

FRANCIS PAUL PRUCHA

# The Great Father

*The United States Government  
and the American Indians*

I

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## NEW YORK INDIANS

The disposition of lands in Wisconsin was complicated by the emigration to that region of Indians from New York State at the very time the United States government was trying to extinguish the titles of the resident tribes. Federal officials like Secretary of War Calhoun, however, had spoken of the region west of Lake Michigan as a refuge for Indians from the East, and Lewis Cass wrote of the Iroquois in 1830: "It is very desirable to place them in that Country. Their habits and the strong pecuniary ties, which bind them to the United States would ensure their fidelity, and they would act as a check upon the Winnebagos, the worst affected of any Indians upon our borders."<sup>45</sup> Jedidiah Morse, too, in his report to Calhoun on his investigation of the West in 1820, praised the fertility of the Green Bay region. He told Calhoun: "Should it be thought expedient, and be found practicable, to collect the remnants of tribes now scattered, and languishing and wasting away among our white population, and to colonize them for the purpose of preserving them from utter extinction, and of educating them to the best advantage, and with the greatest economy, some portions

of these Territories will, I think, unquestionably be found better suited to these objects, than any other in our country, and as such I deliberately recommend them to the attention of the government."<sup>46</sup>

There was pressure, too, from the Ogden Land Company in New York, which held preemption rights to the Indian lands and which was eager to free the lands of Indian title. An additional and potent force was a mixed-blood named Eleazar Williams, a remarkable self-promoter (who among other things claimed to be the lost dauphin of France), who became the self-proclaimed leader of the emigration. Williams was able to interest only a group of Oneidas, however, for most of the Indians of the Six Nations refused to leave New York. To them he joined the Stockbridge Indians (Mohicans originally located in Massachusetts, and highly acculturated to white ways, who had migrated to New York in the 1780s and who now had a small admixture of Munsees). In addition, the Brotherton Indians, remnants of New England tribes that had settled in New York near the Stockbridges, joined the migration. In 1821 Williams led a mixed group of these Indians west to investigate possibilities, and arrangements were made with the local Indians (Menominees and Winnebagos) for grants of land along the Fox River. In 1822 the emigration began, and it continued through the decade.

The status of these intruding Indians was not well established, and their presence was resented by the local tribes. Because the negotiations at Buttes Morrs in 1827 merely passed the problem to the president for resolution, it was not until the treaties of 1831-1832 with the Menominees (after a special commission had reported to the president on the issue) that the Oneidas, Stockbridges, and Brothertons were provided for. The Oneidas received a sizable tract west of the Fox River (which was severely reduced in 1836), and the Brothertons and Stockbridges were allotted lands along the eastern shore of Lake Winnebago.<sup>47</sup>

The Stockbridges, though a small group, furnish an excellent example of a sharp division of an Indian tribe into one faction seeking acculturation and citizenship (the Citizens Party) and another wishing to maintain traditional Indian community organization (the Indian Party) and the complications caused by the division in relations with the United States government. Each side attempted to win the government to its position with a steady stream of petitions and delegations sent to Washington. In a treaty

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of 1839 half the Stockbridge reserve was sold and provisions were made for those who desired to maintain tribal cohesion to migrate west of the Mississippi, but few actually left Wisconsin. Then in 1843 Congress passed a law that granted citizenship to the Stockbridges and Brothertons and provided for the "subdivision and allotment in severalty" of the remaining lands. The Brothertons accepted the legislation and ended their federal status, but the Indian party of the Stockbridges strongly objected and refused citizenship. They were successful in 1846 in persuading Congress to repeal the 1843 law. This action, in turn, upset the members of the Citizens Party, who did not want to give up their citizenship, and the affairs of the tribe were in turmoil as each party sought to gain the federal money due the tribe. Finally in 1848 the tribe ceded all its lands in Wisconsin, and the Citizens Party patented tracts of land within the cession. The Indian Party was to move to Minnesota but in the end did not move across the Mississippi, and in 1856 they were provided land in the southwest corner of the Menominee Reservation. The configuration of Indian reservations in Wisconsin was thus set.<sup>48</sup>

#### THE ROLE OF THE TRADERS

It is easy to think of the treaties by which the Indian title to land was extinguished as compacts between two parties, the Indian tribe and the United States government—and such, legally, they were. But in fact there was sometimes an influential and occasionally dominating third party: traders. When the fur trade flourished, traders supplied the Indians with goods in return for furs, but as the hunting lands were circumscribed and the fur-bearing animals disappeared, the Indians paid the traders from their annuities, or the government bought large quantities of goods for the Indians directly from the traders. As sessions multiplied and annuities and other payments grew, the traders became more and more involved in the treaty process. Indians were indebted to the traders for goods received on credit; the debts could be recovered only by provisions in the treaties for cash annuities, by which the Indians could pay the debts, or by direct allotment of funds in the treaties to cover specified debts.<sup>49</sup>

48. Kappler, pp. 529-30, 574-82, 742-56; 5 *United States Statutes* 645-47; 9 *United States Statutes* 55-56. A detailed study of the Stockbridges is Marion Johnson Mochon, "Stockbridge-Munsee Cultural Adaptations: 'Assimilated Indians,'" *Proceedings of the American Philosophical Society* 112 (June 21, 1968): 182-219. The complicated relations with the United States can be followed in John Porter Bloom, ed., *The Territorial Papers of the United States*, vols. 27-28: *The Territory of Wisconsin* (Washington: National Archives and Records Service, 1969-1975), and in OIA LR, Green Bay Agency (M234; reels 315-36). See also Schaefer, *Winnebago-Horicon Basin*, pp. 58-76.

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The allowance of traders' claims in the treaties began with the Osage treaty of 1825, in which the Indians, as a mark of friendship toward favored traders, agreed to payment of certain debts by the United States. The practice became almost universal in the treaties signed in subsequent years with the Indians in the Old Northwest. And as the pressures for removal increased and removal treaties seemed necessary at any price, the rewards for the Indians and for the traders were considerable. The Potawatomi treaties of 1832, for example, together provided well over \$100,000 for paying traders' claims and the Winnebago treaty of 1837 authorized nearly twice that much.<sup>50</sup>

In addition, because the treaty negotiations were usually eased by generous handouts to the attending Indians, and because the treaties often specified large payments in goods as well as in cash, the traders profited by furnishing these supplies, often at inflated prices. The traders, moreover, had a deep interest in the lands allotted individual Indians in the treaties, for such lands often quickly fell into their hands. So much influence did traders have over the Indians that in many cases the government would have been unable to procure the treaties of cession it wanted without providing adequately for the traders' interests.

The exorbitance of many traders' claims called for government investigation and adjudication lest unscrupulous merchants grow inordinately rich at the expense of the Indians and the United States Treasury. The Senate from time to time refused to ratify treaties until the claims against the Indians were checked, and the War Department established regulations for the payment of claims. Special commissions were sometimes established to decide on claims and adjust the payments among diverse claimants, and they were given detailed instructions. Those investigating the claims under the Winnebago treaty of 1837 were told:

You will require the respective creditors to deposit with you transcripts of their claims, exhibiting names, dates, articles, prices, and the original consideration in each claim. . . . If original books or en-

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50. See table 15, "Fur Traders' Debt Claims Provided For by Treaty Funds, 1825-1842," in Clayton, "Traders' Claims," p. 303.

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