

KASPER TOCHMAN

political activist and lawyer in time of the Great Emigration in France and the United States

Biographical Article

by Marian Tyrowicz, Krakow 1955

Biography

Tochman, Kasper (also Tochmann) (1797 - to after 1880) [see attached letter] officer of the Polish army 1830-31, activist among the emigres in France and the United States, participant in the American Civil war, and leading attorney.

He was born in Letownia (in Rzeszow county) and through his mother was related to the family of Gen. Skrzyniecki. He studied law at the University of Warsaw and quickly started his practice of law, gaining a very influential position among the Warsaw middle class. Even before the outbreak of the November Insurrection [1830-31] he was the owner of a building on Kapitulna Street. During the campaign of 1831 he served in the 8th Line Infantry Regiment and distinguished himself in the battle near Bialoleka (25 February). He received the gold cross of the Virtuti Militari medal only on Sept. 15, 1831 as a 2nd Lt. of the 8th Line Infantry Regiment (according to an unproven assertion by Kozlowski - he ended his service in the Insurrection as a major in the National Guard). Tochman also took an active part in political life and on Jan. 24 joined the Patriotic Club where he passed for a "burning revolutionary," he often made speeches and allegedly printed articles, in the end he held the honor of being vice-president. His lawyer-like approach to a number of problems set him aside from the other members; thus when on Feb. 17 the Society was discussing its statutes - Tochman opposed granting the presidents of the Society too much authority, but his resolution to reduce their authority was rejected by a crushing majority of votes. When Tochman advanced to the position of major in the Mobile National Guard and when, in Rybinski's Corps, he sustained a wound (Krosnowski) -- is not known. Most likely his major's rank was conferred once he emigrated, though some historians and in Avignon he is called a Lieutenant (Gadon).

During exile in Avignon, France, he was among the group where on Feb. 23, 1831 he was elected Secretary of the Polish Council. He maintained close contact with the Delegation of Generals, especially with the representative of Gen. Feliks Breanski, who in Avignon confirmed the officers' ranks. Thanks to his oratorical talent Tochman quickly moved to the head of the Avignon Council where he conducted lively discussions on the subject of a General Emigres Council in Paris and the eventual leadership of this Council: should it go to Lelewel's committee which unified the democratic movement or to the military-aristocratic group led by Adam Czartoryski. Tochman did not make his own position clear, but on the basis of his activities during that time it was apparent that he was a supporter of Prince Czartoryski and the group of generals. Sent by the Avignon Council to Besanco to negotiate an understanding on the matter of forming the Central Council of Polish Emigres in Paris (March 1832) he was given a "special instruction ... (As to) the private alignment within Lelewel's committee" and in the company of Florian Dabrowski for Paris. In his letter to Avignon, Lelewel stresses with respect that Tochman solemnly declared his support of the Avignon and Besanco Councils for a National Committee of the Polish Emigres. However, in close conversation Tochman avoided taking any binding positions, most likely because of the individuals comprising the membership of the Committee. Even more: on returning to Avignon (May 7) Tochman tried to influence the Council to withdraw from the plan of joining with Lelewel's committee, and this caused Lelewel to take a critical stand toward him. When the progressives withdrew from Lelewel's Committee and moved to form the Polish Democratic Society, Tochman again tried to promote a joining with Lelewel's group and as a delegate of the Avignon Council went to Besanco. In his speeches he stressed the need "to find an understanding among peoples, not governments," but he was firm about against the reelection of the same individuals to Lelewel's committee, where he lost all credibility through his earlier actions. Meanwhile, he loudly proposed "an expression of emigrant faith in Prince Czartoryski." On August 29 he signed the founding document of the National Committee of Poland and the Seized Lands. On the basis of this resolution many delegates of the Bourges establishment started touring France in order to obtain supporting signatures on the document from the emigrants. Since the Besanco Council rejected the person of Gen. Dwernicki as the expected leader of the National Committee -- Tochman organized a general meeting and persuaded those gathered to resolve to sign the declaration. After this success he felt weak -- broke off his tour of the

emigree groups and returned to Avignon. What he did over the next few years is unknown. We do know that in 1837 he was in Paris and then left for the United States of America.

In the United States he first worked as a teacher of French Language at a college (most likely in New York) and around 1840 he became a naturalized US citizen. To confirm his law diploma he started to study law, and gained wide popularity by conducting public polemics with Russophile publications, especially on the pages of the National Intelligencer in Baltimore (the severest authors of this orientation were William Derby and Joseph Bradley). Tochman toured various institutions and state government bodies where he gave speeches on the economic, political and cultural oppression of Poland by the Tsarist regime, and then published these speeches, for example: Lecture delivered before the Members of the state Legislature... (Baltimore, 1844). These speeches were given to legislative bodies, to whose presence famous personalities such as Kossuth had not been admitted -- and this opened for Tochman the way toward a splendid law career. In 1845 he received authorization to practice law and gained much notoriety from conducting the case for the inheritance from the estate of Thaddeus Kosciuszko (1845-1850), where he defended the rights of the Estka family from the Russian zone of partition against the intentions of the Russian Embassy. Bodisko, the Russian representative, counter to international custom, involved himself in the case and tried for 5 years to have Tochman removed, as representative of the family, from the proceedings, stating that he [Tochman] was a rebel against the Tsar in 1831. Tochman made many parliamentary appeals and after many complicated procedural and parliamentary maneuvers obtained a decision where an inheritance of over 34 thousand dollars was given to the Estka family (decision from April 11, 1853). Tochman gained much thanks to his partnership with Reverdy Johnson, who was Attorney General during the Taylor administration. He gained a large practice and the right to present cases before the Supreme Court of the United States. During the duration of the inheritance case, in 1846, he established the "Polish-Slavonian [sic] Literary Association" and seeing that another insurrection would take place tried to regain his damaged moral credibility among the democratic emigrants in France. Probably because of this members of the "3rd of May Society" in America started a campaign against Tochman as founder of the Society. He was defended by Gen. Dreanski from Paris. Then Tochman write to Joachim Lelewel (October

1847) for directions, how to proceed in America, to avoid the accusation of partisanship. Lelewel considered him the creator of a “party belonging to no party” and reminded him of his sins from 15 years ago, and gave him no concrete directions. Therefore, Tochman bound himself to the powerful Polish Democratic Society through his representation of this organization. There is no detailed information about his activities at the time that the Revolution of 1848 broke out in Europe. It is sure that after 1849 he married Appolonia Jagiello who was a participant in the Hungarian campaign and adjutant to Gen. Ujhazy (the last revolutionary commandant in Komorny [sic] [should be Komarno]). She was received in the United States with much and false fanfare. After the marriage he settled on the estate he bought near Washington and conducted a wide-ranging social life. In the later phase of his career he defended southern planters and in 1852 moved to the state of Virginia where he established close relationships with local democrats, especially with Jefferson Davis. Because of this, during the intense campaign in the 1860s between the abolitionists of slavery in the South and the opponents of this reform, Tochman stood on the side of the latter, and was an especially intense supporter of the democratic presidential candidate Steven Arnold Douglas. Because of his extensive connections in the Southern and Northern States he was chosen as a delegate to the democratic convention from the state of Virginia where he became one of the 10 electors [representatives?] of this state to the [US] Congress. Because of this he again moved to the North. In time the defeat of Steven Douglas and the election of Abraham Lincoln to the presidency pushed Tochman to connect himself with a so-called group of compromise-seekers who sought an accommodation between the South and North. The role that Tochman played in this group must have been considerable since Secretary of State for Foreign Affairs William Seward put forward the idea of making Tochman the US Consul in Paris; the idea took hold with the outbreak of war between the states, when it became important that Tochman sabotage Confederate (that is the Southern states) plans for diplomatic recognition in France. Meanwhile Tochman resigned from his career in serving the Northern government and at the beginning of May 1861 moved to the South and wrote to Jefferson [Davis] offering his services to the Southern military. Not wishing to burn his bridges with Seward, he wrote a letter on May 5 justifying his motivation as wanting to defend “the principles of liberty.” The entire argument shows that his basic thought was in error and that he held retrograde views on the fundamentals of the American union and human freedom. That is why the

Central [office] of the T.D.P. [Polish Democratic Society] in London sent a letter dated August 1861 demanding explanations, to which he replied on Dec. 26 of the same year. He published the same in the Southern Literary Messenger (Richmond, May 1862). At the same time he also suffered setbacks in the Confederate Army. Arriving in Montgomery, Alabama, he was appointed a colonel and promised a general's rank, if he could assemble a brigade in short order. But when, using his own funds, he recruited in 6 weeks a brigade that he called "the Polish [Brigade]" he was refused the status of general. His opponents from Louisiana had damaged his credibility with the Confederate government by stating that the brigade was made of uncertain people and that it was not wholly Polish. Tochman resigned from the Southern army and started a drawn-out process to recover the 6,600 dollars he spent on recruiting the brigade. The demand was rejected by both the Confederate government and the Confederate Congress (Jan. 1863), and even the re-assembled US Congress after the end of the war (May 1864). Only in 1865 did both houses of Congress -- undoubtedly because of behind-the-scenes support Tochman was able to organize -- pass a resolution thanking Tochman and the return of the sum he requested. In 1867 Tochman received an appointment to act as an immigration agent in the state of Virginia, where he established the "Nowa Polska" [New Poland] colony. At the same time Tochman withdrew from political life and settled on a farm in Virginia where he died after 1880.

[NOTE: see attached letter from M. Haiman to "My dear Friend" with answer, dated July 19, 1946 where Edmund Vasvary reports that "G.T. Died Dec. 21, 1880 in Spotsylvania, VA. A short item in the NY Tribune, Dec. 23, 1880, p. 5 column 2 says: Fredricksburg, VA - G.T. who was a Brigadier General in the Confederate Service, died yesterday in his 85th year at his home in Spotsylvania, VA where he had been living for some years in retirement." Collections of the Polish Museum in America, Chicago, IL].

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Sources

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An Expose of the Conduct of Jos. Bradley of Washington, DC Counsellor employed by the Imperial Russian Legation toward Tochman G. Major of New York, counsellor retained by the next of kin and heirs at law of Gen, T. Kosciuszko (1847);

Supplemental Petition of ... attorney and counsel of the next of kin and heirs at law of Gen. T. Kosciuszko (1848);

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[Signed] Marian Tyrowicz

A. Lewak Rapp.437/IV

20 August 1880 Kasper Tochman

On the request of Dr. Henryk Kalussowski I am depositing this document in his hands, so that it may be sent to Count Wladyslaw Plater, who resides in Switzerland.

I, Kasper Tochman was born in December 1797 in Letownia, Rzeszow area, Austrian Galicja, and since childhood lived in that part of Poland which is [called] the Polish Kingdom under Russian rule. I am the grandson of dear

departed Gen. Skrzyniecki, by way of my mother whose family name was Mroczkowna. I owned the village of Grzanki, opposite of Karczewie five miles from Warsaw and a building on ulica Kapitulna [street], which after the fall of the 1830 revolution were seized by the Russian government and sold. When the revolution broke out I was named a major in the National Guard of Warsaw. Soon I moved to the 8th Line Regiment in the rank of Lieutenant, I fought in the battles at Bialoleka and Warsaw and received the gold Virtuti Militari cross. After the fall of the uprising I moved with the army into Prussia from there I went to France with the third column in the rank of major. The first establishment [settlement?] of Polish exiles was formed at Avignon where with the arrival of the fifth column, and there were over 500 of us countrymen, a council was formed. General Brzanski was chosen as president of this Council, I was the secretary later the Vice-president. Wronicz took over my place in the secretariat. The establishment had over 1,000 countrymen. Following this example, other councils were formed in different places in France and these were against the French government project of forming an Algerian Legion.

In the year 1836 I went to Paris, and from Paris to London. After a few months I travelled to the United States of [North] America where I presently reside. I have supported myself for a long time from teaching the French language and over three years studied the English language. When I felt sufficiently strong in this language I noticed political articles written by Professor Darby, an American, who under the adopted name of "Tacitus" published such for several years in the excellent journal "National Intelligencer" printed in Washington. These articles were appearing under the title "The Northern Nations of Europe", "The Poles, the Russians." The following excerpt from one of them will show you their purpose and aim: "to expect the resurrection of Poland is to expect the tide of human affairs to roll backward and [is] about as rational as to hope for the resurrection of the Roman Empire" [this statement given in English followed by a Polish translation].

My initial answer to these articles was sent to the editors of said journal with the request of having it published but it was refused. I do not have on hand the issue of the National Intelligencer with this refusal but one can find it in the back issues from 1839 or 1840. This circumstance and the editorial recommendation of Prof. Darby's articles signed "Tacitus" was published in

the issue of the National Intelligencer that mentioned the refusal to publish my answer, made me determined to appear before the public with a lecture about Poland in order to refute these falsehoods. In such manner during 1840, 41, 42, 43, 44 I made public addresses before several hundred gatherings of citizens, members of legislative bodies in several states, and male and female students of the higher schools [colleges/universities]. During this time I was heard by over 250,000 persons. Each such meeting of my listeners was organized and elected a president, secretary and committee and this group formulated and passed a resolution that criticized the author of those [offending] articles and proclaimed sympathy to the Polish cause, and gave recommendation to my lectures.

All these resolutions were then printed in local publications and their originals signed by the president and secretary [of the gatherings] were then given into my hands. This forced the publishers of the National Intelligencer to print my replies, and made Prof. Darby defend his articles under his own name, where previously he had used the signature "Tacitus," as can be seen in Prof. Darby's articles published in the National Intelligencer on March 30, April 25, October 31, November 9 of 1843 and many others before and after that date. My replies also appear in that journal on April 20, May 22, November 6, November 14 and so on in 1843.

Professor Darby was unable to refute my arguments which were based on facts so in the end he decided to debate me and through an article in the National Intelligencer from ~~October 31~~ April 25 [date corrected by Tochman] 1843 he challenged me in the following words: [the following is written in English with a Polish translation].

I openly challenge you, Major Tochman, to come to this city (Washington) as soon as Your convenience will adwich [allow?] after the opening of the next Congress. We can then appear before persons from every section of the United States. If You accept such alternative, I am ready to meet You in open assembly on the following terms:

1. Public notice to be given of time and place.
2. Each party to be limited to one hour.
3. You are Yourself to choose whether to open, or close, but informing me in writing of your choice before the meeting.
4. I pledge myself to show, in an hour, from historical evidences of the

highest credit, that the crown of Poland was at the demise of every King for more than two centuries, before the so-called partition of 1772, a mere bauble offered by different factions to Russian, Prussian, Austrian, French candidates.

I accepted this challenge to debate and before the meeting of the Congress I made a visit to Washington to meet Prof. Darby who was unknown to me. I was received most cordially, on departing I invited him and his family to my lecture about Poland which I was giving on the next day in Georgetown, a locality adjoining Washington. Prof. Darby came to the lecture with his family and listened most intently. A few days later in an answer to my mention in the National Intelligencer that the time of my debate with Prof. Darby was drawing near, Prof. Darby changed his mind and refused to debate me on Polish history with words that negated the challenge he made to me in the National Intelligencer on ~~November 9~~, May 24, 1843 - [corrected later by Tochman] [the following is written in English with a Polish translation].

“I have proposed no discussion of any kind, I claim but one hour to place in [the] Major’s presence, before an American audience the cause of decline and fall of Poland.”

Thus our controversy came to an end. Prof. Darby lives no longer and the editors of the publication that promoted him are also dead, but the back issues of the National Intelligencer were collected into books, and in the records of several hundred editors of publications in the United States there is the evidence that the purpose and aim of these articles was to damage Poland in the public opinion of the United States, and these aims were totally frustrated.

In the year 1845 I became a citizen of the United States and an attorney at the Supreme Court. This profession has served to provide me with funds and sustenance. Now in my old age I live on my own farm in Spotsylvania County, state of Virginia, United States of North America.

Kaspar Tochman

I have attached a printed copy of my speech, which I gave in 1846 during the organization of the Polish-Slavic Literary Society for which I received a charter from the legislature of New York state. The society fell apart, because our countrymen did not support it with written materials. But its charter is a testimony to the sympathy of America toward Poland -- which one day may be useful.

Kaspar Tochman

23 August -15.IX.1880

TOCHMAN

Mattaony, Spotsylvania

Dear Doctor,

In my document sent to you to be relayed to Count Plater, on page 5, after the words about the withdrawal of the challenge issued to me, that were published in the National Intelligencer on 9 November 1843, Please erase the words "9 November" and in their place put "24 May." Looking over to my replies to Prof. Darby published in the National Intelligencer in my pamphlet "Strike but Hear - Poland and Russia" I saw this error and would like to have it corrected before the document is sent to Count Plater.

With respect, your friendly countryman
G. Tochman

Dr. Henry Kalussowski:

At this moment from the National Museum in Rappersville I have received the publication "Poselstwo do Narodu" [A Representation to the Nation] for which I thank you very much, as you had to deliver it to my address.

G.T.

27 August 1880

Dear Doctor,

In the document I had sent to you there is yet another error as to date. In the second line starting with "I challenge You, Major Tochman" please erase "31 October" and substitute in its place "25 April." I had not these papers on hand and thus the errors. Please do tell me if you can send to Count Plater my pamphlet "Strike but Hear - Poland and Russia" printed in Baltimore in 1844.

Your countryman and servant,
G. Tochman

Gaspar Tochman

August, 20, 1880

He was born in the year 1797 in Letownia, situated in the area of Rzeszow. His education and upbringing took place in Warsaw and in that city he joined the Polish army. In battle he earned the rank of major in the 8th Line Infantry Regiment and obviously did not spare himself for he was awarded the gold cross of the Virtuti Military medal for the battle near Bialoleka.

After the fall of the uprising he stayed in Germany, in Belgium and France and took part in the emigration movement during 1832-1834. In 1836 he sailed across the ocean to the United States in the search of dignity and bread, at the same time not forgetting that he was a Pole and that it is a Pole's duty to serve Poland anywhere he may be. He supported himself by giving French language lessons. In the year 1846 he gave public lectures about Poland which familiarized his audience with our country, its history, literature and the extreme oppression which continued from the time of the partitions imposed on Poland by Russia, Prussia and Austria. The Muscovites had their supporters in America. One of them, Darby, became an opponent

with whom Tochman struggled on published pages in the defense of Poland and truth, both of which were sorely damaged by this American who was in the employ of the Muscovite legation in Washington.

Gaining a certain amount of publicity, Tochman then became a lawyer practicing before the Supreme Court of the United States. He was involved in the matter of supposed rights of the heirs to Kosciuszko's will. We say "supposed" because it was universally known that Kosciuszko, on leaving America, freed the slaves that were given him by the republican government and the land that he received he requested be sold and the money used for the education and support of these slaves. According to the testament made in Soleoure [Switzerland] and the already mentioned facts, the demands of the inheritors appear to be groundless. In parenthesis we must say that blood relationship to the hero of Poland and the United States and the right to inheritance is claimed by people who were strangers to his family.

Tochman lived in Virginia, one of the states that entered the Confederation against the North and conducted a destructive war over several years (1861-1865). The abolition of black slavery was the reason for this unhappy war, but not its only cause. The southern states defended themselves against northern economic might and its tendency toward centralization. Tochman was not a supporter of keeping the negroes in bondage, but could not stand by as an idle witness among his fellow co-citizens as they rose up. The trust he had among them, the military character of his past, called upon him to take a place in the ranks of the fighting southerners. The services he rendered to them on the field and his bravery in battle earned him a high standing. Appointed a general by the government of the southern states, he would have taken a leading place in the new republic, had not General Grant's actions put an end to the southern quest for separation. The unity of the United States was restored, not only through the victory of the northern union, but the wise hand of the union government. Tochman, thanks to the amnesty, could remain in Virginia, but he abandoned public life.

From the year 1867 he worked as a farmer on land which he owned in that state. Respected by Virginia inhabitants who never forgot the services which he rendered during the war, he spent the days of his old age in peace.

The Polish Cause was dearest to him, for to his death he carried in his heart

a burning love for the homeland. He served it according to his abilities, and lived to see the 50th anniversary of the November Uprising. Old age and the weaknesses and disease that go with it prevented him from taking part in the anniversary ceremonies of this historic event that Poles in America had organized. Soon after this November anniversary he died (1880) in Spotsylvania at the house on his farm in the state of Virginia, having lived eighty-three years of a life full of adventure and storms.

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Materials from The Polish Museum in America, Chicago

Translation: Peter Obst - April 25, 2011

for The Poles in America Foundation, Inc.

ZJEDNOCZENIE POLSKIE RZYMSKO-KATOLICKIE W AMERYCE

POD OPIEKĄ BOSKIEGO SERCA JEZUSA

POLISH ROMAN CATHOLIC



UNION OF AMERICA

FRATERNAL

INSURANCE

984 MILWAUKEE AVENUE

BRUNSWICK 3210

CHICAGO 22, ILLINOIS

ARCHIVES AND MUSEUM

July 19, 1946

My dear Friend:

Have you any data on Gaspard Tochman's death?
If so, let me know. I cannot find anything among my
notes.

Very sincerely yours

Mieczyslaw Hajman

Dear Friend: G.T. died Dec. 21, 1880, in Spotsylvania, Va.

A short item in the N.Y. Tribune, Dec. 23, 1880, Page 5,
Column 2 says:

Fredericksburg, Va.- "G.T., who was a Brigadier General in the Confederate
Dec. 22.- Service, died yesterday in his 85th year at his home in
Spotsylvania, Va. where he had been living for some years in
retirement."

Thanking you for your latest valuable works, I am
cordially yours

Edmund Gasvany

"WORKING FOR VICTORY, BUILDING FOR PEACE" — BUY EXTRA WAR BONDS!