

FRAUD IN CHEROKEE COUNTRY AND POLITICS AS USUAL

Fraud and deceit apparently are endemic to government contracts, regardless of when they are developed. The waste so often revealed with current government contracts, is no more outrageous than many of the acts perpetrated on Cherokee pioneers in the 1800's. But fortunately, just as today, there are those who identify and expose these activities just as Major General Ethan Allen Hitchcock did then.

The grandson of Colonel Ethan Allen, leader of the Green Mountain Boys during the Revolutionary War, Hitchcock was born in Vermont in 1798. He graduated from West Point in 1817 and later served as commandant of cadets from 1829 to 1833. After a tour of duty in the Florida war against the Seminoles in 1836, Hitchcock became convinced that most removal treaties with Indian tribes had been fraudulently obtained and were inequitable. Hitchcock had developed a reputation as a perfectionist who kept meticulous notes, not only on military matters but also on such diverse topics as the study of alchemy and psychology. It was in this manner that he reported his views on the tribal issues to his superiors and his impressive arguments attracted the attention of Secretary of War, John Spencer. Typical removal treaties required the government to compensate for possessions left behind, pay costs of transportation and subsistence en route, provide provisions and other specified assistance during the first year after removal. Allegations of mismanagement by private contractors in the recently designated Indian Territory led Spencer to assign Hitchcock, then a Colonel, to investigate.

Reaching Fort Smith on the Arkansas River on November 21, 1841, the fact that the objective of his mission had preceded him did not elude Hitchcock. He was met with suspicion and made note that officials were immediately on the defensive. The Colonel soon discovered that, in addition to the fraudulent issues victimizing the Indians, political divisions within the tribe were volatile. Since the 1839 assassination of Treaty Signers, Boudinet and the Ridges, continual unrest between the supporters of Principal Chief John Ross and the opposing faction, contributed further to the unstable environment.

However, Hitchcock's mission was to focus on the squandering of public money and possible evidence of fraud by contractors. To complicate matters, Hitchcock discovered that many of the Cherokees themselves knew little about their rights and if cheating was discovered, the contracting agent would simply plead that it was an accidental error. He also discovered that wealthier tribesman victimized others by buying contractors provisions and engaged in price gouging themselves.

Many fraudulent activities related to the sale of beef cattle. Most were poor range cattle delivered in the spring on the hoof, and agents would exaggerate estimates, selling them from $\frac{1}{4}$ to $\frac{1}{2}$ more than their true weight. While interviewing farmers at Beatty's Prairie near Fort Wayne, Hitchcock discovered that the same cattle would be driven to another pen and sold again. He also found that corn on the ear, measured by the barrel to fill a wagon, would be hauled to a destination while the oxen pulling the wagon would be fed on the corn all the way. If quantities shook off the wagon, tribesmen would be charged as if the wagon was full. Further investigation also revealed that blacksmiths, wheelrights, and cartrights, already compensated by the government, often charged for their work.

The evidence of profiteering from cheating the Indians on a day to day basis was flagrantly obvious, but even more so during frequent gaming parties involving agents. While they were paid \$3.00 a day, hundreds of dollars were won and lost during evening gambling sessions and afternoon horse races. Hitchcock also discovered one individual who came to the country \$20,000 in debt, and in two years and on an annual salary of \$1500.00, was worth \$40,000.

Back in Washington during April of 1842, he reported his findings of fraud and deceit, supported by 100 additional documents. But because of the potential for controversy, President John Tyler chose to delay the report for over a year. Further treaty negotiations with the Cherokees were underway and the facts of Hitchcock's investigation obviously would have resulted in more favorable terms for the tribe. Now, with his findings, the Colonel had come full circle. He had been chosen for the mission because of a thoroughly developed report outlining his concerns about the inequity of treaties and, during his present mission had meticulously obtained evidence of corruption. But just as with the treaties, his evidence was ignored in favor of current circumstances, though some aspects were incorporated later. Instead of equity, Hitchcock proved that then, just as now, it was political expediency that came first.....politics as usual.

