

result; in answer to which he was informed, that no charges had been preferred against him, though his answer to the charges had been nearly a year in the office of Indian Affairs. Here the matter rested, in *statu quo*, and probably would have remained so, the officer to whom it was sent at "Head Quarters," most likely thinking the matter unworthy of notice; but Capt. Mason would not yield the point so easily, and accordingly on the 8th of July, 1832, wrote from St. Louis to Major John Garland, then at Washington, to "have a talk with the Secretary of War on the subject." And Mr. Garland, himself having some private pique at Mr. Burnett, appears to have been glad of the opportunity to do him an injury; and accordingly on the 31st of July, 1832, wrote to the Secretary of War, endorsing Capt. Mason's letter to him, which greatly enlarged the complaint, affirming that the charges were true, and urging that they might be investigated. Upon this, Mr. Robb, Acting Secretary of War, wrote to Gen. Clark, Superintendent of Indian Affairs. It seems that the original complaint was entirely lost, not having reached the War Department, being most probably deemed unworthy of notice. But now Major Garland's urging the investigation so earnestly, and yet leaving nothing to go upon but the letter of Capt. Mason, the Major added what was not true, that "the work on the new garrison was retarded by the drunkenness of the soldiers, which drunkenness occurred in consequence of Mr. Burnett's defending the whiskey-sellers."

The complaint was now made in fact *de novo*, this being the first knowledge of the matter at the War Department, and Mr. Robb gave it its proper direction by sending it to the Superintendent of Indian Affairs, who in turn sent it to Gen. Street for investigation, nearly two years after the cause of complaint had occurred. No evidence was presented to sustain the complaint, except the bare assertions of Capt. Mason and Major Garland, both *ex parte*; and in reply to these, had been filed in the office the letters and certificates heretofore mentioned. Mr. Burnett did not deny the defending of those who were prosecuted for selling