters of Benjamin Marie Petit* (Indiana Historical Society Publications, Vol. XIV, No. 1; Indianapolis, 1941), 18-25.

tiations, Pepper included a covering letter in which he expressed his feeling that the compromise agreed upon had done "ample justice to Cassman."<sup>58</sup>

In one of the forwarded documents Cassman acknowledged receipt of

an additional consideration of the Sum of twelve hundred dollars from Goldsmith C Gilbert, for the Reserve half section . . . containing 320 acres, In consideration whereof I do hereby with-draw all manner of contest and claim whatever to said land and authorize and request the commissioner of the land office to deliver over to said Gilbert said deed with the approval and ratification of the Presedent of the United States. Witness my hand and seal. this 27. July 1836

Witness Present

Samuel Cassman Seal

O H Smith<sup>59</sup>

Wm Saxon

This surprisingly large sum seems to represent recognition of the increased value of the land during the years intervening since Cassman's negotiations with Gilbert in 1830. Kennedy was of the opinion that the land in 1835 was worth at least two thousand dollars.<sup>60</sup> To assure the heirs' satisfaction with the arrangements, Cassman's receipt also contained the following appended declaration:

We the undersigned heirs at law of the above named Samuel Cassman do certify that we were present at the receipt by said Cassman of the said twelve hundred dollars and that we join him in the request that said deed may be given over to said Gilbert. discharged of all claim whatever of [said] Cassman and his heirs. Witness our hands & Seals

Witness

Lathrup Cassman Seal

O H Smith

Ethen

his

x

Cassman

Seal

Wm Saxon

mark

his

Philander

x

Cassman

Seal

mark

<sup>58</sup> Abel C. Pepper to Ethan A. Brown, August 8, 1836, National Archives Record Group No. 75.

<sup>59</sup> Enclosures received with letter, Abel C. Pepper to Ethan Brown, August 8, 1836. Oliver Hampton Smith, a lawyer, served in the United States Congress as representative, 1827-1829, and as senator, 1837-1843. See Newton D. Mereness, "Smith, Oliver Hampton," *Dictionary of American Biography*, XVII, 330-31. Smith purchased the "Cassman Reserve" from Gilbert, October 29, 1836, for \$1500. Deed Record Book, II, 167. He laid out the village of Yorktown in the northwest quarter of section 22. Plat date, November 5, 1836. Deed Record Book, II 351. The Cassmans seem to have felt some gratitude to him. A son born to Philander Cassman in 1840 or 1841 was named Oliver H. Smith may have allowed the family to live on the land for a time after the sale.

<sup>60</sup> Andrew Kennedy to Lewis Cass, January 31, 1835.

At this time Cassman also obtained a settlement for the outstanding promissory note for three hundred dollars, signed by Gilbert as part of the original land sale negotiations of August, 1830. The note would have come due eighteen months thereafter. No interest charge nor overdue penalty had been specified in the note, so that payment of the principal alone was now certified by Cassman. Only one sum was acknowledged, though both a mortgage and a note are mentioned:

I have recd from Goldsmith C Gilbert a full and entire satisfaction for the amount specified in a mortgage executed by him to me on the North half of section No 22. in Township No 20. N of Range 9. East. and also the full amount of a note I hold against said Gilbert for the sum of three hundred dollars, which note is now in the hands of the Indian Agent Abel C Pepper Esq.      Witness my hand & Seal    27 July 1836.

Witness present

O H Smith

Samuel      Cassman

Seal<sup>61</sup>

The document contained no reference whatever to farm animals and equipment Cassman and Gilbert had originally agreed upon as part of the settlement, most of which, Kennedy said, Gilbert had subsequently reclaimed. In his final statement Pepper declared that "the enclosed compromise having taken place between Goldsmith C. Gilbert and Samuel Cassman it is presumed that there will be no more required by the department. Mr Gilbert will therefore await the receipt of the deed."<sup>62</sup>

One might be inclined to marvel here at the nobility of the officials who saw to it that the poor Indian received his due, but had Cassman not been so persistent he would have lost all to the white man's ambition. In writing to Cass, Cassman showed some familiarity with the parable of the rich man "faring sumptuously." Perhaps he had also heard the one about the impoverished widow who kept pleading with the judge until he did her justice, not because he was a godly man, but because of her importunity.<sup>63</sup>

Several property transactions recorded between 1837 and 1840 suggest that Cassman may have shared the twelve hun-

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<sup>61</sup> Enclosures received with letter, Abel C. Pepper to Ethan Brown, August 8, 1836. Thirza, though living at the time, does not figure in this transaction. Her name appears in a later land sale, January 1, 1838. Deed Record Book, III, 20.

<sup>62</sup> Enclosures received with letter, Abel C. Pepper to Ethan Brown, August 8, 1836.

<sup>63</sup> Luke 18: 1-8.

dred dollars with his sons.<sup>64</sup> In 1840 the Cassmans were still living in Delaware County in three separate households. Lathrup later departed for Iowa, where, as an old man in 1889, he wrote to the "War Department" asking for a copy of his father's grant.<sup>65</sup> In 1843 Philander moved his family by covered wagon to Tippecanoe County and established a home directly north of Lafayette and west of the Indiana State Soldiers' Home site where the Soldiers' cemetery is now located.<sup>66</sup>

As for Samuel Cassman, after Thirza's death in probably the early 1840s, he is said to have spent some time at the Mississinewa Reservation near Peru, Indiana.<sup>67</sup> According

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<sup>64</sup> The following transactions appear in the Delaware County Archives deed records. On January 27, 1837, Christopher Wilson sold to Samuel Cassman for \$300, eighty acres in section 34. Deed Record Book, II, 590. On January 1, 1838, Samuel and Thirza Cassman sold to Stephen Ellis the same tract for \$300. Deed Record Book, III, 20. On June 19, 1837, O. H. Smith sold to Hampton Cassman for \$50 lots 139 and 140 in Yorktown, and on September 7, 1837, Hampton Cassman sold the same lots to Stephen Grimes for \$55. Release of all right and claim was signed by Samuel Cassman. Deed Record Book, II, 432, 489. On August 1, 1838, O. H. Smith sold to Hampton Cassman for \$50 lots 149 and 150 in Yorktown, which lots the latter sold to John F. Longley, October 4, 1839, for \$75. Deed Record Book, III, 286; IV, 415. On October 16, 1840, Philander and Katharin (Catherine) Cassman of Delaware County sold to Andrew Schoot of Tippecanoe County for \$150 forty acres in section 34. Deed Record Book, VI, 15.

<sup>65</sup> Lathrup Cassman to the War Department, n.d., National Archives Record Group No. 75. This letter was sent from Sioux City, received by the Office of the Secretary of War, November 9, 1889, and referred to the commissioner of Indian Affairs two days later. It was a simple, rambling, repetitious request for a copy of the terms of the New Purchase treaty and was answered on December 2, 1889. Lathrup Cassman died at Leeds, Iowa, in 1892, at about 84 years of age. He had married twice and had ten children, three of whom died young. Cassman family data, unpublished.

<sup>66</sup> Lathrup and Philander married sisters, Ella and Catherine (Katie) Patterson, of St. Mary's, Ohio. Philander and Katie had five children. Philander helped build the first wooden bridge across the Wabash at Brown Street in Lafayette. He died in 1851, two days before his thirty-sixth birthday. His brother, Ethen, married, had five children, and died at Memphis, Tennessee, of yellow fever in 1857; Hampton, unmarried, lived in Tippecanoe County, and died of cholera in 1849; Isaac, unmarried, a soldier in the Mexican War, died of consumption in 1851; Oregon, married, had four children, lived in Tippecanoe County, and died in 1861. Cassman family data, unpublished.

<sup>67</sup> Ellis, *Our County*, 162; Helm, *History of Delaware County*, 266, says Cassman "removed to the Indian Reserve, in Howard or Miami County, Indiana, where he mingled with the tribes among whom his former associations had been. He wandered away from that resort after the death of his second wife . . ." In 1970 Richard S. Maxwell made a special search of relevant reservation and annuity payroll records in the National Archives but did not find the Cassman (Casman, or Cosman) name there. In an interview, October 14, 1973, with William Francis Hale (Miami Chief Mongonza), one of the authors was per-

to family tradition, corroborated by Delaware County historians, he went hunting on a wintry day and failed to return. His body was later found frozen in the hollow of a tree where he must have taken refuge. This was in Madison County in 1849.<sup>68</sup> Though he died tragically alone, this Indian, "a large man, about six feet tall," was brought down, one might philosophize, more fittingly perhaps by nature's severity than had he died peacefully in his bed.<sup>69</sup> Though labeled a drunken Indian he had for a time sobered the established powers, themselves intoxicated by a land grabbing passion. A man of peace, he with his sons had been victorious in a skirmish on Buck Creek where the quill in the hands of the scarcely literate was proved to be mightier than the arrow had been to win the Indian his rights in Indiana.

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mitted to examine his portfolios of documents for evidence of Cassman's presence at the Mississinewa Reservation, but was unable to find him among those enrolled. Cassman may have been there as a transient, not a resident among the Miami.

<sup>68</sup> Cassman family data, unpublished. See also, Ellis, *Our County*, 162; Haimbaugh, *History of Delaware County*, I, 55; Helm, *History of Delaware County*, 266; Kemper, *Twentieth Century History of Delaware County*, 19.

<sup>69</sup> Cassman family data, unpublished.