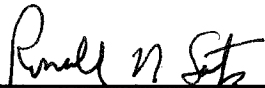


**The 1836 Treaty of Washington with the Ottawa and
Chippewa Indians of Michigan in the Context of Jacksonian
Indian Policy:**

**A Rebuttal Report Prepared for the Chippewa Ottawa
Resource Authority, Sault Ste. Marie, Michigan**

by

A handwritten signature in black ink, appearing to read "Ronald N. Satz", is positioned above a horizontal line.

signature

**Ronald N. Satz
Provost and Vice Chancellor
and
Professor of American Indian History
The University of Wisconsin-Eau Claire**

February 1, 2005

This report was prepared for litigation on behalf of the Little River Band of Ottawa Indians, the Bay Mills Indian Community, the Sault Ste. Marie Tribe of Chippewa Indians, the Little Traverse Bay Bands of Odawa Indians, and the Grand Traverse Band of Ottawa and Chippewa Indians under a contract between the author and the Chippewa Ottawa Resource Authority (CORA). Under that contact, this report is the property of CORA. It may not be duplicated in whole or in part or otherwise cited without the permission of the author and of CORA.

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Expert Witness Disclosure under Rule 26 of the Federal Rules of Civil Procedure

My name is Ronald N. Satz. My address is 4015 White Pine Dr. East, Eau Claire, WI, 54701. I have been retained by the Chippewa Ottawa Resource Authority since October 30, 2004, to provide a rebuttal report and expert testimony in the case *United States v. Michigan*. I prepared this report, which sets out my scholarly opinions and provides, in Section 8, citations to the documents and publications on which I relied in reaching my conclusions. My qualifications are shown by the curriculum vitae, which is included in Section 9 following the report. The vitae also lists all of my scholarly publications, presentations, and related activities.

I have been compensated at a rate of \$150 per hour plus expenses for time spent in preparation of the report and will be compensated at the rate of \$150 per hour plus expenses for any time testifying.

Within the preceding four years, I have not participated in any other litigation as an expert witness. My research and/or involvement in litigation before federal courts has included the following:

Chippewa Treaty Rights: The Reserved Rights of Wisconsin's Chippewa Indians in Historical Perspective (Madison: University of Wisconsin Press for the Wisconsin Academy of Sciences, Arts and Letters, 1991, 2d printing rev., 1994), lodged with the U. S. Supreme Court. See *Lodging Appendix for Respondents Bad River Band of Lake Superior Chippewa Indians and Lac du Flambeau Band of Lake Superior Chippewa Indians in State of Minnesota et al. vs. Mille Lacs Band of Chippewa Indians, et. al.* in U.S. Supreme Court, Case No. 97-1337, *Lodging Appendix*, No. 1, October term, 1997.

Deposition of Ronald N. Satz Pertaining to the Case of the Fond du Lac Band of Chippewa Indians vs. Arne Carlson, Governor of Minnesota et al., November 14-15, 1994, U.S. District Court, District of Minnesota, Fifth Division, 2 vols., 389 pp.

Research Report Relative to Chippewa Treaties with the United States, the Executive Order of 1850, and Other Issues of Federal Indian Policy Pertaining to the Case of Fond du Lac

Band of Chippewa Indians vs. Arne Carlson, Governor of Minnesota et al., October 30, 1994, U.S. District Court, District of Minnesota, Fifth Division, 270 pp.

Affidavit Relative to the Case of Lac Courte Oreilles Band of Lake Superior Chippewa Indians et al. vs. State of Wisconsin et al. Prepared for Plaintiffs in the U.S. District Court for the Western District of Wisconsin, Case No. 74-C-313-C,. October 1, 1992.

Historical Report Relative to the Case of Mashpee Tribe vs. New Seaburg Corporation, Prepared for the Native American Rights Fund, 1978.

Introduction and Summary

The 1836 Treaty of Washington with the Ottawas and Chippewas of Michigan is the only Jacksonian era ratified U.S. Indian treaty that employs the following terminology found in Article 13:

The Indians stipulate for the right of hunting on the lands ceded, with the other usual privileges of occupancy, *until the land is required for settlement*” (emphasis added).¹ “In October, 2004, Marc Slonim (attorney for the Little River Band of Ottawa Indians) working in conjunction with attorneys for the Bay Mills Indian Community, the Sault Ste. Marie Tribe of Chippewa Indians, the Little Traverse Bay Bands of Odawa Indians, and the Grand Traverse Band of Ottawa and Chippewa Indians requested that I read expert witness reports prepared for the State of Michigan for the purpose of rebuttal with regard to their contention that the limiting clause in Article 13 has the same meaning as the phraseology “*surveyed and sold*” or “while it [the land] remains the property of the United States,” which was used in other documents and treaties. I was asked to research and report my findings with respect to this contention in the context of my academic specialty, federal Indian policy in the Jacksonian era, paying particular attention to the language of treaty provisions relating to usufructuary rights as well as to the interplay of federal objectives and local circumstances as they may have impacted the terminology used in treaties. I have been retained by the Chippewa Ottawa Resource Authority for that purpose.

It is my opinion, based on my research, that the “until the land is required for settlement” clause of the 1836 Treaty of Washington is not synonymous with the “until the land is surveyed and sold” or the “while it [the land] remains the property of the United States” clauses found in earlier documents and treaties as claimed by State of Michigan expert witnesses Lawrence C. Kelley, Paul Driben and Theodore J. Karamanski.² Agent Henry Rowe Schoolcraft, Secretary

¹ Charles J. Kappler, ed., *Indian Affairs: Laws and Treaties* (5 vols. Washington, D.C.: GPO, 1892-1941), 2: 454.

² Lawrence C. Kelley, “A Report on the 1836 and 1855 Federal Treaties with the Ottawa and Chippewa Indians of Michigan” (October 2004), p.89; Paul Driben, “The Capacity of Anishinaabe Leaders to Comprehend the Thirteenth Article of the Treaty with the Ottawa, etc., 1836, and How They Understood the Article” (undated), pp. 21-22, 25;

of War Lewis Cass, Senate Indian Committee Chairman Hugh Lawson White, and President Andrew Jackson were all experienced in Indian affairs. While the Senate amended several of the provisions of the Chippewa and Ottawa Treaty, it did not alter Schoolcraft's original usufructuary rights statement nor did Secretary Cass or President Jackson object to it. Schoolcraft's use of "required for settlement," while unique in Jacksonian treaty language, was preceded by a 1798 treaty with the Cherokees permitting usufructuary rights "until settlements shall make it improper"³ and by an explanatory note from Schoolcraft's mentor Lewis Cass to the War Department in 1820 that military use of an area did not equate with it being "required for the purposes of settlement."⁴ It is my opinion Schoolcraft, Cass, White, and Jackson all understood that the wording of Article 13 was a necessary requirement for successful conclusion of the treaty, and preserved Indian use rights until particular lands were actually settled by whites. This point is reinforced by the wording of the Articles of Assent to the amended treaty, since the iteration of the Article 13 limiting clause is strengthened by the insertion of the word "until *actual* survey and settlement"⁵ (emphasis added). Throughout the Jacksonian era, Indian treaties reflected local, regional, national, and sometimes even international issues or pressures. It is a fundamental error, I believe, to assume that different words used by different treaty commissioners with regard to usufructuary rights in different treaties negotiated under dissimilar circumstances have similar meanings. The words that appeared in the treaty submitted to the Senate for ratification in 1836 were the words that Schoolcraft selected because he found them necessary to secure Indian acceptance of the agreement.

This research report begins with a review of the foundations of Jacksonian Indian policy (Section 1). It then reviews the initial application of the Removal Act in the Old Northwest (Section 2) as well as the impact of the Black Hawk War on Northern Indian Removal

Theodore J. Karamanski, "The Historical and Ethnohistorical Context of Hunting and Fishing Treaty Rights in Western and Northern Michigan" (undated), p. 2

³ Kappler, *Indian Affairs*, p. 53

⁴ Kappler, *Indian Affairs*, 2: pp. 187-88 (the quotation is on p. 188); Cass to Calhoun, June 17, 1820, *TPUS-11*, p. 36.

⁵

prior to 1836 (Section 3). The central focus of the report is the 1836 Treaty of Washington (Section 4) in the context of Jacksonian Indian policy. Following a review of aftermath of the proclamation of the amended 1836 treaty in the context of Jacksonian Indian policy (Section 5), I conclude the report with my analysis of the meaning of Article 13 in the context of the events surrounding the treaty and of federal Indian policy during the Jacksonian era (Section 6).

My experience as a historical researcher on federal Indian policy with a specialty in the Jacksonian era comes from more than thirty years of research and teaching following the receipt of my Ph.D. in 1972 from the University of Maryland where I served as a Ford Foundation Ethnic Studies Fellow. As noted in my curricula vitae, my dissertation "Federal Indian Policy, 1829-1849" was followed in three years by the completion and publication of *American Indian Policy in the Jacksonian Era*. My research for the book was supported by a National Endowment for the Humanities Fellowship. The University of Nebraska Press published the book with support from the Ford Foundation Ethnic Studies Program. In 2000, the University of Oklahoma Press reissued the book with a new historiographical preface that I had written especially for the occasion. I am currently under contract with that press to write an enlarged and revised edition of the book, which, thirty years after its appearance, still remains the only comprehensive monograph on the subject, having worked its way into the scholarly literature on both the Jacksonian era and federal Indian policy ⁶ The new edition will include a chapter on

⁶ For an indication of the book's place in the scholarly literature, see: Arlene B. Hirschfelder *et al.*, *Guide to Research on North American Indians* (Chicago: American Library Association, 1983), pp. 74, 94; Edward Pessen, *Jacksonian America: Society, Personality, and Politics*, rev. ed. (Urbana: University of Illinois Press, 1985), pp. 361; R. David Edmunds, "National Expansion from the Indian Perspective," in *Indians in American History*, ed. Frederick E. Hoxie (Arlington Heights, IL: Harlan Davidson, 1988), p. 176; Joseph B. Herring, *The Enduring Indians of Kansas: A Century and a Half of Acculturation* (Lawrence: University Press of Kansas, 1990), ch. 2; Harry L. Watson, *Liberty and Power: The Politics of Jacksonian America* (New York: Noonday Press, 1990), p. 261; Frederick E. Hoxie and Harvey Markowitz, *Native Americans: An Annotated Bibliography* (Pasadena, CA: Salem Press, 1991), p. 98; Donald B. Cole, *The Presidency of Andrew Jackson* (Lawrence: University Press of Kansas, 1993), p. 329; William T. Hagan, *American Indians*, 3d ed. (Chicago: University of Chicago Press, 1993), p. 221; Laurence M. Hauptman, *Tribes & Tribulations: Misconceptions About American Indians and Their Histories* (Albuquerque: University of New Mexico Press, 1995), p. 133 n.1; Mary Beth Norton and Pamela Gerardi, eds., *The American Historical Association's Guide to Historical Literature*, 3d ed. (2 vols.; New York: Oxford University Press, 1995), 2: 1141; Michael D. Green, "The Expansion of European Colonization to the Mississippi Valley, 1780-1880," in *The Cambridge History of the Native Peoples of the Americas*, Vol. 1, Pt. 1 (Cambridge: Cambridge University Press, 1996), p. 538; Francis Paul Prucha, *Documents of United States Indian Policy*, 3d ed. (Lincoln: University of Nebraska Press, 2000), 381.

“Northern Indians and Removal.”

In 1979, the University of Tennessee Press published my *Tennessee's Indian Peoples: From White Contact to Removal, 1540-1840*. This book, which is still in print, is recommended as a "core" history book by the Tennessee State Library and Archives; see www.state.tn.us/sos/statelib/pubsvs/corelist.htm.

My publications on Indians of the Great Lakes region include: a 1976 article on Indian affairs in the Old Northwest as a test case of Jacksonian Indian policy (which scholars have included in anthologies published in 1979, 1984, 1987, 1991, 1995, and in 1996);⁷ a 1991 (revised in 1994) study of the 1837 and 1842 Chippewa treaties (which received the State Historical Society of Wisconsin Award for Distinguished Service to History);⁸ and a 1996 analysis for classroom use of the treaties of all tribes associated with Wisconsin's history (which received the Wisconsin Library Association's Distinguished Public Document Award).⁹

A complete list of my publications appears in the curricula vitae in Section 9 of this report. I am currently Provost and Vice Chancellor of Academic Affairs at the University of Wisconsin-Eau Claire, an institution I have served since 1983 as an administrator and, concomitantly, as a classroom teacher in American Indian history. I have continued teaching

⁶ "Indian Policy in the Jacksonian Era: The Old Northwest as a Test Case." *Michigan History* 60 (Spring 1976): 71-93. The article is reprinted in Michael Perman, ed., *Perspectives on the American Past*, Vol. 1: *To 1877*, 2nd ed. (Lexington, Mass.: DC Heath and Company, 1996), pp. 203-13; Leonard Dinnerstein and Kenneth T. Jackson, eds., *American Vistas, 1607-1877*, 7th ed., (New York: Oxford University Press, 1995), pp. 159-75, 6th ed., (1991), pp. 159-75; 5th, ed., (1987), pp. 159-175, 4th ed., (1984), pp. 159-175, 3d ed. (1979), pp. 159-75; and Donald L. Fixico, ed., of *An Anthology of Western Great Lakes Indian History* (Milwaukee: University of Wisconsin-Milwaukee American Indian Studies Program, 1987), pp. 233-270.

⁷ "Indian Policy in the Jacksonian Era: The Old Northwest as a Test Case." *Michigan History* 60 (Spring 1976): 71-93. The article is reprinted in Michael Perman, ed., *Perspectives on the American Past*, Vol. 1: *To 1877*, 2nd ed. (Lexington, Mass.: DC Heath and Company, 1996), pp. 203-13; Leonard Dinnerstein and Kenneth T. Jackson, eds., *American Vistas, 1607-1877*, 7th ed., (New York: Oxford University Press, 1995), pp. 159-75, 6th ed., (1991), pp. 159-75; 5th, ed., (1987), pp. 159-175, 4th ed., (1984), pp. 159-175, 3d ed. (1979), pp. 159-75; and Donald L. Fixico, ed., of *An Anthology of Western Great Lakes Indian History* (Milwaukee: University of Wisconsin-Milwaukee American Indian Studies Program, 1987), pp. 233-270.

⁸ *Chippewa Treaty Rights: The Reserved Rights of Wisconsin's Chippewa Indians in Historical Perspective*. 1991; 2nd printing revised. Madison: Wisconsin Academy of Sciences, Arts and Letters, 1994.

⁹ *Classroom Activities on Wisconsin Indian Treaties and Tribal Sovereignty* (Madison: Wisconsin Department of Public Instruction, 1996) with members of the University of Wisconsin-Eau Claire Wisconsin Indian History, Culture and Tribal Sovereignty Project which I served as the founding director.

courses on American Indian history while serving as an administrator. The resources I have used in writing this report are listed in Section 8 of the report.

1} The Foundations of Jacksonian Indian Policy

Andrew Jackson entered the White House in 1829 committed to opening Indian lands to white settlement. Given the importance of the phrase “until the land is required for settlement” in understanding the meaning of Article 13, it is important to review at the outset what Jackson meant by “settlement.” In his second annual message to Congress in December, 1830, Jackson defended his administration’s vigorous lobbying for passage of the Removal Act of May 28, 1830, by stating:

What good man would prefer a country covered with forests and ranged by a few thousand savages to our extensive Republic, studded with cities, towns, and prosperous farms, embellished with all the improvements which art can devise or industry execute, occupied by more than 12,000,000 happy people, and filled with all the blessings of liberty, civilization, and religion?¹

Jackson envisioned Indian land cessions as a vehicle for opening vast areas of land to white settlers for establishing “cities, towns, and prosperous farms.” His Indian policy was shaped by his overwhelming concern for the growth, unity, and security of white America. Years of experience in Indian affairs (as an army officer and territorial governor of Florida) had led him to the position that Indians had only a “possessory right” to the land they lived on and were thus subject to American sovereignty. He had long maintained that the nation’s security demanded the removal of Indians to areas outside the nation’s geographical limits in order to provide “a connexion [*sic*] of our territory by the possession of their claims” and to

¹ Second Annual Message, December 6, 1830, in James D. Richardson, comp. *Messages and Papers of the Presidents, 1789-1897* (20 vols., New York: Bureau of National Literature, 1897-1917), 3: 1084 (hereafter cited as *Papers of the Presidents*). The definition of “settlement” in Noah Webster’s, *An American Dictionary of the English Language*, 2 vols. (New York: S. Converse, 1828), Vol. 1 unpaginated, see “settlement” and in his *An American Dictionary of the English Language* (Rev. and enlarged edition, Springfield, MA: George and Charles Merriam, 1856), p. 1014, is “the act of settling, or state of being settled.” In both dictionaries, “settling” is defined as “the act of making a settlement; a planting or colonizing.” *Ibid.*

improve the nation's defensive posture against any incursions by the British or other foreign powers. While he conceded the government should never perpetrate "acts of injustice" against the Indians, Jackson was even more concerned the Union "should not heap injustice on herself and her own people." The solution to America's "Indian problem," as he saw it, was to devise a plan whereby the government could provide for "justice to the Citizen, the interest and security of the United States, and the peace and happiness of the Indians."²

The president was keenly aware that opposition to Indian tribes claiming sovereignty within the state borders of southern states and territories as well as opposition to the "abominable" tariff of 1828 and the mounting invective of northern abolitionists were causing southern states like Georgia and South Carolina to assume a belligerent character that could pose a threat to his beloved Union and undermine the southern wing of the Democratic coalition that had propelled him into office. Legislation approved in Georgia, Alabama, and Mississippi extending state jurisdiction over Indians would soon go into effect and tie the government's hands. At the same time, the Cherokees in Georgia were asserting their sovereignty with new boldness, infuriating southern politicians.³

A few weeks after his inauguration, Jackson urged the Creeks and Cherokees to sell their lands and move outside the territorial limits of the United States warning them, "the arms of this country can never be employed, to stay any

² Jackson to Maj. Gen. Thomas Pinckney, May 8, 1814, Jackson to Secretary of War William H. Crawford, June 10, 1816, Jackson to [James Monroe], March 4, 1817, Jackson to John C. Calhoun, June 19, September 2, 1820, January 18, 1821, Jackson to John D. Terrill, July 29, 1826, Jackson to John Coffee, September 2, 25 1826, in *Correspondence of Andrew Jackson*, ed. John Spencer Bassett. 7 vols. Washington, D.C.: Carnegie Institution, 1926-35), 2: 3, 244-45, 278-81, 3: 27-28, 32, 38, 309-9, 312, 315. Jackson's early treaty making is examined in vols. 1 and 2 of Robert V. Remini, *Andrew Jackson* (3 vols., New York: Harper & Row, 1977-84) and in his *Andrew Jackson and His Indian Wars* (New York: Viking, 2001). For my critique of Remini's scholarship, see "Remini's Andrew Jackson (1767-1821): Jackson and the Indians." *Tennessee Historical Quarterly* 38 (Summer 1979): 158-166; "Rhetoric versus Reality: The Indian Policy of Andrew Jackson," in *Cherokee Removal: Before and After*, ed. William L. Anderson (Athens, GA: University of Georgia Press, 1991), pp. 29-54; and "Review of Remini's *Andrew Jackson and His Indian Wars*," *Journal of American History* 90 (December 2003): 1013-14.

³ Ronald N. Satz, *American Indian Policy in the Jacksonian Era* (1975; reprint ed. with new Preface, Norman: University of Oklahoma Press, 2002), pp. 11-12.

state of this Union, from the exercise of those legitimate powers which attach, and belong to their sovereign character." He then instructed U.S. treaty commissioners to seek out those "upon whom, as pivots, the will of the Cherokees and Creeks turns" and convince them to cede their lands and to emigrate west of the Mississippi River.⁴

Creek and Cherokee leaders responded to the president's exhortation with a reiteration of their steadfast refusal to abandon their native soil. The reaction of the American public, however, had a more important impact on the administration. Jackson's "talks" to the two tribes provoked an immediate challenge from numerous humanitarian groups, mostly in the Northeast, who saw themselves as the defenders of their beleaguered "red brothers" in the South.⁵

Jackson reacted to such criticisms by seeking the endorsement of Indian removal as a humanitarian proposal from political leaders, religious groups, and individuals known for their benevolence. His administration enlisted a number of prominent men who served as spokespersons, essayists, and lobbyists on behalf of removal including Quaker Thomas L. McKenney (generally considered the father of the U.S. Indian Service), President Stephen Van Rensselaer of the Dutch Reformed Church Missionary Society, Baptist missionary Isaac McCoy, and long-time Michigan Territorial Governor Lewis Cass, a minor hero of the War of 1812, among others.⁶

⁴ Satz, *American Indian Policy in the Jacksonian Era*, pp. 12-13.

⁵ *Ibid.*, p. 13; R. S. Cotterill, *The Southern Indians: The Story of the Civilized Tribes Before Removal* (Norman: University of Oklahoma Press, 1954), pp. 237-38; Annie H. Abel, "The History of Events Resulting in Indian Consolidation West of the Mississippi." *American Historical Association, Annual Report for the Year 1906*, 1: 370-71.

⁶ Satz, *American Indian Policy in the Jacksonian Era*, pp. 14-18. Also see Francis Paul Prucha, "Thomas L. McKenney and the New York Indian Board," *Mississippi Valley Historical Review* 59 (March 1962): 635-55; Herman J. Viola, *Thomas L. McKenney, Architect of America's Early Indian Policy: 1816-1830* (Chicago: Swallow Press, Inc., 1974); George A. Schultz, *An Indian Canaan: Isaac McCoy and the Vision of an Indian State* (Norman: University of Oklahoma Press, 1972); Klunder, *Lewis Cass and the Politics of Moderation*, p. 70.

Then, while their lobbying efforts were underway, the president formally asked Congress on December 8, 1829, to provide legislative authority to negotiate treaties to transfer Indians living east of the Mississippi River to a western location. In doing so, he equated removal with the survival and "civilization" of the Indians.⁷ The president claimed that the legislation he sought, later known as the Removal Act of 1830, would enable him to provide four major benefits to Indian tribes and bands, including:

1. Fixed and permanent boundaries outside of the jurisdiction of American states or territories;
2. Isolation from corrupt white elements such as gamblers, prostitutes, whiskey vendors, and the like;
3. Self-government unfettered by state or territorial laws; and
4. Opportunities for acquiring the essentials of "civilized" society--Christianity, private property, and knowledge of agriculture and the mechanical arts.⁸

The Indian removal policy, as Jacksonian policy became known, was based on the argument that "surrounded by the whites with their arts of civilization, which by destroying the resources of the savage doom him to weakness and decay, the fate of the Mohegan, the Narragansett, and the Delaware is fast overtaking the Choctaw, the Cherokees, and the Creek" unless they were removed from harm's way.⁹ At the same time, the removal of these Indians from states and territories of

⁷The terms *civilization*, *civilized*, and *civilizing* used in this report reflect a value judgment of individuals being discussed, not of the author of the report.

⁸ Ronald N. Satz, "Indian Policy in the Jacksonian Era: The Old Northwest as a Test Case." *Michigan History* 60 (Spring 1976): 73.

⁹ First Annual Message, December 8, 1829, in *Papers of the Presidents*, 3: 1021.

the Union would open tribal lands and their resources to white exploitation and strengthen national security.¹⁰

The idea of removing Indian tribes out of the path of white settlement was not new. Virtually every president since the formation of the American republic under the Constitution of 1787 had seriously considered the feasibility of transferring the Indians to areas outside the geographical limits of the United States. George Washington had envisioned a "Chinese wall" to keep whites and Indians apart. In 1803, Thomas Jefferson contemplated making a permanent exchange of land in the newly acquired Louisiana Purchase territory for Indian land in the East. James Madison considered similar measures in his effort to pacify the Indians after the War of 1812. John C. Calhoun, James Monroe's secretary of war, strongly advocated Indian removal and convinced Monroe to formally adopt the policy in 1825. Monroe called for removal of the tribes within states and territories to the trans-Mississippi West. Calhoun, however, expressed the belief that those Indians in "the northern parts of the States of Indiana, Illinois, in the peninsula of Michigan, and New York, including the Ottawas of Ohio" should be directed instead to the region "west of Lake Michigan and north of the State of Illinois" where "the climate and the nature of the country" would be "much more favorable to their habits."¹¹

Schemes to remove eastern Indians to permanent locations far removed from white settlements had the support of such prominent figures in the 1820s as Calvinist clergyman Jedidiah Morse, Baptist missionary Isaac McCoy, founder of Carey Mission near Niles, Michigan Territory, and novelist James Fenimore

¹⁰ Satz, *American Indian Policy in the Jacksonian Era*, pp. 54-56.

¹¹ George Washington to Secretary of State, July 1, 1796, in John C. Fitzpatrick, ed., *The Writings of George Washington from the Original Manuscript Sources, 1745-1799*. 39 vols. Washington, D.C.: GPO, 1931-44), 35: 112; Monroe to Senate, January 27, 1825, Calhoun to Monroe, January 24, 1825, in U.S. Congress, *American State Papers: Indian Affairs*. 2 vols. (Washington, D.C.: Gales & Seaton, 1832-34), 2: 541-44. Also see Abel, "The History of Events Resulting in Indian Consolidation West of the Mississippi," pp. 241-343.

Cooper. Generally, these men favored a policy of negotiation that respected the tribes' right to accept or to reject federal proposals calling for their removal.¹²

Although the idea of Indian removal was an old one, Jackson's victory in the presidential campaign of 1828 signaled a new day in federal Indian policy. Old Hickory was one of those rare individuals who left his imprint on an era. As historian Edward Pessen poignantly notes, "he was a man of such force, so invincibly controversial, so widely believed to be either avenging angel or devil, that his own personality alone explains in large part the historical appeal of the era that he seemed both to symbolize and dominate." Under his leadership, the federal government vigorously promoted removal.¹³

During his two terms in office (1829-1837), President Jackson played a major role in the dispossession of eastern Indians of their tribal domains. War Department officials negotiated nearly seventy Indian treaties that were ratified by the Senate, a record unequaled by any other administration. The overwhelming majority involved land cessions and a significant number of them called for removal to the trans-Mississippi West. In March 1837, as Jackson prepared to leave the White House, Indian land occupancy east of the Mississippi River was but a fraction of what it had been eight years earlier. His administration had removed 46,000 Indians and had secured treaties providing for the removal of a slightly larger number. Jacksonian Indian policy had opened about 100 million acres of land in the West. According to Indian Office records, only about 9,000 Indians, mostly in the Old Northwest and in New York, were without treaty

¹² Satz, *American Indian Policy in the Jacksonian Era*, p. 6. Also see: Jedidiah Morse, *A Report to the Secretary of War of the United States, on Indian Affairs, Comprising a Narrative of a Tour Performed in the Summer of 1820* (1822 reprint ed., New York, A. M. Kelley, 1970); Isaac McCoy, *History of Baptist Indian Missions [Embracing Remarks on the Former and Present Condition of the Aboriginal Tribes, Their Former Settlement within the Indian Territory, and Their Future Prospects]*, 1840, reprint ed. (New York: Johnson Reprint Corporation, 1970); R. Pierce Beaver, *Church, State, and the American Indians: Two and a Half Centuries of Partnership in Missions Between Protestant Churches and Government*. (St. Louis, MO: Concordia Publishing House, 1966), pp. 95-101.

¹³ Edward Pessen, *Jacksonian America: Society, Personality, and Politics* (1978 rev. repr. ed., Urbana and Chicago: Illini Books, 1985), p. 1.

stipulations requiring their removal at the end of 1836. There is evidence to indicate, however, that the number of such Indians was much larger. The dearth of reliable population statistics on Indians during the Jacksonian era is a perplexing problem for scholars, but there were probably more than 9,000 Indians without treaties requiring removal in newly organized Wisconsin Territory alone at this time. Only a few scattered remnants of the great tribes that had once dwelled east of the Mississippi River were without treaty stipulations *requiring* their relocation when Jackson left the White House and, among them, were the more than 4,500 Ottawas and Chippewas situated between the Grand River of Michigan and the Chocolate River near the foot of Lake Superior who pursued their traditional seasonal rounds on ceded lands in accordance with the usufructuary rights provided by their 1836 treaty with the United States..¹⁴

Not all treaties negotiated by the Jackson administration called for land cessions and/or removal. Treaty negotiations did not take place in a political vacuum. The congressional debates on the Indian Removal Bill in 1830, which occurred in the interval between the passage of the Maysville Road Bill and the president's announcement of his veto, had sparked the first major political battle of Jackson's presidency. Political alignments rather than regional interests appear to have had a greater influence on the final vote on the Removal Bill. During the 1830s, Indian removal occupied a secondary but prominent position alongside such momentous issues as the tariff, internal improvements, and the National Bank in distinguishing Jacksonians from their opponents, the National Republicans, the anti-Masons, and (after 1834) the Whigs. As a result, the Jackson administration

¹⁴ Satz, "Indian Policy in the Jacksonian Era," pp. 81-82; Report of the Acting Superintendent of Michigan, [1837], in *U.S. Office of Indian Affairs Annual Reports under the War Department 1824-1848* (14 vols., New York: AMS, Inc., 1976), vol. 3 (1837), p. 531 (hereafter cited as *OIA AR*). For the treaties during this period, see Kappler, Charles J. Kappler, ed., *Indian Affairs: Laws and Treaties* (5 vols. Washington, D.C.: GPO, 1892-1941), 2: 297-489. Abstracts of the land cession provisions of all treaties and maps detailing the cessions are in Charles C. Royce, comp., *Indian Land Cessions in the United States, Eighteenth Annual Report*, Bureau of American Ethnology, Part 2 (Washington: GPO, 1899). For a commentary on the reliability of the Royce compendium, which remains today the standard source on ceded lands, see Imre Sutton "Configurations of Land Claims: Toward A Model," in *Irredeemable America: The Indians' Estate and Land Claims*, ed. Imre Sutton. Albuquerque: University of New Mexico Press 1985, pp. 114.

continually found itself in a defensive position emphasizing the allegedly philanthropic ideals of its removal policy to counter its opponents claims that the president's rhetoric masked manipulation and coercion in this as in other matters. Jacksonians could not ignore the fact that they lost votes in the Old Northwest, the Middle Atlantic States, and New England during the debate over Indian removal. Treaty making, while often reflective of the fears or accusations of Jackson's opponents, was carefully portrayed in positive tones by the administration in its official reports and by its supporters.¹⁵

One result of the heated congressional debates on the Removal Bill was that its opponents made sure that the final provisions called for *voluntary* emigration. The legislation enacted on May 28, 1830, (see Section 7, Appendix A) may be summarized as follows. The Removal Act:

1. Set aside unorganized territory west of the Mississippi River for Indian tribes choosing to exchange their eastern lands;
2. Authorized the president to exchange lands set apart in the West for tribes willing to emigrate from states or territories of the Union;
3. Authorized the president to assure tribes that their title to new lands would be "secure" unless they abandoned the lands or became "extinct";
4. Provided reimbursement to emigrating Indians for improvements they would leave behind;
5. Authorized the president to provide support and subsistence to emigrants up to one year after their removal;

¹⁵ Satz, *American Indian Policy in the Jacksonian Era*, p. 39-56; Richard B. Latner, *The Presidency of Andrew Jackson: White House Politics, 1829-1837* (Athens, GA: University of Georgia Press, 1979), pp.86-98; Fred S. Rolater, "The American Indian and the Origin of the Second American Party System," *Wisconsin Magazine of History* 76(Spring 1993): 180-201.

6. Called upon the president to protect Indian emigrants from "all interruption or disturbance" in the West;
7. Stipulated that the president would have "the same superintendence and care" over tribes in the West as in the East;
8. Specified that existing treaties between the U. S. and the Indian tribes were not to be violated; and, it
9. Appropriated \$500,000 to give effect to the act.

Treaties negotiated under the auspices of this legislation were written to give the appearance, whether true or not, that they reflected the will of the Indian tribes or bands. They also included certain common provisions such as the identification of the specific tribal lands being ceded and the location of new lands in the West as well as dates when the transfer would occur. Also listed were provisions for food and transportation to the West as well as for protection en route and for medicine and physicians for the care of emigrants. Other items included language pertaining to the formation of exploring parties to examine and approve the western lands, reimbursement for abandoned property in the East, funds for the erection of new buildings, mills, and schools in the West, and funds for the support of poor and orphaned children, among other things. Given that treaty making did not take place in a vacuum and that local circumstances and even national issues could play a role in shaping the outcome of specific negotiations, it is not unusual to find differences in the actual wording of provisions dealing with similar issues.¹⁶

In defense of the Removal Act, which his administration had pushed through Congress despite very strong opposition, President Jackson assured Congress in December, 1830, that his actions would move Indians out of harm's

¹⁶ Act of May 28, 1830, U.S. *Statutes at Large*, 4: 411-12.

way. It would reduce friction with white settlers while, at the same time, he claimed, permit the latter to develop “cities, towns, and prosperous farms.”¹⁷

An example of a Jacksonian era removal treaty is the 1830 Treaty of Dancing Rabbit Creek (see Section 7, Appendix B), the first treaty actually negotiated under the auspices of the Removal Act of 1830.¹⁸ Among other things, the treaty negotiated in September 27, 1830, in Mississippi, delineates the boundaries of the new country to be provided to the Indians (Article 2) and the boundaries of the Indian lands to be ceded to the United States in exchange (Article 3); recognizes that the Indians had consented to remove (Article 3); addresses the question of tribal self-government in the West (Articles 3, 13); stipulates that the Indians shall receive protection from the United States in the West (Article 4); promises isolation from corrupt influences (Articles 9, 10, and 12); specifies the conditions under which some Indians may remain as American citizens (Article 14); provides details about the actual removal operations and specifies the length of time that provisions will be made available to emigrants (Article 16); and it provides for an exploring party to visit the new country (Supplementary Article 3). More will be said about this treaty shortly.¹⁹

President Jackson’s special interest in the removal of the Southern tribes led to additional ratified treaties with the Creeks (1832 and 1833), Seminoles (1832 and 1833), Apalachicola (1832 and 1833), Chickasaws (1832 and 1834), and the Cherokees (1835).²⁰ The Cherokee treaty is the best-known and most infamous Indian removal treaty of Jackson’s presidency. Negotiated with a

¹⁷ Second Annual Message, December 6, 1830, in *Papers of the Presidents*, 3: 1084

¹⁸For an analysis of this treaty as a test case of the Jacksonian removal policy, see Satz, *American Indian Policy in the Jacksonian Era*, pp., 64-87. On the removal of the Choctaws, also see “The Mississippi Choctaw: From the Removal Treaty to the Federal Agency,” in *After Removal: The Choctaw In Mississippi*, ed. Samuel J. Wells and Roseanna Tubby. Oxford: University Press of Mississippi, 1986), pp. 3-32. 19, 325-29.

¹⁹ Kappler, *Indian Affairs*, 2: 310-19.

²⁰*Ibid.*, 341-45, 352, 356-64, 388-91, 394-95, 398-400, 418-25, 439-49.

minority faction of the Cherokee Nation representing less than 400 Indians out of a population of more than 16,500, the treaty signed at New Echota in Georgia in December, 1835 was ratified by a one-vote margin in the U.S. Senate on May 17, 1836. The so-called "fraudulent treaty" prepared the way for what is known as the Cherokee Trail of Tears and provided political ammunition for the president's opponents who, as shall be noted later, rewrote a portion of the 1836 Treaty of Washington with the Ottawa and Chippewa with an eye to political considerations.²¹

The first treaty negotiated under the Removal Act, however, was the 1830 Treaty of Dancing Rabbit Creek with the Choctaws. Although not as well known as the Cherokee Treaty of 1835, the events surrounding this treaty provide important insights into Jacksonian Indian policy.

Negotiations for the Choctaw treaty began in mid-September 1830, barely four months after the passage of the Removal Act. President Jackson knew the stakes were high, so he sent Secretary of War John Eaton to personally convene the parley. The resulting treaty called for "perpetual peace and friendship" and extinguished Choctaw claims to central and southern Mississippi, thereby opening lands to white landholding and removing what Jackson had long viewed as an impediment to American development in a very strategic region. It provided for removal at federal expense to designated western lands by specific dates. It also provided for tribal self-government in the West and called for the United States to protect the Choctaws from domestic strife, white intruders, and from foreign enemies.²²

²¹ I have discussed the events surrounding the Treaty of New Echota elsewhere, see: *American Indian Policy in the Jacksonian Era*, pp. 99-101; *Tennessee's Indian Peoples: From White Contact to Removal* (Knoxville: University of Tennessee Press, 1979), pp. 72-96; "Cherokee Traditionalism, Protestant Evangelism, and the Trail of Tears." *Tennessee Historical Quarterly* 44 (Fall 1985): 285-301, 44 (Winter 1985): 380-401; "The United States Constitution and the Cherokees." *Kennesaw Review* 1 (Fall 1987): 34-49; "The Cherokee Trail of Tears: A Sesquicentennial Perspective." *Georgia Historical Quarterly* 73 (Fall 1989): 431-66. "Rhetoric Versus Reality: The Indian Policy of Andrew Jackson." *Cherokee Removal: Before and After*, ed. William L. Anderson. Athens: University of Georgia Press, 1991), pp. 29-54.

Eaton, who showed heavy handedness in the negotiations, inserted several provisions in the treaty intended to persuade tribal leaders to sign and/or to convince U.S. Senators (who would have to ratify the treaty) and their colleagues in the House of Representatives (who would be asked to appropriate funds to execute it) that the document had not been forced upon the Indians. Among these concessions was the inclusion of “special reservations” awarded to those whose services, needs, or influence had to be recognized. In addition to these bribes, Indians who cultivated the soil also receive land to be sold to pay off their debts and assist in their resettlement in the West. Finally, Eaton promised allotments to those “civilized” families wishing to remain in the state and become citizens (i.e., to give up their status as tribal Indians)..²³

There was no provision for usufructuary rights to Indians on ceded lands. This was clearly a removal treaty designed to effect the emigration of all Indians except a few “civilized” or acculturated Indians who Eaton believed would invoke the treaty provision and remain in Mississippi as state citizens. To help ensure that the full-blood majority would not avail themselves of the opportunity to stay behind, Eaton repeatedly warned the Indians of the hardships that would befall them under state laws. He had only included the allotment provision in the treaty to portray the administration’s efforts as humanitarian. Meanwhile, he had worked assiduously at the parley to guarantee that the War Department would not actually have to accommodate a significant number of Indians under the provision.²⁴

Eaton had badly miscalculated. Some 6,000 Choctaws, about 300 times more than he had predicted, remained in Mississippi when the War Department

²² Kappler, *Indian Affairs*, 2: 310-19.

²³ Ronald N. Satz, “The Mississippi Choctaw: From the Removal Treaty to the Federal Agency,” in *After Removal: The Choctaw in Mississippi*, eds. Samuel J. Tubbs and Roseanna Tubby (Jackson: University Press of Mississippi, 1986), pp. 3-6.

²⁴ *Ibid.*, p. 6. On Indian allotments, in general, see Paul W. Gates, “Indian Allotments Preceding the Dawes Act,” in *The Frontier Challenge: Responses to the Trans-Mississippi West*, ed. John G. Clark (Lawrence, KS: University Press of Kansas, 1971), pp. 141-70.

terminated its removal operations at the end of 1833. These people became victims of one of the most flagrant cases of fraud, intimidation, and land speculation in American history. As historian Richard White has remarked of the Choctaws, “they never fought the Americans; they were never conquered. Instead, through the market they were made dependent and dispossessed.” After a very long effort to evict them from Mississippi, the federal government began to rediscover their rights after World War II. Conclusive judicial recognition of the Mississippi Band of Choctaw Indians by the U.S. Supreme Court occurred in 1978.²⁵

It is noteworthy that subsequent treaties with the Creeks (1832 and 1833), Seminoles (1832 and 1833), Apalachicolas (1832 and 1833), Chickasaws (1832 and 1834), and Cherokees (1835), like that of the Choctaws, contained no references to usufructuary rights for Indians as members of tribes. The Jackson administration’s goal was to remove all major Southern tribes to the trans-Mississippi West as quickly as possible.²⁶

The treaties with the Creeks and Chickasaws, like the Choctaw treaty before them, however, included provisions for land allotments. “The deliberate adoption of this anomalous policy,” historian Mary E. Young has asserted, “was the consequence of a crisis in the relations between the southern tribes and the federal and state governments, which made it imperative that the consent of the tribes to the cession of all of their remaining eastern lands be immediately secured.” The heated congressional debate preceding the passage of the Removal Act in 1830 together with the Supreme Court’s decision in *Worcester v. Georgia* in 1832 and the continuing strong anti-removal rhetoric of the administration’s political rivals (as well as that of religious spokespersons) made it politically

²⁵Satz, “The Mississippi Choctaw,” pp. 7-24; Richard White, *The Roots of Dependency: Subsistence, Environment, and Social Change among the Choctaws, Pawnees, and Navajos*. (Lincoln: University of Nebraska Press, 1983), p. 146 (quotation); *United States v. John*, 437 U.S. 634 (1978).

²⁶ Kappler, *Indian Affairs*, 2: 341-45, 352, 356-64, 388-91, 394-95, 398-400, 418-25, 439-49.

essential that future treaties be viewed as voluntary and even “generous” to the tribes.²⁷

The inclusion of allotments for the Creeks was a compromise between the administration’s desire to open their lands to legal white settlement and the chiefs’ (who Jackson claimed ruled by tyranny) insistence that their people refused to emigrate. Allotment of lands left the question of emigration up to each individual Indian, thus “freeing” the Creeks, according to the president, from the tyranny of their chiefs or, according to the president’s opponents, thus leaving them at the mercy of the state, a definite encouragement for removal.²⁸

President Jackson secured the removal of the Creek Indians from Alabama without even the formality of a treaty provision requiring their emigration. The Treaty of March 24, 1832, which eventually opened approximately five million acres of eastern Alabama land to white settlement and ultimately led to the eviction of the Creeks, specifically stated the federal government would not compel any Indian to emigrate against his or her wishes. Unable to convince Creek leaders of the virtues of its Indian removal policy, the Jackson administration finally persuaded them in 1832 to relinquish a large portion of tribal holdings in return for a pledge that the remainder would be allotted to the chiefs, headmen, and heads of families. In order to secure the signatures of Creek leaders, federal treaty negotiators promised to protect the Indians against all intrusions on their allotments and against forcible eviction from Alabama. Considering President Jackson's repeated contention that he was helpless to protect Indians when a state extended its laws over them, the Creek treaty of 1832 was a clever administration ploy to expedite Indian removal by opening the door to white speculation in Creek

²⁷ Mary E. Young, *Redskins, Ruffleshirts and Rednecks: Indian Allotments in Alabama and Mississippi, 1830-1860* (Norman, OK: University of Oklahoma Press, 1961), p. 13. On the relationship of the allotment policy to Indian removal among the Southern tribes, also see the following articles by Young: "The Creek Frauds: A Study in Conscience and Corruption." *Mississippi Valley Historical Review* 42 (December 1955): 411-37; and her "Indian Removal and Land Allotment: The Civilized Tribes and Jacksonian Justice." *American Historical Review* 64 (October 1958): 31-45.

²⁸ Young, *Redskins, Ruffleshirts and Rednecks*, pp. 44-45.

lands. By converting Creek tribal holdings into private allotments that were eagerly (and too often easily) secured by land speculators and companies formed to profit from such activities, the president was following the old strategy of divide-and-rule while benefiting speculators more than actual settlers.²⁹

Using techniques perfected during the sale of the Choctaw allotments in Mississippi, white speculators quickly defrauded the Creeks, driving them from their homes, and forcing them to wander about the countryside in search of food and shelter. Secretary of War Lewis Cass responded to urgent requests from Alabama officials for "vigorous operations against the [Creek] enemy" in mid-May, 1835, by sending U.S. troops to the Creek country. This intervention came only a few days after Cass had assured Alabama governor C. C. Clay that "a state of things may certainly arise calling for the most decisive measures." More specifically, he advised, "should the Indians actually commence or clearly meditate hostilities, or should they delay their removal, and thus become more depraved in their habits, and so reduced, as there is reason to apprehend they will be, that they must subsist by plundering the inhabitants, the law of necessity will certainly justify their transfer to the country provided for them west of the Mississippi." Cass was so convinced "the law of necessity" would be called into play that he found it "impracticable" to pursue further investigations of alleged frauds against the Indians since they were "in a state of actual hostilities." Cass then ordered the army to round up hostile Creeks "as speedily as possible" with the assistance of militia and volunteers from Alabama and Georgia. Calling for the "unconditional submission" of the Creeks, Cass used the Indian-white conflict in Alabama resulting from the frauds in the "purchases" of Indian allotments as a pretext for accomplishing by force what the administration could not secure through treaty negotiations. Even Indians not engaged in hostilities were to be removed. "They [too] must be removed by a military force if necessary," Cass instructed Major

²⁹ Kappler, *Indian Affairs*, 2: 342-43; Mary E. Young, "The Creek Frauds: A Study in Conscience and Corruption," *Mississippi Valley Historical Review* 42 (December 1955): 412-14; Michael D. Green, *The Politics of Indian Removal: Creek Government and Society in Crisis* (Lincoln: University of Nebraska Press, 1982), 171-74, 181.

General Thomas Jesup, "as all experience has shown that it is difficult, if not impracticable, to keep any considerable part of an Indian tribe at peace while the residue of it is engaged in war; and, besides," Cass concluded, "it would be impossible to prevent the hostile warriors from taking shelter among the others, or, indeed, to determine, with any reasonable certainty and for any length of time, who are hostile and who are friendly."³⁰

Acting under orders from Cass, the army removed approximately fifteen thousand Creeks in 1836, even though these Indians had never signed a treaty requiring their relocation. The department classified about twenty-five hundred of the emigrants as hostiles. The so-called Creek War of 1836 had given the War Department an opportunity to accomplish in a few months what politicians and treaty negotiations had failed for years to achieve--the removal of the Creeks from Alabama. But the price was high. Several thousand Indians, including many children, women, and old people, lost their lives because of the forced removal.³¹

The Chickasaws in Alabama and neighboring Mississippi also emigrated westward after signing a removal treaty. Unlike the Creeks, their leaders had come to view removal as inevitable. As stated in the preamble to the treaty they signed in 1832:

The Chickasaw Nation find themselves oppressed in their present situation; by being made subject to the laws of the States in which they reside. Being ignorant of the language and laws of the white man, they cannot understand or obey them. Rather than to submit to this great evil,

³⁰ Cass to Hogan, Burney, and Anderson, May 19, 1836, Cass to Jessup, May 19, 1836, in U.S. Congress, *American State Papers: Military Affairs*, 7 vols. (Washington, D.C.: Gales & Seaton, 1832-61), 6: 622-24; Cass to Jessup, May 25, 1836, in U.S. Secretary of War, "Letter from the Secretary of War, Upon the Subject of Further Appropriation for the Indian Department for the Year 1837," *House Document 108*, 24th Cong., 2nd sess., p. 3; Green, *The Politics of Indian Removal*, pp. 184-85.

³¹ Harris to Poinsett, February 5, 1838, *American State Papers: Military Affairs*, 7: 952; Grant Foreman, *Indian Removal: The Emigration of the Five Civilized Tribes of Indians* (1932; new edition. Norman: University of Oklahoma Press, 1953), p. 185.

they prefer to seek a home in the west, where they may live and be governed by their own laws.

Both the Jackson administration and Indians leaders signing the treaty understood that the allotments specified in the treaty were only a method of providing revenue to the Indians en route to their removal to the West, which occurred in 1837.³²

Although President Jackson finally secured a removal treaty with the Cherokees in 1835, his administration lost little time after the passage of the Removal Act trying to convince tribal leaders to agree to sign a treaty. The Cherokees, however, looked to the U.S. Supreme Court for assistance in their struggle to retain their treaty rights *in* their current country. In a detailed and sober manner, Secretary of War Cass responded in 1832 to a memorial from a delegation of Cherokees complaining about white intrusions on their people and lands in Georgia and calling upon the administration to enforce the provision of its Removal Act that forbade the violation of existing treaty provisions. The delegation called upon the United States to serve as “guardians and protectors” of Cherokee treaty rights insomuch as “we have rights due to be observed by the Government . . . as recently demonstrated by the Supreme Court of the United States....”³³

Cass’ response, which he stated, was “directed by the President” himself, was frank. He advised the Indians to “shut your ears . . . to bad counsels.... Whatever may be told you, it is impossible you can remain where you now are, and prosper; and if you persist in the effort, the time of regret will come; but will come, I am afraid, after the most serious injury to yourselves.” It was “the desire

³² Kappler, *Indian Affairs*, 2: 356; Young, *Redskins, Ruffleshirts, and Rednecks*, pp. 44, 114, Arrell M. Gibson, *The Chickasaws* (Norman: University of Oklahoma Press, 1971), pp. 175-76; Ronald N. Satz, “The Chickasaws,” *Tennessee Encyclopedia of History and Culture*, edited by Carroll Van West (Nashville: Tennessee Historical Society, 1998), p. 153.

³³ John Martin, John Ridge, and W. S. Coody to Secretary of War, December 29, 1831, Cass to the Cherokees East of the Mississippi, April 17, 1832, in U.S. Commissary General of Subsistence, *Correspondence on the Subject of the Emigration of Indians, Between the 30th November, 1831, and the 27th December, 1833, with Abstracts of Expenditures by Disbursing Agents, in the Removal and Subsistence of Indians, &c. Furnished in Answer to a Resolution of the Senate, of the 27th December, 1833* (5 vols. Washington: Duff Green, 1835), 2: 731-32.

of the President,” he advised, “that the difficulties of your present situation may be removed, and your future destiny placed beyond the reach of those causes which may have occasioned such misery to the Indian race.” So that there would be no misunderstanding of Jackson’s intentions, Cass stated:

It is the wish of the President that all of your people should remove, and he is therefore unwilling that any reservations of land should be made in the ceded territory. Still, he would not make this an indispensable condition, but would agree, should it be found necessary, that reservations should be made for a few of your people, in situations, and under circumstances rendering such a measure proper, and within the scope of his legal authority. But your people must distinctly understand, that those who remain will become citizens of the State in which they reside; and that all the relations between them and the United States, founded upon their previous circumstances as Indians, must cease.

When Secretary Cass later issued instructions to treaty commissioners negotiating for Cherokee removal, he made it clear there would be no provision for land allotments. In part, this was a result of the tremendous outcry by the president’s political opposition (as frauds in the handling of the Creek allotments were being exposed in the press and under investigation by Congress) but it also reflected the president’s adamant desire to remove *all* of the Cherokees to the West without any unnecessary delays. The “fraudulent treaty” of 1835, as its opponents called it, set into motion “the time of regret” that Cass had alluded to in his letter, what historians refer to as the infamous Trail of Tears along which some four thousand Indian men, women, and children (about one-fourth of the tribe) died as a result of the events surrounding their capture, detention, and journey. On December 5, 1836, a little more than a half a year following his proclamation of the Treaty of Washington, Jackson presented his eighth and final annual message to Congress. In speaking of Indian affairs, he stated that “the national policy, founded alike in interest and in humanity, so long and so steadily pursued by this Government for

the removal of the Indian tribes originally settled on this side of the Mississippi to the west of that river, may be said to have been consummated by the conclusion of the late treaty with the Cherokees.”³⁴

At the time Jackson spoke in 1836, the nation had already been embroiled for a year in what would be a bloody seven-year war (1835-1842) with the Seminoles in Florida. In addition to the cost in both Indian and U.S. lives, the conflict cost the United States Treasury ten times the Jackson administration’s estimate of the total cost for removing all eastern Indians to the West. The war became a cause celebre for humanitarian reformers of the day as the military used bloodhounds to track the Indians and runaway slaves living among them and served as an embarrassment for two Democrat administrations (Jackson and Van Buren) and two Whig administrations (Harrison and Tyler).³⁵

The conflict had its origins in Jacksonian era treaty provisions. Seminole leaders, under increasing pressure from white settlers and suffering from the devastating effects of the severe drought of 1831, reluctantly signed a provisional removal treaty in May, 1832. The agreement stipulated that removal was conditional, pending tribal approval of the site selected by the War Department for the Indians in the West. After securing the treaty, federal officials next turned their attention to the leaders of the Apalachicola Band who had avoided the

³⁴ Cass to the Cherokees East of the Mississippi, April 17, 1832, in U.S. Commissary General of Subsistence, *Correspondence on the Subject of the Emigration of Indians*, 2: 816-17; Young, *Redskins, Ruffleshirts, and Rednecks*, p. 193; Eighth Annual Message, December 5, 1836, in *Papers of the Presidents*, 3:1475. I have examined the topics of Cherokee removal and the Supreme Court’s handling of the so-called Cherokee cases (*Cherokee Nation v. State of Georgia* and *Worcester v. State of Georgia*) in the following publications: “Rhetoric Versus Reality: The Indian Policy of Andrew Jackson,” in *Cherokee Removal: Before and After*, edited by William L. Anderson (Athens: University of Georgia Press, 1991) pp. 29-54; “The Cherokee Trail of Tears: A Sesquicentennial Perspectives,” *Georgia Historical Quarterly* 73 (Fall 1989): 431-466; “The United States Constitution and the Cherokees, 1787-1987,” *Kennesaw Review* 1 (February 1987): 34-49. “Cherokee Traditionalism, Protestant Evangelism, and the Trail of Tears,” *Tennessee Historical Quarterly* 45 (Winter 1985-86): 380-401 and 45 (Fall 1995): 285-301; *Tennessee’s Indian Peoples: From White Contact to Removal, 1540-1840* (Knoxville: University of Tennessee Press, 1979); *American Indian Policy in the Jacksonian Era*, pp. 44-46 47, 48-49, 50-52, 99-101.

³⁵ Satz, *American Indian Policy in the Jacksonian Era*, pp. 100-104.

negotiations. In October, they too were pressured into signing a similar removal agreement.³⁶

The War Department lost little time in sending an "exploring party" of Seminole leaders together with their interpreter and U.S. Indian agent John Phagan to examine the proposed location in the West. The Seminoles were generally unhappy with the area. Before the Indians were permitted to return home, however, they came under unrelenting pressure from Agent Phagan who coerced them into signing a final "treaty" binding all of the Seminole people to leave Florida and to unite in the West with the Creeks as one nation. This so-called treaty was signed in 1833 under extreme duress by the members of the exploring party, who feared for their safety should they refuse to put their marks on the treaty paper. Several months later, federal officials negotiated a treaty with the Apalachicola Band setting the stage for it to become "a constituent part" of the Seminoles in the West.³⁷

Senate ratification and Jackson's proclamation of the Seminole and Apalachicola treaties by mid-1834 brought great joy to Florida politicians and settlers. In spite of subsequent protests by the members of the exploring party and other Seminole leaders, President Jackson refused to question the legitimacy of the removal treaty the agent had secured in the West. In fact, as Jackson biographer Robert V. Remini points out, "President Jackson and his secretary of war [Lewis Cass] were distracted by a dispute with the French [over spoliation claims from the Napoleonic Wars] that almost resulted in a declaration of war."³⁸

³⁶ Kappler, *Indian Affairs*, 2: 344-45, 352

³⁷ Kappler, *Indian Affairs*, 2: 394-95, 398-400; Jane F. Lancaster, *Removal Aftermath: The Seminoles' Struggles to Survive in the West, 1836-1866* (Knoxville: University of Tennessee Press, 1994), pp. 11-17

³⁸ *Ibid.*, pp. 17-18; Robert V. Remini, *Andrew Jackson and His Indian Wars* (New York: Viking, 2001), p. 273-76 (the quotation is on p. 275):

2} The Initial Application of the Removal Act in the Old Northwest

President Jackson had indicated in his first annual message to Congress in late 1829 that his primary concern in Indian affairs was the removal of the southern tribes.³⁹ Following the passage of the Removal Act, however, politicians, land speculators, and other boosters of the Great Lakes region advised the president that the time for securing removal treaties with the tribes in their states and territories was "auspicious." In 1830, a white population of about 1.5 million resided in the Great Lakes and upper Ohio River Valley region. The tremendous spurt in Great Lakes traffic after the completion of the Erie Canal in 1825 brought an influx of easterners and immigrant settlers from Europe into the Old Northwest--a region of about 250,000 square miles lying between the Ohio River, the Mississippi River, and the Great Lakes west of Lake Ontario. Ohio, granted statehood in 1803 upon reaching the population qualification of 60,000 inhabitants, had a white population of nearly 940,000 in 1830. Michigan Territory, organized in 1805 and including present-day Wisconsin, had a population of 32,000. Indiana exceeding 340,000 white inhabitants and Illinois approaching 160,000 enjoyed the most marked growth in the region since gaining statehood in 1816 and 1818 respectively.⁴⁰

In contrast to the white population of 1.5 million in the Old Northwest by 1830, some 60,000 Indians lived in about five hundred villages scattered across the landscape of the Great Lakes region including today's Minnesota, the region's western borderland, which was under only moderate American influence at that time. By 1830, American treaty negotiators had cleared most of Ohio, Indiana, and

³⁹ First Annual Message, December 8, 1829, in *Papers of the Presidents*, 3: 1020-21.

⁴⁰ Satz, "Indian Policy in the Jacksonian Era," p. 75 (quotation); Helen Hornbeck Tanner, ed., *Atlas of Great Lakes Indian History* (Norman: University of Oklahoma Press, 1987), pp. 122-23, 130-50. For a history of the Old Northwest from the beginning of the "Great Migration" westward in 1815, see R. Carlyle Buley, *The Old Northwest: Pioneer Period, 1815-1840* (2 vols., Bloomington: Indiana University Press, 1950).

Illinois of Indian title, but the continued presence in these states of enclaves of Indians subsisting on agriculture and government annuities was an annoyance to white settlers and land speculators as well as to the politicians who were dependent on their votes. In Michigan (including the region that later became Wisconsin) on the other hand, the non-Indian population at this time was largely confined to a few areas--so the continued presence of Indians in other sections was not considered an immediate problem.⁴¹

The Jackson administration advised congressmen from the Old Northwest who were clamoring for the removal of Indians to be patient. Funds then available for this purpose were being earmarked for the president's first priority--the removal of the large southern tribes. Impatient political leaders from the Old Northwest, working together with Missouri colleagues who were anxious to evict from their state Indians moved there as a result of earlier treaties, secured legislation in July, 1832, providing funds to extinguish Potawatomi title to land in Illinois, Indiana, and Michigan Territory. Although Jackson and his advisors spent considerable time on promoting the removal of southern tribes, they were not in a position to ignore the interests of those wanting to remove Indians from the Old Northwest.⁴²

Jacksonian era policies toward the Indian tribes in the Old Northwest were shaped in part by the efforts of previous administrations to rebuild relations following the American Revolution. Indian-white relations in the region had a foundation going back to the Treaty of Paris, which in 1783 ended the American

⁴¹ Tanner, *Atlas of Great Lakes Indian History*, pp. 122-23, 130-46; Buley, *The Old Northwest*, 2: 121; Francis Paul Prucha *The Great Father: The United States Government and the American Indians* (2 vols. Lincoln and London: University of Nebraska Press, 1984), 1: 245; "Report on the Quality and Condition of Wisconsin Territory, 1831," enclosed in Samuel Stambaugh to Secretary of War, November 8, 1831, in *Wisconsin Historical Collections*, 15 (1900): 429.

⁴² Report from the Superintendent of Indian Affairs, November 26, 1830, Report from the Office of Indian Affairs, November 22, 1832, in *OIA, AR*, vol. 1 (1830), p. 161, vol. 2 (1832), pp. 162; Act of July 9, 1832, U. S., Stat., 4: 564; Lewis Cass to Gen. William Clark, Francis Allen, and Nathan Kouns, July 14, 1832, in U.S. Commissary General of Subsistence, *Correspondence on the Subject of the Emigration of Indians Senate Document*, 2: 869-70; Satz, *American Indian Policy in the Jacksonian Era*, p. 66; Grant Foreman, *The Last Trek of the Indians* (Chicago: University of Chicago Press, 1946), p. 62.

Revolution and partitioned North America. The Great Lakes region, however, was far beyond the area under actual American control, and federal officials had “to consider relations *with* the Indians, rather than a unilateral policy *for* the Indians.”⁴³ The Northwest Ordinance, recognizing that Indian tribes in the region remained a formidable presence, paved the way for treaty making and the orderly opening of western lands for the exploitation of natural resources and settlement in 1787 when it promised that “the utmost good faith shall always observed towards the Indians, their lands and property shall never be taken from them without their consent....”⁴⁴

The promulgation of the Northwest Ordinance came during a period when American armies had major suffered defeats by western Indians including the destruction of General Arthur St. Clair’s army in 1791, an event considered a national disaster. Following the defeat of the allied western tribes at the decisive Battle of Fallen Timbers in 1794, the United States sought to establish peace with Indians from twelve tribes (including Ottawas and Chippewas) and to wean them away from British and other foreign influences. The resulting 1795 Treaty of Greenville, ending almost twenty years of warfare in the West, was a landmark treaty influencing the future direction of treaty making in the Old Northwest.⁴⁵

At Greenville, the United States relinquished its previous claims to absolute sovereignty over unceded lands north of the Ohio River, east of the Mississippi River, and south of the Great Lakes (including portions of today’s Michigan, Ohio,

⁴³ Dorothy V. Jones *License for Empire: Colonialism by Treaty in Early America* (Chicago: University of Chicago Press, 1982), pp. 147-48 (emphasis in original).

⁴⁴ *Northwest Ordinance*, July 13, 1787, in Francis Paul Prucha, ed. *Documents of United States Indian Policy*. 2nd ed., expanded. Lincoln: University of Nebraska Press, 1990, pp. 9-10. Also see Peter S. Onuf, *Statehood and Union: A History of the Northwest Ordinance* (Bloomington, IN: Indiana University Press, 1987), pp. xiii, 24.

⁴⁵ Harry M. Ward, *The War Department, 1781-1795* (1962, reprint edition, Westport, Conn.: Greenwood Press, 1981), pp. 126-41, 167-75; Prucha, *The Great Father*, 1: 35-67. Also see Sword, Wiley. *President Washington’s Indian War: The Struggle for the Old Northwest, 1790-1795*. Norman: University of Oklahoma Press, 1985.

and Indiana), reserving to itself only the right to purchase the lands when the Indians agreed to sell. General Anthony Wayne included the following provision, Article 5, in the treaty so that there would be no future questions about the Indians' rights to their lands:

To prevent any misunderstanding about the Indians lands relinquished by the United States in the fourth article, it is now explicitly declared, that the meaning of that relinquishment is this: The Indian tribes who have a right to those lands, are quietly to enjoy them, hunting, planting, and dwelling thereon so long as they please, without any molestation from the United States; but when those tribes, or any of them, should be disposed to sell their lands, or any part of them, they are to be sold only to the United States; and until such sale, the United States will protect all the said Indian tribes in the quiet enjoyment of their lands against all citizens of the United States, and against all other white persons who intrude upon the same. And the said Indian tribes again acknowledge themselves to be under protection of the said United States and no other power whatever.

The Indians' usufructuary rights on ceded lands were limited only by their behavior as noted in Article 7:

The said tribes of Indians, parties to this treaty, shall be at liberty to hunt within the territory and lands which they have now ceded to the United States, without hindrance or molestation, so long as they demean themselves peaceably, and offer no injury to the people of the United States.

This reference to usufructuary rights marked the second recognition of such rights in an Indian treaty ratified by the United States Senate. (The first occurred in the 1789 Treaty of Fort Harmer, and it also limited the right only by behavior). The Treaty of Greenville also drew a boundary line between white and Indian lands which was incorporated into the Trade and Intercourse Act of 1796 to provide

added clarity to the federal government's intention to uphold treaty provisions. The Jay Treaty of 1796, by which the British relinquished occupation of the oldest forts in the Northwest, together with Greenville Treaty, signaled to the Indians of the region that Britain's western hegemony was in decline.⁴⁶

Following the Treaty of Greenville, treaty commissioners in the Old Northwest included more restrictive language regarding usufructuary rights. The trend beginning with the negotiation of a treaty with the Kaskaskias in 1803 was to guarantee these rights "as long as the lands . . . shall continue to be the property of the United States" (as opposed to the Greenville stipulation related to Indian demeanor). Subsequent treaties in the Old Northwest, including some involving Ottawas and Chippewas, continued the practice of stipulating for usufructuary rights as long as ceded lands remained in federal hands.⁴⁷

Efforts to strengthen relations with the Great Lakes tribes were an important component of federal Indian policy after the War of 1812. They included the signing of peace treaties, the negotiation of land cession treaties, the construction of military forts in Indian country, and the expulsion of British traders from Indian villages. In 1825, when the completion of the Erie Canal and the extension of agricultural settlements in northern Illinois and present-day southern Wisconsin were accelerating the Americanization of the Old Northwest, federal officials convened a thousand regional Indian representatives at Prairie du Chien

⁴⁶ Kappler, *Indian Affairs*, 2: 39-45 (quotations are on p. 42); Francis Paul Prucha, *American Indian Policy in the Formative Years: The Indian Trade and Intercourse Acts, 1790-1834* (Cambridge, Mass.: Harvard University Press, 1962), p. 49. The reference to usufructuary rights in 1789 Treaty of Fort Harmar occurs in Article 4: "It is agreed between the said United States and the said nations, that the individuals of said nations shall be at liberty to hunt within the territory ceded to the United States, without hindrance or molestation, so long as they demean themselves peaceably, and offer no injury or annoyance to any of the subjects or citizens of the said United States." Kappler, *Indian Affairs*, 2: 19.

⁴⁷ See, for example, Kappler, *Indian Affairs*: 2: 68 (quotation), 76, 89, 93-4, 100, 132, 149, 186, 200, 275, 297-99, 354. The stipulation in the 1821 treaty with the Ottawas, Chippewas, and Potawatomis negotiated by Lewis Cass and Solomon Sibley makes an erroneous reference to the Greenville Treaty: "The stipulation contained in the Treaty of Greenville, relative to the right of the Indians to hunt upon the land ceded while it continues the property of the United States, shall apply to this treaty." *Ibid.*, 2: 200.

ostensibly to establish specific tribal boundaries as means of maintaining peace. At the parley, Indian tribes and bands of the region recognized "the general controlling power of the United States" and agreed to boundaries designated by Treaty Commissioners William Clark and Lewis Cass. Confident that the establishment of clear boundaries for each Indian group would facilitate future land cessions, Secretary of War John C. Calhoun contemplated relocating the Indians of New York, Ohio, Michigan, Indiana, and Illinois to a location in today's Wisconsin. The plan, however, branded by some northerners as a scheme to block the westward expansion of free states, died in Congress.⁴⁸

During the late 1820s and the early 1830s, while the large Southern tribes were under unremitting pressure to remove to the trans-Mississippi West, the Indians of the Old Northwest were not universally being directed to that region. Some Great Lakes Indians, like the Delawares on the Sandusky River in Ohio, were removed to the West; others, including communities of Potawatomis and Chippewas, ceded some land but remained on unceded territory. At the same time, Indians from New York were being directed toward the Old Northwest as a result of earlier arrangements. In several respects, therefore, the situation in the Old Northwest was more complex than in the South where *all* of the large tribes were being pressured to relocate to the West. In the Old Northwest, some tribes or bands were ceding territories that were then resettled by other Indians rather than by whites, while still other Indian people were ceding lands but retaining usufructuary rights. Nevertheless, the 1825 Prairie du Chien Treaty had helped to

⁴⁸ Kappler, *Indian Affairs*, 2: 110-23, 250-55; Calhoun to President James Monroe, January 24, 1825, in *American State Papers, Indian Affairs*, 2: 542-44; Robert L. Fisher, "The Treaties of Portage des Sioux," *Mississippi Valley Historical Review* 19 (March 1933): 495-508; Buley, *The Old Northwest*, 2:121; Abel, "The History of Events Resulting in Indian Consolidation West of the Mississippi," pp. 276, 287-321; Francis Paul Prucha, "United States Indian Policies, 1815-1860," in *History of Indian-White Relations*, pp. 40-41; Schultz, *An Indian Canaan*, p. 79. On the expansion of the American military into the Old Northwest after the War of 1812, see Henry P. Beers, *The Western Military Frontier, 1815-1846* (Philadelphia: University of Pennsylvania Press, 1935); Edgar B. Wesley, *Guarding the Frontier: A Study of Frontier Defense from 1815 to 1825* (Minneapolis: University of Minnesota Press, 1935); and Francis Paul Prucha, *Broadax and Bayonet: The Role of the United States Army in the Development of the Northwest, 1815-1860* (Madison: State Historical Society of Wisconsin, 1953).

pave the way for future land cessions by clarifying Indian land ownership. By the end of Jackson's second term in 1837, many northern tribes had ceded their lands and emigrated west of the Mississippi River. Some northern Indians had retreated to more isolated locations within the region while still others had found refuge in British Canada.⁴⁹

The Jackson administration's initial step in the execution of the Removal Act outside the South was the appointment in 1831 of Colonel James B. Gardiner as a special agent to negotiate with the Indians of Ohio. The appointment was in response to petitions asking that Ohio be relived of the "inconvenience" of having some 1,600 Indians (300 Ottawas, 200 Senecas, 600 Shawnees, and 500 Wyandots) living on detached reservations totaling about 370 acres. As the population of white settlements in the region approached one million, Ohio's political leaders wanted the Indians relocated "somewhere out of the line of the thoroughfare of the white inhabitants." At the same time, some Senecas themselves pleaded for federal assistance in moving to a more isolated location. Colonel Gardiner received instructions to visit all of the bands in the state and to convince their leaders, as discreetly as possible, that removal was the only way to "preserve them as a people."⁵⁰

Between 1831 and 1833, Treaty Commissioner Gardiner secured six treaties with tribes in Ohio. American missionaries and teachers residing among

⁴⁹ See, for example, Schoolcraft's comments on Potawatomi moving north in his letter to Elbert Herring, June 20, 1835, *NAM-MI*, roll 69, frame 114. On the flight to Canada, see the following articles by Robert F. Bauman, "Kansas, Canada, or Starvation," *Michigan History* 36 (September 1952): 287-299 and "The Migration of the Ottawa Indians from the Maumee Valley to Walpole Island," *Northwest Ohio Quarterly* 21, no. 2 (1949): 86-112 as well as James A. Clifton, *A Place of Refuge for All Time: Migration of the American Potawatomi into Upper Canada, 1830-1850*, Mercury Series (Ottawa: National Museum of Man, 1975).

⁵⁰ Kappler, 2: 325-40; Petition of residents of southern section of Michigan Territory to Lewis Cass, August 2, 1830, John McElvain to McKenney, August 14, 1830, John H. Eaton to Gardiner, March 29, 1831, in U.S. Commissary General of Subsistence, *Correspondence on the Subject of the Emigration of Indians*, 2: 87, 88, 270-73; Abel, "Indian Consolidation," 383; Tanner, *Atlas of Great Lakes Indian History*, p. 136; Carl G. Klopfenstein, "The Removal of the Indians from Ohio," in Randall L. Buchman, ed., *The Historic Indian in Ohio*, Ohio American Revolution Bicentennial Series, 3 (Columbus, Ohio: Ohio Historical Society, 1976), p. 31.

the bands criticized the agent's conduct in negotiating most of the treaties. Nevertheless, the Senate ratified all of them, and President Jackson duly proclaimed them on April 6, 1832. Jackson then rewarded Gardiner for his work by appointing him to superintend the removals called for under the treaties.⁵¹

Gardiner negotiated the first of his treaties with the Senecas who had been living on the Sandusky River in present Seneca and Sandusky counties in Ohio for fifty years. The treaty secured on February 28, 1831, (see Section 7, Appendix C) recognized in its preamble that the Indians had consented to remove (indeed it states that they had "solicited the President of the United States to negotiate with them" for their removal). Article 1 defines the region in Ohio being ceded. Article 2 defines the region in today's Oklahoma assigned to the Indians "as long as they shall exist as a nation." Articles 3 through 11 and 13 provide details about financial matters pertaining to the treaty negotiations, the actual removal operations, benefits to be provided such as mills and a blacksmith in the West, the provision and handling of annuities ("to be paid to them at their intended residence, west of the Mississippi, under the direction of the President"), and details about presents and gifts. Article 12 stipulates that the Senecas may not sell their new western lands to anyone but the United States. In being the first northern Indian group to sign a treaty under the provisions of the Removal Act of 1830, the Senecas of Ohio became (as Oklahoma historian Grant Foreman who has written of their "sad and miserable experience" en route to his state refers to them) "the pioneers of the several small bands of Indian immigrants" in the region north of the Cherokee country and east of the Neosho River in Oklahoma.⁵²

Not all Ohio Indians had agreed to emigrate, but even those who signed removal treaties sometimes refused to leave. Some bands, moreover, had ceded

⁵¹ Kappler, *Indian Affairs*, 2: 325-27, 327-31, 331-34, 335-39, and 339-41; Klopfenstein, "The Removal of Indians from Ohio," p. 33; Tanner, *Atlas of Great Lakes Indian History*, p. 136; Joseph H. Cash and Gerald W. Wolff, *The Ottawa People* (Phoenix: Indian Tribal Series, 1976), pp. 38-42.

⁵² Kappler, *Indian Affairs*, 2: 325-27; Foreman, *The Last Trek of the Indians*, pp. 65-70 (quotation is on p. 70).

land in return for temporary reserves elsewhere *within* the state. Remnants of the Ottawa communities that emigrated westward resisted removal from their wooded region to the open prairie of Kansas, some holding out until 1837 and others until 1839. Between 1831 and 1842, the Ohio Indians were divested of 419,384 acres of land plus 4,996 acres in Michigan. The Wyandots, who had a large mixed blood population, avoided westward relocation until 1843.⁵³

In none of Gardner's treaties is there a specific reference to usufructuary rights. During Gardener's 1831 negotiations with the Ottawa at Miami Bay in Ohio, some bands refused to remove west. The commissioner identified the various bands and their preferences, and the treaty called for temporary reservations for three years. While there was no provision of usufructuary rights on ceded lands, the treaty promoted removal by compensating the bands for their land cessions with lands across the Mississippi River and by providing that annuities would be *paid only in the West*.⁵⁴

⁵³Klopfenstein, "The Removal of the Wyandots from Ohio," pp. 121-23; Tanner, *Atlas of Great Lakes Indian History*, pp. 125, 136; Foreman, *The Last Trek of the Indians*, pp. 92-93; Gardiner to Cass, January 28, 1832, James Gould, John Baptiste, James Washington, W[illia]m Walker, and Silas Armstrong to Chiefs of the Wyandot Nation, December 15, 1831, in U.S. Commissary General of Subsistence, *Correspondence on the Subject of the Emigration of Indians*, 3: 153-60, 165-68; Gates, "Indian Allotments Preceding the Dawes Act," p. 152; Carl G. Klopfenstein, "The Removal of the Wyandots from Ohio," *Ohio Historical Quarterly* 66 (April, 1957): 119-36.

⁵⁴ Kappler, *Indian Treaties*, 2: 335-39.

3} Impact of the Black Hawk War on Northern Indian Removal to 1836

While Gardiner was overseeing the Indian removals from Ohio in the early 1830s, his superiors in the War Department focused their attention on events elsewhere in the Old Northwest. In the spring of 1832, a very frustrated band of Sac and Fox Indians and their Prairie Band Kickapoo allies left Iowa Territory and crossed the Mississippi River en route to their old capital on the Rock River in Illinois. Under the leadership of the proud, elderly warrior Black Hawk, this band of about 500 warriors (and possibly as many women and children) entered Illinois to protest their treatment by frontier whites.⁵⁵

The return of these Indians to previously ceded lands led to the outbreak of what has been called the Black Hawk War as some 9,000 militia and nearly one third of the U. S. Army pursued fugitive Indians through Illinois and present-day Wisconsin. The resulting land cession treaty following Black Hawk's surrender was supposedly an "indemnity" for the war, which had actually been provoked by Illinois militia. The cession was imposed on *all* of the Sac and Fox people even though the overwhelming majority of them under the leadership of Keokuk, Black Hawk's rival, had stayed at peace. The so-called Black Hawk Purchase was a 6 million acre cession for which the United States paid about ten cents per acre even though it included the rich lead deposits near Dubuque. All Indians had to vacate the region by June 1, 1833, forfeiting *forever* the right to "reside, plant, fish, or hunt on any portion of the ceded country after the period just mentioned."⁵⁶

⁵⁵ See Donald Jackson, ed., *Black Hawk: An Autobiography* (Urbana: University of Illinois Press, Illini Books, 1964); Anthony F. C. Wallace, "Prelude to Disaster: The Course of Indian-White Relations Which Led to the Black Hawk War of 1832," in Ellen M. Whitney, comp. and ed., *The Black Hawk War, 1831-1832, Collections of the Illinois State Library*, vols. 35-38 (Springfield, 1970-78), 35: 1-57; William T. Hagan, *The Sac and Fox Indians* (Norman: University of Oklahoma Press, 1958); and Roger L. Nicholas, *Black Hawk and the Warrior's Path* (Arlington Heights, Ill.: Harlan Davidson, Inc., 1992).

⁵⁶ Wallace, "Prelude to Disaster," 1-51; Kappler, *Indian Affairs*, 2: 349-51 (quotation on p. 349).

Keokuk's people were not the only Indians to pay dearly for the participation of a minority of their tribe in the Black Hawk War. The involvement of *some* Kickapoos, Potawatomis, and Winnebagos (Hochunks) on Black Hawk's behalf also rendered their tribes vulnerable to American demands for the removal of *all* of their people.

White frontier settlers were especially eager to act against the Winnebagos who had persistently and aggressively resisted white encroachments, blocking water routes and waylaying white travelers passing through their domain in northern Illinois and southern Wisconsin. The Winnebagos had a long history of hostility toward Americans. They had aided the British in the American Revolution and, as staunch supporters of Tecumseh and the Shawnee Prophet, they also assisted the British during the War of 1812. Winnebago ties to British traders continued even after the latter war, and many bands refused to sign the treaty of amity with the United States in 1816. Subsequent American efforts to draw them away from the British were unsuccessful. Frontier leaders and federal officials exploited white animosities and what they referred to as "just apprehensions" toward the Winnebagos by using the so-called Red Bird Uprising (the American name for the Winnebago response in 1827 to American intrusions on their lands and the sexual liberties taken by white miners with their women) to secure the valuable lead mining region in northwestern Illinois and in southwestern Wisconsin by the end of 1829. Throughout the Jacksonian era, white settlers distrusted and feared the Winnebagos while coveting their domain. Although some Winnebagos had assisted the U. S. army in pursuing and capturing Black Hawk, white public opinion called for their removal from south central Wisconsin.⁵⁷

⁵⁷ Report from the Office of Indian Affairs, November 24, 1827, November 1, 1828, *OIA AR*, vol. 1: (1827), pp. 146-47, (1828), p. 94; Kappler, *Indian Affairs*, 2: 300-03; Nancy Oestreich Lurie, "Winnebago," in *Handbook of North American Indians*, vol. 15: *Northeast*, edited by Bruce G. Trigger (Washington, DC: Smithsonian Institution Press, 1978), pp. 697-98; Buley, *The Old Northwest*, 2: 57-59; Martin Zanger, "Red Bird," in *Studies in Diversity: American Indian Leaders*, ed. R. David Edmunds (Lincoln: University of Nebraska Press, 1980), pp. 64-83.

Faced with threats that the United States could not guarantee their safety because of the mounting pressures from white settlers, the Winnebagoes signed a removal treaty in September of 1832. Reluctantly, the Indians ceded a large area south of the Wisconsin River in exchange for a new location, the "Neutral Ground" along the west bank of the Mississippi River. Article 11 of the treaty was quite clear about the pressure being exerted on the Winnebagoes to remove:

In order to prevent misapprehensions that might disturb peace and friendship between the parties to this treaty, it is expressly understood that no band or party of Winnebagoes shall reside, plant, fish, or hunt after the first day of June next, on any portion of the country herein ceded to the United States.

The new Winnebago lands on the Turkey River in northeastern Iowa served as a buffer zone between the Sioux in the north and the Sac and Fox in the south. In selecting this location, the Jackson administration had ignored available information that warfare between the Sioux and the Sac and Fox Indians was common. Of greater interest to the administration was the opening of lands well suited for farming and grazing.⁵⁸

One by one, other tribes in the Old Northwest succumbed to similar pressures from American political leaders in the region to rid themselves of what two Illinois newspapers called "a useless and, perhaps, dangerous population." Vivid, albeit imaginary, accounts of support for Black Hawk among the tribes of the region had aroused hysteria among settlers from Missouri to Indiana. Black Hawk had sent a war club to the Chippewas but the Indians in Michigan ignored Black Hawk's call for assistance and kept Agent Henry Rowe Schoolcraft informed of the Sac leader's overtures, thus easing the agent's anxieties. Michigan militia originally mustered at Niles never left the territory because by then federal

⁵⁸Kappler, *Indian Affairs*, 2: 345-48 (the quotation is on p. 347); Buley, *The Old Northwest*, 2: 80; Annual Report for the Bureau of Indian Affairs, November 17, 1829, *OIA, AR*, (1829), 166; Scott and Reynolds to Cass, September 22, 1833,; Kappler, *Indian Affairs*, 2: 345-48; Louise Phelps Kellogg, "The Removal of the Winnebago," *Wisconsin Academy of Science, Arts, and Letters, Transactions* 29 (1929): 23-24.

troops had defeated and captured Black Hawk. Nevertheless, some Michigan Indians were targeted for removal following the conflict.⁵⁹

By the end of 1832, federal treaty negotiators had secured land cession treaties from various Potawatomi bands in Indiana, Illinois, and Michigan Territory, including a cession from the Prairie Potawatomis who had actually aided the Americans against Black Hawk. The War Department also succeeded in pressuring the peaceful band of Vermillion Kickapoos led by the charismatic prophet Kenekuk, a master of delay who had steadfastly resisted removal since the loss of tribal lands in 1819, into finally emigrating to Kansas. Advised by Treaty Commissioner William Clark that failure to emigrate would result in his people being "treated as enemies," Kenekuk reluctantly agreed to move his band.⁶⁰

As Kenekuk and his followers were being urged to leave Illinois, federal negotiators persuaded the Menominees at a parley in 1832 to cede five hundred thousand acres of land in Wisconsin in order to provide a new home for Indians from New York. As noted earlier, federal policies for the Indians of the Old Northwest were more complicated than for the tribes in the South where the president was intent on removing all of the major southern tribes.⁶¹

In some important ways, however, federal actions in the Old Northwest resembled the pattern followed in the South. In the former region, as in the latter, treaty commissioners tended to select chiefs to represent an entire tribe or group of bands in order to expedite the conclusion of land cession treaties. In 1833, the Jackson administration secured title to the valuable lands of the so-called United Nation of Chippewa, Ottawa, and Potawatomi Indians of northeastern Illinois,

⁵⁹ George Porter to Schoolcraft, September 26, 1832, NAM-M1, roll 68, frame 506; Buley, *The Old Northwest*, 2: 79-80; *Sangamo Journal* (Springfield, IL), October 26, 1833, and *Jacksonville Illinois Patriot*, November 2, 1833, quoted in *Ibid.*, 2:128; Chute, *The Legacy of Shingwaukones*, p. 40; George Fuller, "Settlement of Michigan," *Mississippi Valley Historical Review* 2 (1915): 33.

⁶⁰ Kappler, *Indian Treaties*, 2: 353-56, 365-70, 372-75; Herring, *Kenekuk*, p. 72.

⁶¹ Kappler, *Indian Treaties*, 2: 377-82; David R. M. Beck, *Siege and Survival: History of the Menominee Indians, 1634-1856* (Lincoln: University of Nebraska Press, 2002), pp. 111-116.

southeastern Wisconsin, and the southwest corner of Michigan, for example, by "playing Indian politics." Actually, the very existence of the "United Nation" was in part the result of the War Department's insistence on dealing with certain Potawatomi villages that had long ago assimilated minor elements of their Chippewa and Ottawa kinfolk as if they constituted a single political entity. Included in the resulting treaty is the following clear statement of intent, "it is the wish of the Government of the United States that the said nation of Indians should remove to the country thus assigned to them *as soon as conveniently can be done* (emphasis added)." The people of the so-called United Nation shared with many other Great Lakes Indians the desire to achieve a greater measure of control over their lives. While some attempted to do this by fleeing north into the pine forests of Wisconsin and Michigan, others by migrating to Canada, some by staying in the region and avoiding contact with Americans, and still others by removing to the trans-Mississippi West, the people of the United Nation had hoped to do so by manipulating American weaknesses through negotiations.⁶²

Historian Francis Paul Prucha has observed that the general pattern of Indian-white relations that evolved in the Old Northwest included "a succession of treaties of cession following the War of 1812, increasing pressure on the remaining lands by white settlers supported by the state and federal governments, new cessions with reserved lands for chiefs and other individuals or bands that refused to emigrate beyond the Mississippi, degradation and deterioration of the tribes because of drunkenness and indolence (often a result of the annuities on which many of the Indians depended for existence), and treaties that demanded removal from the states to reservations laid out in the Indian country to the west." However, as Prucha points out, neither the Ottawas nor the Chippewas in Michigan, Wisconsin, and Minnesota took part in the general removal of the northern tribes

⁶² Kappler, *Indian Affairs*, 2: 402-10 (the quotation is on p. 402); Thomas G. Conway, "Potawatomi Politics," *Journal of the Illinois State Historical Society* 65 (Winter 1972): 410-411, 413, 416-18; James A. Clifton, *The Prairie People: Continuity and Change in Potawatomi Indian Culture 1665-1965* (Lawrence, KS: The Regents Press of Kansas, 1977), pp. 228, 231, 235, 239-42, 273-75, 286-91, 318-325, 330.

to the western Indian country in the Jacksonian era. There was “no wholesale removal involved [for the Chippewas and Ottawas of Michigan], for reserves were provided, and the Indians retained the right to use the land until it was settled by whites.”⁶³

⁶³ Prucha, *The Great Father*, 1:258, 261-62.

4} The 1836 Treaty of Washington

While Wisconsin Territory was being carved out of Michigan Territory in the mid-1830s, settlers in the latter region were petitioning for statehood. In areas of the Old Northwest where white settlement pressure was not intense, such as the northern portions of today's Michigan and Wisconsin, federal officials were willing to accept treaty provisions allowing Indians to remain on ceded lands, particularly if such provisions were *required* by the Indians before ceding lands with valuable natural resources and/or in important strategic locations.⁶⁴ The treaty with the Ottawas and Chippewas in Michigan in 1836⁶⁵ contained such provisions, as did later treaties with the various bands of Lake Superior Chippewas in 1837 and 1842.⁶⁶

The Michigan Indians impacted by the 1836 treaty represent what one scholar calls "one of the most exceptional cases in the history of Indian removal in the Old Northwest." Unlike many other Indians of the region during the Jacksonian era, these people were able to maintain a variation of their traditional subsistence patterns and culture throughout the nineteenth century, and they did so in the same localities that they had used before white Americans ventured into the Great Lakes region. A number of factors made this possible.⁶⁷

⁶⁴ For the impact of white settlement on these regions see Tanner, *Atlas of Great Lakes Indian History*. Also see D. W. Meinig, *The Shaping of America: A Geographical Perspective of 500 Years of History*, Vol. 2: *Continental America 1800-1867* (New Haven: Yale University Press, 1993), pp. 222, 227.

⁶⁵ Kappler, *Indian Affairs*, 2: 450-56.

⁶⁶ *Ibid.*, 491-93, 542-45. On the Lake Superior Chippewa resistance to removal, see Ronald N. Satz, *Chippewa Treaty Rights: The Reserved Rights of Wisconsin's Chippewa Indians in Historical Perspective* (1991; 2nd printing, rev., Madison, WI: University of Wisconsin Press for the Wisconsin Academy of Sciences, Arts and Letters, 1994), pp. 13-49.

⁶⁷ Schoolcraft to Herring, November 21, 1832, in Henry Rowe Schoolcraft. *Historical and Statistical Information Respecting the History, Condition, and Prospects of the Indian Tribes of the United States. Collected and Prepared under the Direction of the Bureau of Indian Affairs per Act*

The Ottawa and Chippewa people of the Great Lakes forest were determined negotiators who attempted to explain the importance of their relationship to the natural resources of their lands to those U.S. officials who wanted to secure access to those resources for non-Indians. These foraging, band-level societies spent most of the year living scattered in small family and extended kin groups, congregating together in larger groups only seasonally during summer near prime fishing sites. Indian leaders understood that it was possible for their people to share some resources of their lands with others through relationships with mutual obligations. Indeed the prestige of a chief rested upon the resources at this disposal and his generous redistribution of this wealth among the people.⁶⁸

Anthropologists remind us, as scholar Robert H. Keller has observed, that “cultures are a whole and that their economies respond to external forces beyond the culture’s control. Exclusive preoccupation with economic life, even when useful, is necessarily artificial.” Federal policymakers involved in Indian affairs “possessed little understanding of the interrelationship between economic institutions and the other elements” in tribal cultures, “a misunderstanding still repeated whenever we assume that food, shelter, clothing, and money can be

of Congress of March 3d, 1847 by Henry R. Schoolcraft (6 vols. Philadelphia, Lippincott, Grambo, 1851-60), 3: 599-600. Extract from the Report of Henry R. Schoolcraft, [1838], in *OIA, AR*, vol. 4 (1838), p. 453; James M. McClurken, “Ottawa Adaptive Strategies to Indian Removal,” *Michigan Historical Review* 12 (Spring 1986): 29-55 (the quotation is on p. 31). Communities of Chippewas and Ottawas lived close to one another in a few places, especially in the Grand Traverse Bay region. Villages in the Grand River and Little Traverse regions were primarily occupied by Ottawas. At Sault Ste. Marie and in other settlements north of the Lake Huron and Lake Michigan, villagers were primarily Chippewa with the exception of those on northern Lake Michigan near the Straits of Mackinac and on Beaver Islands. . For the location of Chippewa and Ottawa villages in the 1830s, see Tanner, *The Atlas of Great Lakes Indian History*, pp. 123, 131, 134. Territorial or state boundaries do not coincide with native social, environmental, or ecological boundaries. At various times, Michigan’s territorial boundaries included all or parts of other states. I use “Michigan Indians” in this paper to denote those indigenous peoples within the geographical boundaries of today’s State of Michigan.

⁶⁸ See Thomas Vennum, Jr., *Wild Rice and the Ojibway People* (St. Paul: Minnesota Historical Society Press, 1988), p. 256; Andrew J. Blackbird, *History of the Ottawa and Chippewa Indians of Michigan: A Grammar of their Language, and Personal and Family History of the Author* (Ypsilanti, MI: Ypsilantian Job Printing House, 1887), p. 15; James A Clifton, “Michigan Indians: Tribe, Nation, Estate, Racial, Ethnic, or Special Interest Group?” *Michigan Historical Review* 20 (1994): 103-04, James M. McClurken, “Strangers in their Own Land,” *Grand River Valley Review* 6 (1985): 7,

artificially isolated from the sources of value and meaning, and from the roots of authority and purpose in daily life.” Keller’s own research on Great Lakes Indian people points out that the Ottawas and Chippewas had a clear conception of the future importance of subsistence items such as wild rice, fish, and maple sugar long before their commercial value was recognized by American citizens. As he states:

Early in the treaty period the tribes believed that their existing ways of life could be preserved with relatively little adjustment, and this would depend upon access to their traditional lands, resources, and wildlife. At the same time, they often assumed that the white use of such resources as timber and minerals would not lead to permanent white occupation.

Like other Great Lakes Indians, the Ottawas and Chippewas tried to protect their economic well being by including the protection of their highly valued resources when negotiating treaties.⁶⁹

The Indian signatories to the 1836 treaty were not members of a single tribal entity but a combination of “some distinct Ottawa groups, some distinct Chippewa groups, and some groups consisting of both” who “lived at peace together” They were aided in their effort to remain in Michigan by the prevailing view that their northern lands had no agriculture future (American settlers generally accepted Thomas L. McKenney’s 1827 report that the Upper Peninsula was largely “doomed to perpetual barrenness”)⁷⁰ and by the fact that federal officials believed that United States held a sufficient amount of unsold

⁶⁹ Robert H. Keller, “An Economic History of Indian Treaties in the Great Lakes Region.” *American Indian Journal* 4 (February 1978): 2-20 (quotations are on pp. 3,4).

⁷⁰ *United States v. Michigan*, 471 F. Supp., 192, 220 (W.D. Mich. 1979). See Schoolcraft to S. T. Mason, October 15, 1834, NAM-M1, roll 69, frame 72. (check) Thomas L. McKenney, *Sketches of a Tour to the Lakes, of the Character and Customs of the Chippeway Indians, and of Incidents Connected with the Treaty of Fond du Lac* (1827; reprint ed., Minneapolis, MN: Ross & Haines, Inc. 1959), p. 378 (emphasis in original).

agricultural land in the southern portion of the Lower Peninsula to meet settlement needs for many years to come.⁷¹

During the early 1830s, non-Indians lived mainly in the extreme southern portion of present-day Michigan. Land speculation focused on the region from Chicago to Detroit where lots were “eagerly” being purchased and the spread of American settlement accompanied the further development of the post-War of 1812 pioneer economy.⁷²

The region north of the Grand River was vast and knowledge about it was limited. As late as 1838, Americans knew very little about the lands ceded by the Chippewas and Ottawas at the 1836 Treaty of Washington. Schoolcraft, who was then Superintendent of the Michigan Superintendency, reported in 1838:

These tribes [the Ottawas and Chippewas] occupy the entire peninsula of Michigan west of Thunderbay river, and north of the Grand river, together with that part of Upper Michigan, incorporated by the act of admission, which lies between Point Detour at the mouth of St. Mary’s, and Tohisseebing, or Chocolate river of Lake Superior. The large area included within these boundaries was ceded by the treaty of March 28, 1836. *No accurate map of the country is extant*; and the surveys thus far executed do not extend beyond about one hundred and ten miles north of Grand river. (Emphasis added).

The northern lands in Lower Michigan and those of the Upper Peninsula were generally considered “infertile” or “the soils of too inconsistent quality” and the forests too much of “a liability” to encourage settlement. Geography textbooks written after the War of 1812 contained maps with the words “Interminable Swamp” across the interior of Michigan. Travelers’ guides and even the Jedidiah

⁷¹ McClurken, “Ottawa Adaptive Strategies to Indian Removal,” pp. 31-32.

⁷² Henry Rowe Schoolcraft, *Personal Memoirs of a Residence of Thirty Years with the Indian Tribes on the American Frontiers; with Brief Notices of Passing Events, Facts, and Opinions, A.D. 1812 to A.D. 1842* (Philadelphia: Lippincott, Grambo and Co. 1851), p. 520.; Kenneth E. Lewis, *West to Far Michigan: Settling the Lower Peninsula, 1815-1860* (East Lansing, MI: Michigan State University Press, 2002), p. 2.

Morse's authoritative *Geography* also portrayed the region in a similar fashion. Such portrayals left the Indians north of the Grand River, according to ethnohistorian James M. McClurken, "just beyond the frontier." Other scholars have also reached the same conclusion. Historian George M. Blackburn who has written on various aspects of nineteenth century Michigan Indian history says of the negotiations leading up to the 1836 Treaty of Washington, "negotiations ... occurred under circumstances peculiarly favorable for a just and reasonable agreement with the Indians. White settlements had not yet reached the area encompassed in the treaty, so there was no pressure or necessity for hasty action." Ronald P. Formisano who takes into account geographical influences in his study of Michigan's Jacksonian era political development observes that "barely halfway up the lower peninsula heavy pine growth, sandy soils, and harsher climate discouraged farmers." Kenneth E. Lewis's recent examination of antebellum settlement patterns concurs with the findings of McClurken, Blackburn, and Formisano with regard to the northern half of the Lower Peninsula. "Although this area was opened to settlement shortly after its cession to the United States in 1836," he writes, "it was not rapidly occupied. Immigrants generally avoided the pinelands because of their reputation for having mediocre agricultural soil."⁷³

As settlers poured into southern Michigan in the 1830s and territorial officials eagerly prepared for statehood (which eluded them until 1837), Mackinac Agent and Acting Superintendent of Indian Affairs Henry Rowe Schoolcraft sought to acquire all Chippewa and Ottawa lands. Schoolcraft, an ambitious agent ("not one to have to be reminded to 'seize the day'") who was anxious to secure

⁷³ Fuller, "Settlement of Michigan," pp. 26-27; James M. McClurken, "We Wish to be Civilized: Ottawa-American Political Contests on the Michigan Frontier" (Ph.D. dissertation, Michigan State University, 1988), p. 78; George M. Blackburn, "Foredoomed to Failure: the Manistee Indian Station," *Michigan History* 53 (Spring 1969): 37; Ronald P. Formisano, *The Birth of Mass Political Parties: Michigan, 1827-1841* (Princeton, NJ: Princeton University Press, 1971), p. 18; Lewis, *West to Far Michigan*, p. 59. In 1820, Henry Rowe Schoolcraft referred to the forest landscape of the western Upper Peninsula as "a comparatively useless pine forest" that was "unfavorable to the productions of the animal and vegetable kingdom...." Quoted in Theodore J. Karamanski, *Deep Woods Frontier: A History of Logging in Northern Michigan* (Detroit: Wayne State University Press, 1989), 18-19. On the Michigan landscape, see Tanner, *Atlas of Great Lakes Indian History*, pp. 14-15; Lewis, *West to Far Michigan*, pp. 48-52.

favor in Washington to advance his career options, knew that the Indian population had been thinned by a recent smallpox epidemic and that they were heavily indebted to traders (including members of his mixed blood Chippewa wife's family), and without sufficient cash to buy adequate supplies. He worked closely with Secretary of War Lewis Cass, his old mentor and friend, to accomplish his goal.⁷⁴

Cass had emerged from the War of 1812 with an admirable reputation and a firm hatred of the British which he nurtured the rest of his life. He served as territorial governor and as ex-officio superintendent of Indian affairs of Michigan from 1813 to 1831 before accepting his cabinet position under Jackson. He had a long working relationship with Schoolcraft. The two had worked together as early as 1820 when Schoolcraft had served as the "mineralogist" on the Cass-led expedition to the source of the Mississippi River. For the next sixteen years, Cass played "a crucial role" in Schoolcraft's career and acted as "his chief political sponsor." A consummate politician "who changed his political position when expedient on more than a few occasions," he, like Schoolcraft, was intensely ambitious. Cass was no ordinary frontiersman. He had amassed a considerable fortune over the years through his law practice, his relations with the American Fur Company, his stockholdings in the Bank of Michigan, and his real estate holdings in the Detroit area.⁷⁵

⁷⁴ In 1823, at the age of thirty, Schoolcraft married Jane Johnston, eldest daughter of Irish trader John Johnston and Ozhaw-guscoday-wa-quay, the daughter of the prominent western Chippewa chief Waub-o-jeeg. See Richard G. Bremer, *Indian Agent and Wilderness Scholar: The Life of Henry Rowe Schoolcraft* (Mount Pleasant, MI: Clarke Historical Library, Central Michigan University, 1987), pp. 94-97; Charles E. Cleland, "Cass, Sassaba, and Ozhaw-guscoday-wa-quay: History, Ethnohistory and Historical Reality," in *Entering the 90s: The North American Experience*, ed. Thomas E. Schirer (Sault Ste. Marie, MI: Lake Superior State University Press, 1991), pp. 74-81. The quotation is from Michael T. Marsden, "Henry Rowe Schoolcraft: A Reappraisal," *The Old Northwest* 2, no. 2 (1976): 155. Smallpox ravaged Ottawa villages in the Grand River in 1835 and later struck the Saginaw Valley in 1836 and 1837 according to McClurken, "Strangers in their Own Land," p. 10.

⁷⁵ William Carl Klunder, *Lewis Cass and the Politics of Moderation*. Kent, OH: Kent State University Press, 1996), pp. 17-57; Richard G. Bremer, *Indian Agent and Wilderness Scholar*, pp. 32-33; John Niven, *Martin Van Buren: The Romantic Age of American Politics* (New York: Oxford University Press, 1983), p. 270; Philp H. Burch, Jr. *Elites in American History*, Vol. 1: *The*

It is interesting to note that although Cass had an extensive involvement in treaty negotiations during his long tenure as territorial governor (the longest tenure in American territorial history)⁷⁶ he made no effort to remove the Ottawas and Chippewas from western Michigan or the Upper Peninsula during those years. Indeed, biographer Willard Klunder asserts Cass brought to Jackson's cabinet in 1831 "a distinguished reputation as a moderate politician" who "dealt fairly with the Indians" and whose steadfast support of American honor was "molded by the provisions of the Constitution and the Northwest Ordinance."⁷⁷ Another biographer, Frank B. Woodward writes that "during his governorship in Michigan, when experiments in [Indian] removal had been made, Cass was not a whole-hearted advocate." While he maintained "voluntary removal would improve the condition of the Indian," Cass "would not force any Indian to resettle against his will."⁷⁸

An examination of Cass' role in Indian treaty making sheds light on the events surrounding the 1836 Treaty of Washington. Between 1818 (five years after his appointment as territorial governor) and 1832 (the year following his appointment as secretary of war), Cass had served as a treaty commissioner in the negotiation of nineteen treaties subsequently ratified by the U.S. Senate and formally confirmed, signed and proclaimed by the president.⁷⁹ Only one of these, the 1832 Treaty of Washington with the Creeks of the South (his only treaty not involving a tribe in the Old Northwest), came *after* the passage of the Indian Removal Act of 1830 and during his term as secretary of war. Over the years,

Federalist Years to the Civil War (New York: Holmes & Meier Publishers, Inc., 1981), pp. 143, 167n.82-n.83, 172 n.137, 207-08, 288.

⁷⁶ Jack E. Eblen, *The First and Second United States Empires: Governors and Territorial Government, 1784-1912* (Pittsburgh, PA: University of Pittsburgh Press, 1968), p. 284.

⁷⁷ *Ibid.*, 57.

⁷⁸ Frank B. Woodward *Lewis Cass: The Last Jeffersonian* (New York: Octagon Books, 1973), p. 181.

⁷⁹ See Francis Paul Prucha, *American Indian Treaties: The History of a Political Anomaly* (Berkeley: University of California Press, 1994), Appendix B: Ratified Indian Treaties.

Cass earned a reputation as what Klunder calls “a humane proponent of removal.”⁸⁰

Cass’ position on the policy of Indian removal evolved over his long career. In September 1818, for example, he was one of the negotiators of a treaty at St. Mary’s in western Ohio, which, contrary to the instructions of Secretary of War John C. Calhoun, did not call for the removal of the signatory tribes. Cass explained his actions to Calhoun, a strong proponent of removal, by commenting it was not yet “politik” to require them to emigrate, adding that white settlement would have to surround these Indians before they would feel inclined to emigrate “voluntarily.”⁸¹

A year later, in 1819, Cass informed Secretary Calhoun that the Saginaw Chippewas had also rejected removal to the West and that he found it necessary to include reservations to obtain their acceptance as well as “to provide a blacksmith, cattle, farming utensils, and agricultural assistance.” He again urged “patient forbearance” in securing their removal. “When they are surrounded by our settlements, and brought into contact with our people,” he assured Calhoun, “they will be more disposed to migrate.”⁸²

In the 1820 Treaty of Sault St. Marie with the Chippewa, the first of several agreements made directly between the northern Chippewa and the federal government, Cass provided for “a perpetual right of fishing at the falls of St. Mary’s.” In transmitting the treaty to Secretary Calhoun, Cass made an interesting observation that provides insight into his thinking regarding the term “settlement.” “The maximum of the cession directed to be procured by you was ten miles square,” he wrote Calhoun, adding, “I presume from this circumstance,

⁸⁰ Klunder, *Lewis Cass and the Politics of Moderation*, p. 50. For the Creek treaty, see Kappler, *Indian Affairs*, 2: 341-43.

⁸¹ Lewis Cass and Duncan McArthur to John C. Calhoun, September 18, 1818, NAM-T494, roll 1, frames 324-27.

⁸² Cass to Calhoun, September 30, 1819, in *American State Papers: Indian Affairs*, 2: 199; Woodward, *Lewis Cass*, pp. 124-26.

that the land is not required for the purposes of settlement, but solely with a view to its military occupation.” In Cass’ mind, military use of an area did not equate with the area’s settlement.⁸³

In the 1821 negotiations with the Ottawas, Chippewas, and Potawatomis at Chicago aimed at acquiring Indian lands in Michigan south of the Grand River as well as northern stretches of Illinois and Indiana, Cass referenced the Treaty of Greenville and promised usufructuary rights on ceded land “while it continues the property of the United States....”.⁸⁴ Cass and two other commissioners negotiated with the Potawatomis in Indiana in 1826 recognized Indian hunting rights on ceded lands “as long as the same shall remain the property of the United States.”⁸⁵

Cass’ dealings with Indians prior to becoming secretary of war reflected an understanding and commitment to principles enunciated in the Northwest Ordinance of 1787 and the 1795 Treaty of Greenville and, as noted above, earned him a reputation in his lifetime as a humane proponent of removal.⁸⁶

As secretary of war, Cass’ negotiations with the Creeks in 1832 led to the Jackson administration’s second treaty with a major Southern tribe but, unlike the first, the 1830 Choctaw Treaty, it was *not* ostensibly a removal treaty. Instead, the treaty provided allotments to each Indian head of a family with the reserves to be located so members of the same town could continue to live contiguously. The treaty specified that the Indians “shall be free to go or stay, as they please,” and it provided for protection against intruders and against forcible removal. However,

⁸³ Kappler, *Indian Affairs*, 2: pp. 187-88 (the quotation is on p. 188); Cass to Calhoun, June 17, 1820, *TPUS-11*, p. 36.

⁸⁴ *Ibid.*, p. 200. Also see Klunder, *Lewis Cass and Politics of Moderation*, p. 40.

⁸⁵ Kappler, *Indian Affairs*, 2: 275.

⁸⁶ Klunder, *Lewis Cass and the Politics of Moderation*, pp. 50-51.

the rhetoric did not match the realities the Creeks encountered at the hands of speculators as noted in Section 1 of this report.⁸⁷

Unlike Cass, Schoolcraft had not negotiated an Indian treaty prior to 1836. A transplanted New Yorker, the year 1822 marked his appointment as Indian agent at Sault Ste. Marie and the beginning of his lifelong interest in American Indians. Later sometimes referred to as “the frontier anthropologist,” his writings, according to one scholar, became “the gate through which all of the lore of the Indians passed gradually into American Literature.” But in 1822, Schoolcraft was a young man of twenty-nine years who was striving for a reputation and personal gain in a young country. The 1836 parley with the Ottawa and Chippewa in Washington, his first negotiations as a treaty commissioner rather than as a witness, provided him with an opportunity to pursue his ambitions. Schoolcraft would eventually secure five agreements before the ardent Democrat was removed from office in 1841 under the new Whig administration. Two of the five treaties bearing his signature were negotiated in 1836, two in 1837, and one in 1838.⁸⁸

Although the 1836 Treaty of Washington was his first negotiation of a ratified treaty, Schoolcraft had witnessed other negotiations. He was with Cass in 1820 at negotiations with the Chippewas at Sault Ste. Marie where he witnessed the treaty, signing as “mineralogist to the expedition.”⁸⁹ He served as secretary to, and published the proceedings of, Cass’ 1821 negotiations at Chicago with the Ottawas, Chippewas, and Potawatomis.⁹⁰ He also witnessed other treaty

⁸⁷ Kappler, *Indian Affairs*, 2: 341-43 (the quotation is on p. 343); Klunder, *Lewis Cass and the Politics of Moderation*, pp. 72-73; Young, *Redskins, Ruffleshirts, and Rednecks*, p. 73.

⁸⁸ Marsden, “Henry Rowe Schoolcraft: A Reappraisal,” p. 153; Kappler, *Indian Affairs*, 2: 450-56, 461-62, 482-86, 501-02, 516-17. For the events surrounding Schoolcraft’s dismissal, see Satz, *American Indian Policy in the Jacksonian Era*, pp. 160-62, 186; Bremer, *Indian Agent and Wilderness Scholar*, pp. 204-07.

⁸⁹ Kappler, *Indian Affairs*, 2: 187-88.

⁹⁰ Henry Rowe Schoolcraft, *Travels in the Central Portions of the Mississippi Valley: Comprising Observations on its Mineral Geography, Internal Resources, and Aboriginal Population {Performed Under the Sanction of Government, in the Year 1821}*. 1825 reprint ed. (Millwood, NY: Kraus Reprint Co., 1975), pp. 337-77.

negotiations including the important 1825 Treaty of Prairie du Chien negotiated by Cass and William Clark as well as the 1826 Fond du Lac and the 1827 Butte des Morte treaties, both negotiated by Cass and Thomas L. McKenney.⁹¹ As Schoolcraft's biographer Richard Bremer notes, Cass had played "a crucial role" in Schoolcraft's career in Indian affairs and in the direction of his intellectual development. By 1836, Schoolcraft had a keen understanding of the treaty-making process, and the ambitious field service agent was determined to use that knowledge to secure a better paying and more visible patronage appointment for himself and his relatives through his various political connections in the Old Northwest and in Washington.⁹²

Statehood for Michigan and territorial status for Wisconsin were looming in the mid-1830s, and Schoolcraft envisioned a treaty securing all unceded Michigan lands as vehicle for career advancement. Conditions for securing such a cession appeared ripe. The Ottawas and Chippewas had offered to sell small portions of more marginal northern lands to pay off their debts to traders and to secure essential goods and services in the early 1830s. Such a request in 1834, Schoolcraft commented years later, marked "the first move of the Lake Indians, leading in the sequel [of events] to the important treaty of March 28th, 1836." Although War Department officials were not enthusiastic in the early 1830s about a land cession in northern Michigan, Schoolcraft began pushing in 1835 for negotiations for a cession of *all* Indian lands north of the Grand River as well as those in the Upper Peninsula after receiving permission from Secretary Cass to "ascertain, if the Indians, residing North of Grand river are willing to part with any

⁹¹ Ibid., 2: 250-55, 268-73, 281-83. On McKenney, see Herman J. Viola, "Thomas L. McKenney 1824-30," in *The Commissioners of Indian Affairs, 1824-1977*, edited by Robert M. Kvasnicka and Herman J. Viola (Lincoln: University of Nebraska Press, 1979), pp. 1-7; Herman J. Viola, *Thomas L. McKenney, Architect of America's Early Indian Policy: 1816-1830*. Chicago: Swallow Press, Inc., 1974).

⁹² Bremer, *Indian Agent and Wilderness Scholar*, pp. 32-33, 79, 159.

portion of their lands.”⁹³ The seeds of this thinking may have been planted in his mind several years earlier when he vigorously opposed the efforts of Potawatomis to seek refuge in northern forests following the 1833 Treaty of Chicago, which called for the removal of Michigan’s (and other Great Lakes region) Potawatomis to the West.⁹⁴

Schoolcraft understood that the Indians on unceded lands in Michigan were heavily indebted to their traders including members of his wife’s family. Debts had reached such a high level that both some Indians as well as traders were exerting pressure for a land cession. Indians, as historian Martha Royce Blaine has poignantly observed, stood, schematically, at the base of an inverted triangle. On one side stood the Indian agent, or other government representative such as a treaty commissioner, wheedling and pressuring the tribes or bands to make land cessions and urging them to discard their traditional culture. On the other side of the triangle stood the traders whose economic stranglehold on the Indians greatly influenced tribal opinion on issues in ways that often contradicted the efforts of federal officials. Indians increasingly viewed the payment of traders’ debts from funds generated through land cession treaties as their only means of restoring their credit among the traders and securing essential goods and services. Treaty annuity payments became a major source of revenue for payment of Indian debts to traders in the Jacksonian era, and traders were always present at the payment tables to collect debts owed them, claiming that all of the individual Indian debts amounted to a single “national” or tribal debt. A French observer of a Jacksonian era annuity payment reported that the “rapacious and insatiable” traders were “veritable

⁹³ Schoolcraft to Governor G. B. Porter, November 21, 1833, NAM-M1, roll 33, frame 511; Elbert Herring to G. Porter, April 16, 1834, *ibid.*, roll 34, frame 227; Elbert Herring to Schoolcraft, August 29, 1835, *ibid.*, roll 72, frame 217 (quotation); Schoolcraft, *Personal Memoirs*, 465, 524; McClurken, “*We Wish to be Civilized*,” pp. 165-66; Bremer, *Indian Agent and Wilderness Scholar*, pp. 158-70; Charles E. Cleland, *Rites of Conquest: The History and Culture of Michigan’s Native Americans* (Ann Arbor: University of Michigan Press, 1992), pp. 225-226.

⁹⁴ Schoolcraft to Porter, June 5, 1834, NAM-M1, roll 34, frame 306-07; McClurken, “*We Wish to be Civilized*,” p. 166; Kappler, *Indian Affairs*, 2:402-10.

vampires that attach to them [the Indians] like leeches.” Federal officials such as Cass and Schoolcraft not only understood that the good will of the traders was crucial to the successful conclusion of treaty negotiations, they also had close political allies among the traders.⁹⁵

Schoolcraft worked behind the scenes during the late fall of 1835 and early months of 1836 to solicit support from a small group of influential traders and others for a land cession treaty. He hoped to orchestrate the appearance of a request for a large cession coming directly from the Indians themselves and encouraged a select group of traders to assist him in doing so by holding out the prospect that all of their “just claims” could be paid if the Indians were willing to make “liberal concessions.”⁹⁶

To expedite arrangements in Michigan, Schoolcraft asked Captain John Clitz, the commander of Fort Mackinac, to obtain Indian signatures on a “power of sale” document written in Washington.⁹⁷ Lawrence C. Kelley, an expert witness for the State of Michigan contends that the “power of sale” contains language that supposedly found its way into the treaty that was written in Washington in 1836. Kelley states:

⁹⁵ Paul W. Gates, “Indian Allotments Preceding the Dawes Act,” in *The Frontier Challenge: Responses to the Trans-Mississippi West*, ed. John G. Clark (Lawrence: University of Kansas Press, 1971), 141-160; Martha Royce Blaine, *The Ioway Indians* (Norman: University of Oklahoma Press, 1979), pp. 194-95; [Frederick Baraga], *Chippewa Indians as Recorded by Rev. Frederick Baraga in 1847* (New York and Washington: Studia Slovenica, League of Slovenian Americans, 1976), pp. 31-32; Gustave de Neveu, “A Menominee Indian Payment in 1838,” *State Historical Society of Wisconsin, Proceedings* (1910): 161; James L. Clayton, “The Growth and Significance of the American Fur Trade, 1790-1890” *Minnesota History* 40 (Winter 1966): p. 216.

⁹⁶ Schoolcraft to Captain John Clitz, December 24, 1835, NAM-M1, roll 72, frame 346; Schoolcraft to Ramsey Crooks, December 26, 1835, and January 9, February 15, 1836, Crooks to Schoolcraft, December 30, 1835, Rix Robinson to Crooks, February 13, March 12, 1836, and Crooks to Rix Robinson, March 5, 1835, in Grace Lee Nute, *Calendar of the American Fur Company's Papers, Part I: 1831-1840*, Vol. 2, American Historical Association, *Annual Report for the Year 1944* (Washington, D.C.: USGPO, 1945), entries 1128, 1143, 1180, 1275, 1284, 1349, 1369 (hereafter cited as *AFC Calendar*; Schoolcraft to Cobbs, September 23, 1835, NAM-M1, roll 69, frame 121.

⁹⁷ Schoolcraft to Clitz, December 28, 1835, NAM-M1, roll 72, frame 348; McClurken, “We Wish to be Civilized,” p. 172

Schoolcraft informed him [Clitz] that ‘Secretary of War’ now directed that Clitz should ‘procure the signatures of as many Indians as practicable, duly witnessed’ to a ‘power of sale’ which had been drawn up in Washington and was enclosed. The ‘power of sale’ document, formally approved by Lewis Cass, contained the guarantee that the ‘privileges of hunting upon the land, and of residing upon it’ were to “be secure’ until the cession was ‘surveyed & sold by the government....’ Once he had obtained the signatures, Clitz was to ‘transmit it [the ‘power of sale’ by express,’ to Schoolcraft in care of the ‘Commissioner of Indian Affairs.’⁹⁸

In a footnote citing his source for the “power of sale” as “exhibits in the 1979 trial, *U.S. v. Michigan*,” Kelley goes on to state, “the significance of the power of sale document is that it was drawn up in Washington, approved by Secretary of War, Lewis Cass, and contained the phrase ‘surveyed and sold’ to refer to the Indians right to hunt on the ceded land. The treaty would use the phrase, ‘until required for settlement.’ The two phrases were, in my judgment, used synonymously.” Expert witness reports for the State of Michigan submitted by Paul Driben and Theodore J. Karamanski also assert the terms were used synonymously.⁹⁹

Schoolcraft did briefly refer to the “power of sale” (“the paper from Mackinac” as he called it) at the 1836 treaty negotiations in Washington, asking anyone who had signed it and wished to speak to do so. The language contained in the “paper,” however, did not find its way into the actual treaty or into the important Articles of Assent. While the treaty preserves the Indians’ use rights “until the land is required for settlement,” the Articles of Assent include an

⁹⁸ Lawrence C. Kelley, “A Report on the 1836 and 1855 Federal Treaties with the Ottawa and Chippewa Indians of Michigan” (October 2004), p.89.

⁹⁹ Ibid., p. 90n.197; Paul Driben, “The Capacity of Anisinaabe Leaders to Comprehend the Thirteenth Article of the Treaty with the Ottawa, etc., 1836, and How They Understood the Article” (undated), pp. 21-22, 25; Theodore J. Karamanski, “The Historical and Ethnohistorical Context of Hunting and Fishing Treaty Rights in Western and Northern Michigan” (undated), p. 2.

important modifier, “until the lands shall be required for *actual* survey and settlement” (emphasis added).¹⁰⁰

The change in the language from that used in the “power of sale” to that used in the treaty itself and in the Articles of Assent reflects an important aspect of treaty negotiations. Jacksonian era treaty negotiators, like their predecessors, had a great deal of discretionary authority. While at least one Jacksonian era Indian commissioner recognized that “system is the life of any well-conducted business, public or private,” system was clearly not a characteristic of the administration of federal Indian policy during this period. War Department officials understood this. Cass, for example, in his instructions appointing Schoolcraft as treaty commissioner to treat with the Chippewas and Ottawas indicated the extent to which he and other Washington officials had to rely on the judgment of field officials in treaty negotiations. Cass had more experience in Indian affairs than any other person serving as secretary of war in the Jacksonian era. As treaty commissioner in earlier times, he had himself, as noted earlier, found it necessary to inform the War Department that he did not follow instructions when it appeared not “politik” to do so, even when that meant not securing a removal treaty as requested. He understood that negotiations with Indians were a complex matter that reflected local and regional white and Indian needs and issues as well as national and sometimes even international ones. He also understood that there were a number of different parties that had to be satisfied for a negotiation to be successful.¹⁰¹

While the “surveyed and sold” language of the “power of sale” may well have reflected a wording that Cass and Schoolcraft would have preferred to include in the treaty at the upcoming parley, Schoolcraft found it necessary to accept a different wording which also found its way into the Articles of Assent in an even clearer iteration. “Surveyed and sold” and “until required for settlement”

¹⁰⁰ *Hulbert's Treaty Journal*, pp. 6, 12; Kappler, *Indian Affairs*, 2: 454; *Articles of Assent* [July 12, 1836], in NAM-M668, roll 8, frames 106-12.

¹⁰¹ Satz, *American Indian Policy in the Jacksonian Era*, pp. 152-55, 178-82.

were not phrases that were used interchangeably by Indian Office field staff in the Jacksonian era. If Schoolcraft had wanted to say “surveyed and sold” and could have secured acceptance from the Indians for that concept, he would have done so. That he specified “until required for settlement” and that Secretary Cass, the Senate, and President Jackson did not question or alter that wording, even though other aspects of the treaty were amended, as will be discussed shortly, are very strong indications that such a stipulation was required for Indian acceptance of the treaty and is not synonymous with “surveyed and sold.”

It is apparent from Schoolcraft’s correspondence that the members of various Chippewa and Ottawa bands, while anxious to relieve themselves of the onerous burden of debts to traders and to reopen their lines of credit, were insisting that any treaty had to include reservations, usufructuary rights on ceded lands, and a guarantee against removal. The correspondence of those assisting the agent also reflects these points as do the letters of mixed bloods assisting Indians who feared the agent’s intentions. Earlier in the fall of 1835, Schoolcraft had himself used an interesting phraseology with regard to usufructuary rights in his correspondence. In response to an inquiry from Indians in the Sault region about U.S. support for blacksmith shops, he urged the commanding officer at Fort Brady to persuade the Indians “to transmit an offer, through you to the department, to sell a portion of their islands . . . including the national boundary on Upper Canada . . . , this offer should come from you as soliciting a boon.” In exchange for this strategic land cession, the “boon” the Indians might receive included the desired blacksmith services, an annuity, and small reservations within the ceded area, “including their villages, and the right to hunt and live on the track, until it is required.”¹⁰²

¹⁰² Schoolcraft to Stevens T. Mason, September 17, 1835, NAM-M1, roll 36, frame 218; Schoolcraft to Cobbs, September 23, 1835, *ibid.*, roll 69, frame 121 quotation; Schoolcraft to Elbert Herring, November 3, 1835, *ibid.*, frame 140; Captain John Clitz to Elbert Herring, November 17, 1835, *ibid.*, frame 147; William Johnston to Schoolcraft, November 17, 1835, *ibid.*, roll 72, , frames 324; James M. McClurken, “Augustin Hamlin, Jr.: Ottawa Identity and the Politics of Persistence,” in *Being and Becoming Indian: Biographical Studies of North American Frontiers*, ed. James A. Clifton (Chicago, IL: The Dorsey Press, 1989), pp. 90-93; Schoolcraft to Cobbs, September 23, 1835, NAM-M1, roll 69, frame 121.

Schoolcraft arrived in the nation's capital shortly before Christmas, 1835, and began working with Secretary of War Cass to plan treaty negotiations for cession of all unceded Michigan lands. Cass' interest in such a negotiations was sparked by the visit of a delegation of L'Arbre Croche Indians under the leadership of educated Ottawa mixed blood Augustine Hamelin, Jr. Although Cass dismissed their offer to sell certain islands in Lake Michigan together with land lying north of the Straits (and belonging to the Chippewas), he decided to convene deputations from the various bands and, as Schoolcraft biographer Richard Bremer states, to "obviate the administrative and fiscal complexities involved in negotiating a series of small cessions." Acting Michigan Governor Stevens T. Mason and Michigan Senator-elect (and land surveyor/ speculator) Lucius Lyon strongly supported the proposal.¹⁰³

Upon hearing from Schoolcraft about the impending negotiations, American Fur Company President Ramsay Crooks confided to colleagues at Mackinac, "if Gen. Jackson is determined to procure the land, means will be found to induce the Indians to sell." In March, 1836, Cass provided Schoolcraft with instructions for conducting negotiations in the nation's capital where, isolated from their kinfolk in Michigan, Indian leaders might be more easily influenced to cede their lands. Cass' instructions clearly indicate the extent to which he and other Washington officials had to rely on the judgment of field agents in treaty negotiations and other relations with Indians and the understanding that there were a number of different parties that had to be satisfied for a negotiation to be successful.¹⁰⁴

¹⁰³ Douglas Dunham, "Rix Robinson and the Indian Land Cession of 1836," *Michigan History* 36 (December 1952): 377-78; Bremer, *Indian Agent and Wilderness Scholar*, pp. 159-60.

¹⁰⁴ Schoolcraft to Crooks, December 26, 1835, Crooks to Biddle and Drew, January 2, 1836, Crooks to Solomon Juneau, January 2, 1836, Crooks to Samuel Abbott, January 2, 1836, in *AFC Calendar*, entries 1128, 1156, 1157, 1158; Cass to Schoolcraft, March 14, 1836, *TPUS-Michigan* 12, p. 1141; William Carl Klunder, *Lewis Cass and the Politics of Moderation*. Kent, OH: Kent State University Press, 1996), 18.

Cass authorized Schoolcraft to “make such purchases” as the Indians were “prepared to grant,” leaving the exact purchase price to be paid at his “discretion.” Although the secretary cautioned against granting individual reservations, he understood that Schoolcraft might find it “necessary” to allow for reservations and, if that were to be the case, than “those reservations must be held upon the same tenure, as the Indians now hold their Country, that is, to allow them to retain possession of it, till it shall be ceded to the United States.”¹⁰⁵

Treaty commissioners in the Old Northwest, following the procedure used in the 1830 Choctaw Treaty in the South, often encouraged Indians to cede their lands by including provisions in treaties for reserves to chiefs, mixed bloods, or other influential tribal members. This practice helped government officials to combat Indian and white opposition to removal, especially among those Indians who had demonstrated a willingness to accept white living patterns. The issuance of reserves was an ingenious device for bribing chiefs and other influential tribal members into accepting land cession treaties and for appeasing white traders. Schoolcraft was also advised by Cass that, “if the Indians should insist upon it, you will be at liberty to assign a reasonable portion of the consideration money, to be fixed by them, as a general fund for the payment of just claims against them.”¹⁰⁶

Schoolcraft had arrived in Washington at a very complicated time in the life of the nation. There was “excitement,” as Schoolcraft himself noted, over the chartering of the Second Bank of the U.S. (BUS) by the Pennsylvania legislature. U. S. Senators were debating the ratification of the infamous 1835 Treaty of New Echota with the John Ridge faction of the Cherokee Nation. Secretary of War

¹⁰⁵ Cass to Schoolcraft, March 14, 1836, in *TPUS-Michigan 12*, p. 1141. For Cass’ attitude toward the granting of individual reservations in the context of nineteenth century federal Indian policy, see Gates, “Indian Allotments Preceding the Dawes Act,” esp. 147-57.

¹⁰⁶ Cass to Schoolcraft, March 14, 1836, in Carter, *TPUS-Michigan 12*, p. 1141; Satz, “Indian Policy in the Jacksonian Era,” p. 78; Paul W. Gates, “Indian Allotments Preceding the Dawes Act,” in *The Frontier Challenge: Responses to the Trans-Mississippi West*, ed. John G. Clark (Lawrence: University of Kansas Press, 1971), 141-160; Mary E. Young, “Indian Removal and Land Allotment: The Civilized Tribes and Jacksonian Justice,” *American Historical Review* 64 (October 1958): 31-45.

Cass' own reputation was being challenged by administration opponents blaming him for military disasters in Florida as the Seminoles resisted removal (in fact the first legislation enacted during the opening session of the 24th Congress in the winter of 1836, was "*An Act making an appropriation for repressing hostilities commenced by the Seminole Indians*" and the second bill passed was "*An Act Making an additional appropriation for repressing hostilities commenced by the Seminole Indians*"). And events of the so-called "Creek War of 1836" and frauds committed against Indian allottees in Alabama and Mississippi were providing the administration's opposition press with plenty of political ammunition during a sharply contested presidential election year. The threat of war with France over the handling of spoliation claims also loomed on the horizon. Cass, as a cabinet member, was hearing about the BUS, and as secretary of war, of course, he was directly involved in the handling of the administration's activities involving the other issues. Schoolcraft's correspondence indicates he too was keenly aware of these matters.¹⁰⁷

In mid-March, Michigan Indians who had found their way to Washington were "handsomely" received by President Jackson and Secretary of War Cass.¹⁰⁸ Bringing Indians to the nation's capital had been a major component of Indian-white relations since the early days of the republic. War Department officials found it useful to continue the European practice of escorting Indian leaders to their respective colonial capitals or large cities both to overawe them and to acquire their friendship for economic, military, and other purposes. In his study of Indian delegations visiting Washington, historian Herman J. Viola has written, "the new republic could ill afford a prolonged war with the powerful tribes along its borders, and the policy of hosting important chiefs and warriors at the national

¹⁰⁷ Acts of January 14, 29, 1836, *Statutes at Large*, 4:1 (emphasis in original); See for example Schoolcraft to Crooks, January 23, 30, 1836, in AFC Calendar, entry 1208, 1234. See Section 1 of this paper for the events involving the Southern Indians described above.

¹⁰⁸ Mary Holiday, Washington, to Ramsey Crooks, March 17, 1836, *AFC Papers*, entry 1385.

capital proved a relatively inexpensive yet effective means of convincing them of the folly of resisting the hegemony and territorial designs of the United States.” While Indians may have viewed such occasions as a valued opportunity to convey personally the wishes and needs of their people to U.S. officials in an atmosphere of mutual trust and respect, U.S. treaty commissioners like Schoolcraft understood the advantage the location gave them for, as Viola points out, “even the most militant chieftains could not fail to be impressed by the power and wealth” of the United States. “For the most part,” Viola argues, federal officials were “patronizing and insincere in their dealings with the Indian visitors. They humored, cajoled, and tolerated the delegates, whose culture they viewed with a mixture of contempt and curiosity.”¹⁰⁹

Negotiations leading to the 1836 Treaty of Washington began on March 15 at the Masonic Hall in the nation’s capital¹¹⁰ The twenty-five Indians in attendance who eventually signed their marks on the treaty concluded on the 28th (or had them placed on the document for them) included the following seventeen Ottawa “chiefs and delegates”:

Muskegon River: three representatives including Oroun Aishkum, Wassangaze, and Osawya.

¹⁰⁹ Herman J. Viola, *Diplomats In Buckskins: A History of Indian Delegations in Washington City* (1981, reprint edition, Bluffton, SC: Rivolo Books, 1995), pp. 9-10. Schoolcraft was well aware that in 1821 Cass had moved the treaty negotiations for securing Potawatomi lands near St. Joseph’s River in Michigan to Chicago because of “his belief that the greater the distance the Indians traveled from home, the weaker their attachment to their lands would become and the greater their willingness to sell.” Bremer, *Indian Agent and Wilderness Scholar*, p. 47.

¹¹⁰ For the brief treaty journal, see John Hulbert, Records of a Treaty concluded with the Ottawa and Chippewa Nations at Washington[, D.C.,] March 28, 1836. Henry Rowe Schoolcraft Papers, Library of Congress, Washington, D.C., certified typescript copy, dated September 6, 1973. Exhibit P-17A, *U.S. v. Michigan* (1976) which is hereafter cited as *Hulbert’s Treaty Journal*. Spelling of Indian names often vary considerably. For simplicity and consistency, I have used the spelling as found in the published version of the treaty in Kappler, *Indian Affairs*, 2:450-56.

Grand River: six representatives including Wabi Windego, Megiss Ininee, Nabun Ageezhig, Winnimissagee, Mukutaysee, and Wasaw Bequm.

L'Arbre Croche (Little Traverse Bay area): eight representatives including Apawkozigun, Keminitchagun, Tawaganee, Kinoshamaig, Naganigobowa, Onaisino, Mukuday Benais, and Chingassamo [the latter is identified as from L'Arbre Croche but is more properly associated with Cheboygan].

In addition to the Ottawas named above, mixed blood Augustine Hamelin, Jr. of L'Arbre Croche attended the parley and signed as a witness.

Chippewa "chiefs and delegates" who placed their marks on the treaty (or had them entered on their behalf) included the following eight individuals:

Straits of Mackinac: two representatives including Ainse of Michilimackinac, and Chabowaywa of Michilimackinac.

Sault Ste. Marie: Three representatives including Jawba Wadiek, Waub Ogeeg, and Kawgayosh by Maidysage.

Grand Traverse: three representatives including Aishquagonabee, Akoşa, and Oshawun Epenaysse,

Schoolcraft, acting as commissioner on the part of the United States, and assisted by his brother-in-law and merchant John Hulbert serving as secretary to the negotiations and American Fur Company agent John Holiday acting as interpreter, assembled the "chiefs and delegates of the Ottawa and Chippewa nation of

Indians” whose names Schoolcraft later appended to their marks on the resulting treaty.¹¹¹

As noted earlier, Schoolcraft had labored hard to arrange for there to be Ottawa and Chippewa leaders present who would be willing to sign a land cession treaty. In his memoirs, he claims he was concerned about making sure there were no “unrepresented groups” of Indians but his actions demonstrate that he was more concerned about having attendees who were committed to making a treaty than the question of assuring adequate representation from all interested bands. Months earlier, for example, he had conceded that, given the time of year, “it would be impossible for me to collect a proper deputation of the several bands interested in the title to the soil north of Grand River, in time to make the visit this winter” for the treaty parley at Washington. He was correct. Many bands from both peninsulas were not represented, and the traditional chiefs at Sault Ste. Marie were very unsatisfied with their alleged representatives. In his effort to handpick, or have his trader friends select as many of those attending as possible, Schoolcraft greatly angered a number of traditional chiefs. Crane Clan leaders at Sault Ste. Marie, for example, refused to accept the appointment of the superintendent’s mother-in-law’s brothers, who were members of the Caribou Clan, as their representatives. Schoolcraft also worked in vain behind the scenes to exclude Catholic Ottawas from L’Arbre Croche, whom he knew to be opposed to selling their lands.¹¹²

¹¹¹ Kappler, *Indian Affairs*, 2: 454-55. Schoolcraft offered Holiday the position of interpreter even before he received his official instructions from Secretary Cass and also extended an invitation to AFC President Ramsay Crooks to attend the treaty proceedings. See Schoolcraft to Crooks, December 26, 1835, *AFC Calendar*, entry 1128. On Hulbert’s relationship to Schoolcraft, see Bremer, *Indian Agent and Wilderness Scholar*, p. 102. Hulbert was dismissed from the Indian field service in 1840 as a result of allegations of financial corruption involving Indian affairs. See Schoolcraft to H. J. Schoolcraft, March 18, 1840, NAM-M1, roll 38, frame 237. Immediately before the attendees signed their marks on the treaty, Schoolcraft refers to them as “chiefs and delegates of the Ottawa and Chippewa nation of Indians” (Kappler, *Indian Affairs*, 2: 454). Earlier, in the prefatory statement to the treaty, he refers to them as “the Ottawa and Chippewa nations of Indians” (*Ibid.*, 450).

¹¹² Schoolcraft, *Personal Memoirs*, p. 534; Schoolcraft to Stevens T. Mason, September 7, 1835, NAM-M1, roll 36, frame 218 (quotation). Compare the bands listed above with those listed in the

Designation of the Indians assembled for the negotiation as “chiefs and delegates of the Ottawa and Chippewa nation of Indians” was a strategy frequently encouraged by the War Department. In fact, no such entity as the “Ottawa and Chippewa nation” existed and no such entities as the “Ottawa and Chippewa nations” (another phraseology that appears in the treaty) existed.¹¹³ As the U.S. Indian Claims Commission concluded in its 1959 “Findings of Fact”:

No political entities existed in 1820 [in reference to the cession July 6 of the St. Martin Islands in Lake Huron] and 1836 [in reference to the Treaty of Washington], which embraced all the Indians in the ethnic and cultural groupings described as either Ottawa or Chippewa Nations or tribes of Indians. They were each Algonquin people, speaking different but mutually intelligible languages and when known to the white men they were composed of separate, independent, autonomous groups or bands which were known by names having reference to their leaders or geographical locations.¹¹⁴

Schoolcraft used the term “nation” and “nations” to give an aura of legitimacy to the negotiations. At the negotiations, Schoolcraft told the assembled Indians that “the President desires on all occasions to know that the persons who offer to sell

Articles of Assent [July 12, 1836], in NAM-M668, roll 8, frames 106-12. On the situation at Sault Ste. Marie, see Chute, *The Legacy of Shingwaukonse*, p. 67; Charles E. Cleland, *The Place of the Pike (Gnoozhekaaning): A History of the Bay Mills Indian Community* (Ann Arbor: University of Michigan Press, 2000), p. 21; Bremer, *Indian Agent and Wilderness Scholar*, p. 164. The Chippewas and Ottawas were strongly patrilineal societies organized as a set of named and mutually exclusive membership groups or clans. A person's social identity, personal name, and life-long social relationships came from being a member of a clan. See Clifton, “Michigan's Indians,” p. 111. On the opposition from villagers at L'Arbre Croche, see McClurken, “Augustin Hamlin, Jr.,” pp. 82-111.

¹¹³ Immediately before the attendees signed their marks on the treaty, Schoolcraft refers to them as “chiefs and delegates of the Ottawa and Chippewa nation of Indians” (Kappler, *Indian Affairs*, 2: 454). Earlier, in the prefatory statement to the treaty, he refers to them as “the Ottawa and Chippewa nations of Indians” (*Ibid.*, 450).

¹¹⁴ U.S. Indian Claims Commission, *Commission Findings on the Chippewa Indians*, Vol. 7: *Chippewa Indians*, comp. & ed., David Agee Horr (New York: Garland Publishing Co., 1974), p. 192 (hereafter cited as *Indian Claims Commission Findings*). This reprint edition is repaginated at the outside center to facilitate scholarly use.

lands, are the proper authorized chiefs or delegates, and that whatever is done, should be done with the consent of all." Nevertheless, he was willing like other War Department officials to interfere in band or tribal affairs and violate clan leadership succession rules by *naming* certain men leaders or *selecting* particular chiefs or factions with whom the United States would deal or to whom the money for ceded lands would be paid.¹¹⁵ In 1833, for example, Secretary of War Cass had appointed Michigan Territorial Governor George B. Porter as one of the commissioners to secure title to the valuable lands of the so-called United Nation of Chippewa, Ottawa, and Potawatomi Indians in northeastern Illinois, southeastern Wisconsin, and the southwestern corner of Michigan.¹¹⁶ As noted earlier in Section 3, Porter and his fellow commissioners did so by "playing Indian politics" at the negotiations. The very existence of the "United Nation" was, in part, the result of the War Department's insistence on dealing with certain Potawatomi villages that had long ago assimilated minor elements of their Chippewa and Ottawa kinfolk as if they constituted a single political entity.¹¹⁷ Similarly, the negotiators of the 1835 Cherokee Treaty of New Echota, following the lead of Secretary of War Cass, had slyly exploited tribal divisions among the Cherokees and encouraged a tiny minority faction to sign a removal treaty calling for the emigration of the *entire* Cherokee Nation."¹¹⁸

¹¹⁵ Hulbert's *Treaty Journal*, p. 5; Ronald N. Satz, "Rhetoric Versus Reality: The Indian Policy of Andrew Jackson," in *Cherokee Removal: Before and After*, ed. William L. Anderson (Athens, GA: University of Georgia Press, 1991), pp. 34-35;

¹¹⁶ Cass to Geo. B. Porter, Thos. J. V. Own and William Weatherford, April 8, 1833, in U.S. Commissary General of Subsistence, *Correspondence on the Subject of the Emigration of Indians*, 3: 651-53.

¹¹⁷ Satz, "Indian Policy in the Jacksonian Era," pp. 76-77; Thomas G. Conway, "Potawatomi Politics," *Journal of the Illinois State Historical Society* 65 (Winter 1972): 410-411, 413, 416-18; R. David Edmunds, "Potawatomis in the Platte Country: An Indian Removal Incomplete," *Missouri Valley Historical Review* 68 (July 1974): 375-92; Clifton, *The Prairie People*, p. 289

¹¹⁸ Satz, *American Indian Policy in the Jacksonian Era*, pp. 99, 100, 221-22; Donald B. Cole, *The Presidency of Andrew Jackson* (Lawrence, KS: University Press of Kansas, 1993), p. 116.

Schoolcraft's designation of the Indians assembled at Washington for negotiations as representatives of a "nation" or "nations" was disingenuous. His effort to solicit delegates who would sign his treaty was machiavellian. For years he had, by manipulating material and symbolic inducement (such as medals, flags, and sundry small presents) as well as other forms of inducements or bribery, maintained what ethnohistorian Janet E. Chute refers to as "a tenuous hold over chiefs . . . whom he hoped wielded a measure of influence over the essentially independent activities of the indigenous population." Schoolcraft had analyzed and attempted to control leadership succession among the Indians residing closest to his agency, appointing chiefs, or demoting them with alacrity despite Indian protests. In 1825, for example, his biographer points out that Agent Schoolcraft had designated an Indian as a "chief" and presented him with a presidential medal and trade goods in appreciation for his services, seeing nothing wrong with such interference in intra-tribal or band affairs.¹¹⁹

Far from being representatives of "chiefs and delegates of the Ottawa and Chippewa nation of Indians" and despite Schoolcraft's efforts to handpick the attendees, however, the assembled Indians represented a variety of interests and only a small number of the far-flung bands to be impacted by the resulting treaty. The majority of attendees were brought or accompanied to Washington by traders who had a direct interest in the outcome of the proceedings. John Drew of the Mackinac trading firm of Biddle & Drew brought a Mackinac delegation as well as information about traders' claims for the American Fur Company (AFC). Trader Rix Robinson brought a Grand River delegation after others had already arrived. He had been advised by AFC President Ramsay Crooks "not [to] agree to any compromise about the claims." William Holiday, who was in constant contact with

¹¹⁹ Janet E. Chute, *The Legacy of Shingwaukonse: A Century of Native Leadership* (Toronto, Canada: University of Toronto Press, 1998), pp. 9-10. On Cass's actions in 1825, see Bremer, *Indian Agent and Wilderness Scholar*, p. 64.

AFC President Crooks and would serve as interpreter, also arrived with a deputation of Indians.¹²⁰

The Grand River Ottawas generally opposed a land cession but sent representatives to Washington to protect their interests. Some were heavily influenced by trader Rix Robinson and others by Baptist missionary Leonard Slater, both of whom (albeit for different reasons) wanted the Indians to receive a payment but not necessarily to sign a removal treaty. Anxious to prevent the acceptance of any arrangement that would require them to leave their Michigan lands, the Grand River Ottawas deliberately sent to the Washington parley some young men who had no political authority to act as treaty negotiators.¹²¹

Ottawas from L'Arbre Croche, influenced by Jesuit-trained Augustin Hamelin, Jr., the son of a Michigan mixed blood father and an Ottawa mother, had also traveled to Washington in the hope of securing (in what appears to be a paraphrasing of a portion of the Northwest Ordinance) "some arrangements with government for remaining in the Territory of Michigan *in the quiet possession of our lands*, and to transmit the same safely to our posterity. We do not wish to sell all the lands claimed by us, and consequently not to remove to the west of the Mississippi."¹²²

¹²⁰ Samuel Abbott to Ramsey Crooks, February 13, 1836, Solomon Juneau to Crooks, February 13, 1836, Rix Robinson to Crooks, February 13, March 12, 1836, Mary Holiday to Crooks, February 16, March 5, 11, 1836, Crooks to Holiday, February 20, 1836, William Brewster to Crooks, February 23, 1836, Schoolcraft to Crooks, March 3, 1836, Crooks to Robinson, March 15, 1836, Charles H. Gratiot to Crooks, March 15, 1836, in *AFC Calendar*, entries 1270, 1274, 1275, 1286, 1300, 1304, 1344, 1366, 1369, and 1376 (quotation).

¹²¹ McCoy, *History of Baptist Indian Missions*, pp. 494-96; McClurken, "Strangers in their Own Land," p. 10.; McClurken, "We Wish to be Civilized," p. 174-75, 178. After the treaty, Slater reported that the Grand River Ottawas remained "utterly averse to emigrating West of the Mississippi & disinclined to go on to their reservation." They wanted a place of permanent residence in Michigan and assurance of access to natural resources. Slater to Schoolcraft, December 28, 1836, NAM-M1, roll 41, frames 562-64 (quotation is on frame 563).

¹²² Frederic Rese to John Norvell, November 1835, NAM-M234, roll 421, frame 768; Hamelin to Cass, December 5, 1835, *ibid.*, frame 722-25. (the quotation is on frame 724).

Schoolcraft slyly used the example of the Chippewas to promote Ottawa acceptance of the treaty. Employing techniques he had witnessed as early as Cass' 1821 negotiations with the Potawatomis at Chicago, Schoolcraft pointed out that the Chippewas were ready to sign and reap benefits and warned the Ottawas that they would later "feel ashamed at seeing their Chippewa Brothers, in possession of many goods, and much money and themselves entirely destitute and very poor" if they did not sign the treaty and participate in the payments. Schoolcraft was aided in his effort by influential traders who would themselves, as would Schoolcraft's relatives, benefit from the treaty.¹²³

Schoolcraft had encouraged a number of influential traders to witness the treaty negotiations and to be available to exert pressure on the Indians to sell land to pay off their debts. At the same time, the traders were eager to be there to protect their interests by making sure any treaty resulting from the parley included *full* payment of their claims. Fourteen people signed the treaty as witnesses. Among them were six influential traders, including the following who were specifically named in Article 8 as beneficiaries of its provisions and several of whom later reaped additional financial benefits from other treaty, especially the payment of traders' claims upon review of a Board of Commissioners led by Schoolcraft: John Drew (Mackinac), John Holiday (LaPointe, also serving as an interpreter for L'Arbe Croche Ottawas), Rix Robinson (Grand Rapids), Louis Moran (?), William Lasley (Mackinac), Henry A. Lenake (or Levoke in the treaty journal/Sault Ste. Marie Chippewa trader) and C.O. Ermatinger (Chippewa trader ?). Also signing as witnesses were Lucius Lyon (Grand Rapids, former land surveyor, a land speculator and currently the Democrat U.S. Senator-Elect), Captain Robert P. Parrott (West Point Graduate whose prior assignments included duty in the Creek Nation), W. P. Zantzinger (purser in the Navy), Leonard Slater (missionary who was also named in Article 8 as trustee for a mixed blood), and Augustin Hamelin, Jr. (a mixed blood serving as an interpreter for L'Arbre Croche

¹²³ *Hulbert's Treaty Journal*, p.11; McClurken, "We Wish to be Civilized," pp. 181-84. On Cass at the 1821 negotiations, see Bremer, *Indian Agent and Wilderness Scholar*, pp. 47-48.

Ottawas who was also named as a beneficiary of Article 8). I have been unable to identify two witnesses--Josiah F. Polk and George W. Woodward. Several of the those signing as witnesses (Drew, Lenake {or Levoke}, Lasley, Moran, Hamelin) as well as Robert Stuart (AFC trader whose name is misspelled as Stewart) and George Moran were listed as "in charge of the Indian Chiefs and Delegates" according to the treaty journal.¹²⁴

Despite all of Schoolcraft's maneuvering, the Indians struck a hard bargain. They had no intention of leaving the lands on which they farmed, fished, gathered foods, hunted, trapped, collected medicinal herbs, and harvested maple sugar, and secured salt. Those living near the Grand River, who had lost lands in treaties negotiated in 1821 and 1833 were particularly adamant. In order to secure the treaty, Schoolcraft found it necessary to agree to reserve large tracts of land around their villages north of the line of American settlement above the Manistee River and to provide for, among other things, the payment of annuities *in Michigan*. The treaty did not include a clause requiring removal because the Indians refused to accept such a provision. Pro-removal Baptist missionary Isaac McCoy, who was in Washington during the treaty negotiations, observed, "a design existed among those who would have much influence in fixing the terms of the treaty, to induce them [the Indians] to sell so much of the country so as to secure large annuities &c., and then keep them still in Michigan, circumscribed to lands reserved for that purpose." While traders may well have wanted the Indians to stay, the Indians had no desire to leave. Indeed, it is important to note that at the treaty parley Schoolcraft told the Indians:

No objection will be made, if you deem it imperative, to your fixing on proper and limited reservations to be held in common; but the President judges it best, that no reservations should be made to individuals. Your

¹²⁴ *Hulbert's Treaty Journal*, p. 2; Kappler, *Indian Affairs*, 2: 453-54. For identification of those serving as witnesses and benefiting from the treaty, I have relied on *Hulbert's Treaty Journal*, pp. 1-14; Bremer, *Indian Agent and Wilderness Scholar*, pp. 172-74; Dunham, "Rix Robinson and the Indian Land Cession of 1836," pp. 374-388; and the index to *AFC Calendar*, Part 2, pp. 1773, 1806-07, 1837.

relations, who could be entitled to such reservations, will be compensated for their value, in money. The usual privilege of residing and hunting on the lands sold till they are wanted will be granted.

By his words, Schoolcraft had assured the Indians that if they deemed it “imperative” the President was willing to provide them “reservations to be held in common” and that they would enjoy “the usual privilege of residing and hunting on the lands sold till they are wanted” Although we do not know what the Indians said to one another during the three days of deliberations that Schoolcraft granted them upon their request, they obviously felt it “imperative” to secure reservations for Schoolcraft found it necessary not only to include them in the treaty but also to include language specifying that “*the Indians stipulate for the right of hunting on the lands ceded with the other usual privileges of occupancy, until the land is required for settlement*” (emphasis added).¹²⁵

As noted earlier, the most reluctant partners to the treaty were those Indians living near the Grand River who had already lost lands to the south in earlier treaties in 1821 and 1833. For them, the threat of white settlement was imminent. They had long expressed an aversion to removal and had been very reluctant to attend treaty negotiations in Washington. “They all dread the consequences of treating away from the whole Band,” a correspondent advised Secretary Cass.¹²⁶ The Little Traverse Bay Ottawas had a limited interest in a land cession, desiring only to secure a guaranteed future for their people in Michigan, relief from traders’

¹²⁵ McCoy, *History of Baptist Indian Missions*, p. 494; Hulbert’s *Treaty Journal*, p. 7. On McCoy and Indian removal efforts, see Robert F. Berkhofer, Jr., “Introduction,” in McCoy, *History of Baptist Indian Missions*, pp. v-xxix; Schultz, *An Indian Canaan*. For the treaties mentioned above, see Kappler, *Indian Affairs*, 2: 198-201, 402-15; Ramsey Crooks to William Brewster, Detroit, March 21, 1836, *AFC Papers*, entry 1394; Mary Holiday, Washington, to Ramsey Crooks, March 22, 1836, *AFC Papers*, entry 1398. Rix Robinson, Washington, to Ramsey Crooks, March 27, 1836, *AFC Papers*, entry 1428.

¹²⁶ Henry Conner to Lewis Cass, February 8, 1836, NAM-M234, roll 422, frames 17-20 (quotation is on frame 18). On early opposition to removal, see Leonard Slater to Cass, September 28, 1830, NAM-M1, roll 27, frame 249.

claims, and Roman Catholic supervision of U.S. funds provided for educational purposes.¹²⁷

Yet McCoy was correct in pointing out that the traders exerted powerful influence. During the negotiations, Ottawa mixed blood Hamelin bemoaned the interference of the traders. As Hulbert recorded in his treaty journal:

. . . They [the Indians] were constantly beset by individuals and disturbed in their private councils, often called out sometimes one, --then two and as many as six had been called out at one time, . . . minds were disturbed—perplexed and they did not know how to act, in answer to the proposition respecting the Treaty, they had been instructed to say No, once, twice, and thrice in order that they might obtain more for their lands, [Hamelin] closed by saying if the Indians were left alone, they would sell, with some Reservations for themselves.¹²⁸

The traders had much at stake in the negotiations. The treaty that emerged from the negotiations called for the payment of three hundred thousand dollars, the largest claim settlement ever made before the U.S. Senate prohibited the inclusion of such debts in treaties in 1843!¹²⁹ Schoolcraft, who had an Indian wife and in-laws as well as colleagues among the traders who would benefit from the treaty, secured Indian acceptance of the cession of most of the Upper Peninsula, western Michigan north of the Grand River, a portion of eastern northern Michigan, and a number of islands by providing something for everyone. As he observed upon his return to Michigan following the parley:

A new era had now dawned in the upper lake country, and joy and gladness sat in every face I met. The Indians rejoiced, because they had

¹²⁷ Memorial of A. Hamelin, Jr. for the Ottawa Delegation, December 5, 1835, NAM-M234, roll 421, frames, 722-25.

¹²⁸ *Hulbert's Treaty Journal*, pp. 11-12.

¹²⁹ James L. Clayton, "The Impact of Trader's Claims on the American Fur Trade," in David M. Ellis, ed., *The Frontier in American Development: Essays in Honor of Paul Wallace Gates* (Ithaca: Cornell University Press, 1969), pp. 303, 308, 322.

accomplished their end and provided for their wants. The class of merchants and inland traders rejoiced, because they would now be paid the amount of their credits to the Indians. The class of metifs [metis] and half-breeds were glad, because they had been remembered by the chiefs, who set apart a fund for their benefit. The citizens [of Michigan] generally participated in these feelings, because the effect of the treaties would be to elicit new means and sources of prosperity.¹³⁰

Not only was any subsequent removal to the West to be voluntary and were permanent reservations to be provided under the treaty Schoolcraft penned, the Indians were also promised the right to hunt in the ceded areas along with "the other usual privileges of occupancy" until the land was "required for settlement." Schoolcraft's treaty included a cession of some sixteen million acres of land, or about three-eighths of the entire state of Michigan. Members of his family would ultimately benefit handsomely as claimants under the terms of the agreement.¹³¹

Upon completion of the negotiations on March 28, 1836, the ambitious commissioner's forty-third birthday, Schoolcraft remained in Washington and, during the two months preceding ratification of the treaty, he concluded a treaty May 9 with the tiny Swan Creek and Black River Chippewa bands residing near Detroit. Schoolcraft then received instructions to secure the lands of the Saginaw Chippewas. The resulting treaty with the Saginaws, concluded at Detroit in 1837, along with the two 1836 treaties negotiated in Washington, would eventually clear Michigan of all Indian title except for the western Upper Peninsula which was cleared in 1842.¹³² All three treaties, however, had hurdles to overcome in the U.S. Senate. As I have noted elsewhere, "The Senate jealously guarded its right to

¹³⁰ Schoolcraft, *Personnel Memoirs*, pp. 535-36. For a map of the region, see Royce, comp., *Indian Land Cessions in the United States*, pp. 756-57, plate CXXXVI, , area 205.

¹³¹ Kappler, *Indian Affairs*, 2: 450-56; Bremer, *Indian Agent and Wilderness Scholar*, pp. 168, 173.

¹³² Schoolcraft to Crooks, May 2, 1836, in *AFP Calendar*, entry 1551; Bremer, *Indian Agent and Wilderness Scholar and Wilderness Scholar*, pp. 170-71; Schoolcraft, *Personal Memoirs*, p. 538; Kappler, *Indian Affairs*, 2: 461-62, 501-02.

amend or to delete treaty provisions, and Indians frequently found themselves bound to treaties which did not reflect their understanding of prior agreements. Indians often could not comprehend why the 'Great White Father' and his 'Council' had changed their minds."¹³³ Senate ratification was a serious matter and not a certainty. During Jackson's presidency, for example, the Senate rejected fourteen treaties.¹³⁴

Senate ratification of the Treaty with the Ottawas and Chippewas occurred on May 20, 1836, nearly two months after the Indians had signed it. The treaty originally submitted to the Senate had thirteen articles, which may be summarized as follows:

1. Cession of land to the United States;
2. Reservations in common;
3. Reservations for Chippewas;
4. Payments to be made to the Indians;
5. Payment of claims against the Indians;
6. Provision for half-breeds, etc.;
7. Two additional blacksmiths, etc.;
8. Locations to be sought for; payment for improvements, etc.;
9. Payment to half-breeds in lieu of reservations;
10. Payment to chiefs.
11. Annuities to two aged chiefs.
12. Expenses of this treaty to be paid by United States.
13. Right of hunting on lands ceded.

¹³³ Satz, *American Indian Policy in the Jacksonian Era*, pp. 106-07.

¹³⁴ Vine Deloria, Jr. and Raymond J. DeMallie, *Documents of American Indian Diplomacy: Treaties, Agreements, and Conventions, 1775-1979*, 2 vols. (Norman: University of Oklahoma Press), 2:745, 746-47. At least one Jacksonian era treaty was rejected by an Indian tribe and several negotiated treaties were never submitted to the Senate for ratification. See *ibid.*, 2: 1018-30, 1231-41.

Appended to the above articles was a schedule for the 10th article, which provided specific payments to be made to the enumerated first, second, and third class chiefs. Finally, there was a Supplemental Article explaining how certain provisions in the preceding articles were to be construed. The Senate, after amending the treaty, forwarded it to President Jackson for his approval and proclamation.¹³⁵

During the deliberations in the Senate, alterations had been made in Articles 2, 3, 4, 5, and 8 without prior consultation with the Indians. These changes may be summed up as follows from President Andrew Jackson's proclamation of May 27, 1830:¹³⁶

Articles 2 and 3: Instead of providing the Indians with permanent reservations, the amended treaty specified that the reservations would be held "for the term of Five years from the date of the ratification of this treaty, and no longer, unless the United States shall grant them permission to remain on said lands for a longer period."

Article 4: The amended treaty provided two hundred thousand dollars "in consideration of changing the permanent reservations in articles two and three to reservations for five years only, to be paid whenever their reservations shall be surrendered, and until that time the interest on said two hundred thousand dollars shall be annually paid to the said Indians."

Article 5: The amended treaty delegated more responsibility to the agent in the payment of Indians' debts estimated to cost up to \$300,000. It

¹³⁵ Kappler, *Indian Affairs*, 2: 450-456; Affidavit of Walter Lowrie, May 20, 1836, Treaty with the Ottawa and Chippewa at Washington, March 28, 1836, and Supplementary Articles, March 31, 1836, in NAM-M668, roll 8, frames 89-99.

¹³⁶ Proclamation of President Andrew Jackson, May 27, 1836, in NAM-M668, roll 8, frames 98-99.

also stipulated that the Indians would be able to use any “overplus” (surplus) funds “as they may think proper.”

Article 8: The amended treaty stipulated that the proceeds from the sale of lands at the Grand River Mission should go to a Missionary Society, which was not specified otherwise by name. More significantly, it also provided that any future voluntary removal would not be to northern lands west of Lake Michigan in Minnesota, but instead to lands located “South West of the Missouri River. . . .”

The revision in Articles 5 was unlikely to become an issue. Schoolcraft had continuously assured the traders, upon whom he relied in securing Indian approval of the treaty, that their claims would be paid. President Jackson had personally called for such a review of claims in 1834 when he submitted a treaty for lands in Illinois and Michigan Territory to the Senate. He did so in order to appease growing concern over fraud in payment of claims against Indians.¹³⁷ Knowing that the Indians had \$300,000 to pay off their debts upon the advice of their agent, AFC President Ramsay Crooks advised his colleagues in Michigan to “persuade the Indians to assent to the relinquishment of their reservations.” He also warned, “if the Indians will not consent to the modifications in treaty, the whole affair will be at an end.”¹³⁸

The change in Article 8 relating to the Grand River Mission eventually became a source of future discord because there were two missionary societies with the same name. This change as well as the change in the site of a future location in the event of voluntary removal may well have been the results of the work of Isaac McCoy who was in Washington at the time of the negotiations lobbying Schoolcraft on behalf of the Baptist Board and championing the

¹³⁷ Jackson to the Senate, January 9, 1834, in *Papers of the Presidents*, 3: 1257-58.

¹³⁸ Crooks to Robinson, June 3, 1836, in *AFC Calendar*, entry 1657.

enactment of legislation creating a Western Indian Territory with himself as the possible superintendent. In any event, this change led to the submission of a memorial protesting the location.. But, since most Indians opposed removal regardless of the ultimate location, attention focused on the rest of the amendments, which represented serious concerns. Schoolcraft later stated in his *Memoirs* that the amendments “violated, in some respects, the very principle on which alone . . . the original cessions . . . of the Ottawas and Chippewas . . . were obtained; and introduced features of discord, which disturb the tribes, and some of which will long continue to be felt.” Ottawa Andrew Blackbird, a young man at the time of these events, wrote later that upon receipt in 1836 of the “most startling intelligence” concerning the amendments to the treaty, some Ottawas fled to Canada.¹³⁹

The official journal of the executive proceedings of the Senate provides few clues as to the reasons why the Senate amended the treaty. Schoolcraft placed the blame squarely on the shoulders of Hugh Lawson White, the chair of the Committee on Indian Affairs. In his *Memoirs*, Schoolcraft wrote:

May 17th [1836]. In the letter of appointment to me, of this date, from the Secretary of War, to treat with the Saginaws, it is stated: “You are authorized to offer them the proceeds which their lands may bring, deducting such expenses as may be necessary for its survey, sale, &c. You will take care that a sufficient fund is reserved to provide for their removal, and such arrangements made for the security and application of the residue as will be most beneficial to them.” These instructions were carried out, in articles of a compact, in which the government furthermore agreed, in view of the lands not

¹³⁹ McCoy to J. N. Cone, march 12, 1836, McCoy to My Dear Wife, March 6, 1836, McCoy to President of the United States, March 14, 1836, McCoy to Cass, March 14, 1836, McCoy to My Dear Son Calvin, March 12, 1836, McCoy to Schoolcraft, March 27, 1836, Isaac McCoy Papers, Kansas State Historical Society, Topeka, KS, frames 903-05, 925-28, 960; Schoolcraft to Cass, July 18, 1836, NAM-T494, roll 3, frame 369; Report of the Office of Indian Affairs, December 1, 1836, OIA AR, vol. 2 (1836): 400; Schoolcraft, *Personal Memoirs*, p. 538-39; Blackbird, *History of the Ottawa and Chippewa a Indians of Michigan*, p. 98.

being immediately brought into market, to make a reasonable advance to these Indians. Yet the Senate rejected it, not, it would seem, for the liberality of the offer of the nett [*sic*]proceeds of the lands, but for the almost *per necessitate* offer of a moderate advance, to enable the people to turn themselves in straitened circumstances, which had been the prime motive for selling.

The advance was, in fact, as I have reason to believe, a mere bagatelle, but the chairman of the Indian Committee in the Senate was rather on the lookout for something, or anything, to embarrass or disoblige General Jackson and his agents, having fallen out with him, and being then, indeed, a candidate for President of the U. S. himself, at the coming election. If I had not heard the pointed expressions of Hon. Hugh L. White, on more than one occasion, in which my three treaties were before him, in relation to this matter of not affording the presidential incumbent new sources of patronage, &c., I should not deem it just to add the latter remark. He was a man of strong will and feelings, which often betrayed themselves when subjects of public policy were the topics. And, so far as he interfered with the principles of the treaties which I had negotiated with the Lake Indians in 1836, he evinced an utter ignorance of their history, character, and best interests. He violated, in some respects, the very principle on which alone two of the original cessions, namely, those of the Ottawas and Chippewas and of the Saginaws, were obtained; and introduced features of discord, which disturb the tribes, and some of which will long continue to be felt. And the result is a severe caution against the Senate's ever putting private reasons in the place of public, and interfering with matters which they necessarily know but little about.

Schoolcraft's explanation that White wanted to "embarrass or disoblige General Jackson and his agents" and to deny the administration "new sources of patronage" under the terms of the treaty" is a plausible explanation.¹⁴⁰

Senator White, who served as president *pro tempore* and also chaired the Committee on Indian Affairs, had given a lengthy speech in February 1835 favoring the limitation of executive patronage. Regarded as an attack on the Jackson administration, his remarks widened his growing breach with the president.¹⁴¹ An upright and conscientious leader, White had served as Jackson's sponsor of the Indian Removal Bill in the Senate in 1830. He was Jackson's first choice for secretary of war in 1831, and the president settled for Cass only after White declined.¹⁴² White's relationship with the president had cooled, however, as he became increasingly frustrated about his supporters being overlooked by the administration in its patronage appointments. The senator also vigorously opposed the selection of New Yorker Martin Van Buren, Jackson's handpicked successor, as the 1836 presidential nominee of the Democratic party. An aspirant for the presidency himself, White broke with his Democratic colleagues and joined the politicians forming the nascent party that came to be known as the "Whigs," a name reminiscent of the struggle against the British Crown and identifying them as opponents of "King Andrew." During the two years preceding the 1836 election, as Jacksonian era scholar Glyndon G. Van Deusen points out, "the most spectacular theatre of operations for the opponents of Andrew Jackson and his policies was the Senate of the United States" where White was in a key position, as

¹⁴⁰ Schoolcraft, *Personal Memoirs*, pp. 538-39.

¹⁴¹ *Register of Debates in Congress, Senate*, February 16, 1835, 23d Cong., 2d sess., pp. 483-91.

¹⁴² Klunder, *Lewis Cass and the Politics of Moderation*, p. 56; Cole, *The Presidency of Andrew Jackson*, p. 86.

chair of the Committee on Indian Affairs, with regard to the ratification of Indian treaties.¹⁴³

The Treaty with the Ottawas and Chippewas was briefly delayed by hearings on the Cherokee Treaty of New Echota. Although many Whig leaders portrayed their party as being interested in "seeing justice done to the Indians" and generally professed more solicitude for Indians than did their opponents, they were unable to block the passage of what Daniel Webster called the administration's "base fraud" against the Cherokees of the South. On the other hand, the Whigs in the Senate under White's leadership mustered sufficient support to amend the treaty with the Chippewas and Ottawa of Michigan apparently to embarrass the Democratic administration.¹⁴⁴

Senate passage of the amended treaty on May 20, 1836, and the subsequent acceptance of the treaty by the president on May 27 (see Section 7, Appendix D), meant that Schoolcraft would need to "reassemble the chiefs" and secure their consent to the revised agreement. Once again, he relied on his friends among the traders to assist him. Knowing that Schoolcraft would be able to play a key role in determining how the \$300,000 for Indian claims would be distributed,

¹⁴³ Glyndon G. Van Deusen, "The Whig Party," in *History of U.S Political Parties*, Vol. 1: 1789-1860: *From Factions to Parties*, edited by Arthur M. Schlesinger, Jr. (New York: Chelsea House Publishers and R.R. Bowker Co., 1973), pp. 336, 338, 339 (quotation). White secured the electoral votes of Tennessee and Georgia in the 1836 presidential election. The Whigs showed increasing strength in the Old Northwest, especially in Michigan where Whiggery had a large strain of humanitarian reform and its formation centered around the alien voter question. The Democrats captured 6,607 votes while their opponents garnered 5,545. See *Ibid.*, pp. 340, 342, 350, 363, 385.

¹⁴⁴ Schoolcraft, *Personal Memoirs*, pp. 534-35; Webster to Hiram Ketchum, May 12, 1838, in Charles M. Wiltse and Harold D. Moser, eds., *The Papers of Daniel Webster: Correspondence*. Vol. 4, 1835-39 (Hanover, N.H.: University Press of New England, 1980), p. 298; Schoolcraft, *Personal Memoirs*, p. 538; Van Deusen, "The Whig Party," p. 347. Historian Fred Rolater's has conducted a comparison of Indian votes in Congress between 1830 and 1841 using multiple regression analysis, ranking, and indices of cohesion of voting patterns. The results indicate that Indian issues were important in every session of Congress. His analysis shows that in the 1830s the Democratic party consistently voted pro-Indian removal while one of the principal distinguishing characteristics of the emerging Whig party was its support for Indians in opposition to removal. "In fact," Rolater asserts, "except for the necessary votes for organizing the houses of Congress, no other issue was so consistently dealt with by Congress during the Jacksonian era [than Indian removal]." See Rolater's "The American Indian and the Origin of the Second American Party System," pp. 180-201 (the quotation is on p. 196, and the emphasis is in the original).

and cognizant of the fact that Congress required the assent of the Indians to the Senate's amendments before releasing funds to fulfill the treaty's stipulations, the traders were eager to help. On July 12, two days after being named Michigan Superintendent of Indian Affairs, Schoolcraft convened a council at Mackinac and started gathering signatures on a document titled "Articles of Assent" for the amended treaty. Although he later reported that "the Senate's alterations" were "freely and fully discussed" at the council, no journal of the proceedings is known to exist. Claiming that assent was secured at the meeting, Schoolcraft actually continued to accept additional signatures after announcing that consent had been obtained.¹⁴⁵

The Indians who accepted the revised treaty did so for a number of reasons. They were heavily in debt to their traders and pressured to sign by them. Schoolcraft had informed them that Congress would not permit him to make any payments until they assented to the treaty as amended. Money for their traders and payments to chiefs were important incentives. "The cession of the reservations at the expiration of five years," however, as Schoolcraft reported to Cass, was "strenuously opposed by a party of chiefs, but was finally yielded, on a consideration of the practical operation of the provision in the 13th article of the treaty, which secures to them indefinitely, the right of hunting on the lands ceded, with the other usual privileges of occupancy, until the land is required for settlement." This assurance (especially securing the right "indefinitely") and the addition funds provided by the senate in lieu of the permanent reservations also

¹⁴⁵ Schoolcraft to Cobbs, June 16, 1836, Schoolcraft to Robinson, June 16, 1836, Schoolcraft to Cass, June 20, 1836, NAM-M1, roll 69, frames 171-73; Crooks to Robinson, June 3, 1836, Crooks to Solomon Juneau, June 4, 1836, Crooks to Gabriel Franchere, June 7, 1836, Samuel Abbott to Crooks, July 8, 1836, in *AFC Calendar*, entry 1657, 1664, 1672, entry 1780; Schoolcraft, *Personal Memoirs*, 541; Act of July 2, 1836, *Statutes at Large*, 5: 74-75; Articles of Assent . . . [July 12, 1836], C. A. Harris to John Forsyth, December 1, 1836, NAM-M668, roll 8, frames 104, 106-12; Schoolcraft to James Ryley, July 13, 1836, NAM-M234, roll 422, frame 162; Harris to Schoolcraft, July 6, 1836, NAM-M1, roll 41, frames 9-10; Schoolcraft to Cass, July 21, 22, 1836, NAM-M1, *ibid.*, frame 7, McClurken, "We Wish to be Civilized," p. 191; Dunham, "Rix Robinson and the Indian Land Cession of 1836," p. 384-85. For the War Department's instructions regarding the handling of traders' claims once the Indians assent to the treaty would be secured, see Harris to John W. Edmonds, July 8, 1836, NAM-M1, roll 41, frames 27-34.

held out the potential for acquiring a land base and natural resources within Michigan through mechanisms other than permanent reservations.¹⁴⁶

In the “Articles of Assent” forwarded to Washington by Schoolcraft, the Indians specifically stated their willingness to consent “confiding in the disposition of the government of the United States to permit them to reside upon their reservations, after the period hereinafter mentioned [five years], until the lands shall be required for *actual* [emphasis added] survey and settlement, (as the white population advances from the South toward the North;) and considering that no part or provision of the said treaty . . . which is not specified in the Senate’s resolution is in any manner affected or altered” Thus, Schoolcraft’s assurance that the amended treaty still retained “the provision in the 13th article of the treaty, which secured to them indefinitely, the right of hunting on the lands ceded, with the other usual privileges of occupancy, until the land is required for settlement” and the inclusion in the Articles of Assent of the word “actual” (meaning “real or effective, or that exists truly and absolutely”¹⁴⁷) in the statement “until the lands shall be required for *actual* survey and settlement” signaled to the Indians the right to remain on their lands *indefinitely* with the prospect of hunting, fishing, and trapping while sharing resources with non-Indians until such time as the land was surveyed *and* there was *actual* white settlement on it. As Schoolcraft wrote in his memoirs, “this cession was obtained on the principle of making limited reserves for the principle villages, and granting the mass of Indian population the right to live on and occupy any portion of the lands until it is actually required for settlement.” Schoolcraft informed Secretary Cass on July 18, 1836, that the Indians understood they did not have any actual engagement to remove west but had

¹⁴⁶ Schoolcraft to Cass, July 18, 1836, NAM-M1, roll 37, frames 3-5; Cleland, *The Place of the Pike*, p. 24.

¹⁴⁷ See the definition of “actual” in Webster’s, *An American Dictionary of the English Language*, (1828) Vol. 1 unpaginated, see “actual” and in his *An American Dictionary of the English Language*, .rev. and enlarged edition (1856), p. 16.

“indefinitely, the right of hunting on the lands ceded with the other usual privileges of occupancy, until the land is required for settlement.”¹⁴⁸

As noted earlier in this report, sharing of resources was routine among the Chippewa and Ottawa people. Other Indians, and even non-Indian outsiders, who had sought permission, had used the resources of their lands long before the 1836 Treaty of Washington. According to what historian Richard White calls the “cultural logic” of the tribes of the Great Lakes region, the proper role of outsiders was to act as kin people to help supply their needs just as the Indians in turn would share their resources. Anthropologist James M. McClurken, whose research has included environmental factors shaping the life of the Ottawas of Michigan, asserts their emphasis on sharing resources was so strong that “almost no interaction could be carried on without it.” Historian Robert Doherty states “gift giving, sharing, and generosity ensured a relatively secure subsistence in a localized economy based upon seasonal migrations to harvest abundant resources: scarcity and abundance were spread around.” Sharing resources, with one group securing subsistence from another’s territorial resources with permission was a familiar arrangement to the Indian peoples of northern Michigan.¹⁴⁹

The Indians who signed the Articles of Assent had reason to believe that Schoolcraft, the Great Father in Washington, and his Council (both houses of Congress) expected them to continue to fish, hunt, tap trees for sugar, and trap in

¹⁴⁸ Harris to Schoolcraft, July 6, 1836, roll 41, NAM-M1, roll 41, frames 9-10; Schoolcraft to Cass, July 18, 1836 (quotation), NAM-M1, roll 37, frames 3-5; Harris to John W. Edmonds, July 8, 1836, NAM-M21, roll 19, frames 150-51; Harris to Garland, July 9, 1836, NAM-M21, roll 19, frames 163-65; Articles of Assent [July 1836], NAM-M668, roll 8, frame 106 (quotation); Bremer, *Indian Agent and Wilderness Scholar*, p. 185; Schoolcraft, *Personal Memoirs*, p. 534; Elizabeth Neumeyer, “Michigan Indians Battle Against Removal,” *Michigan History* 54, no. 4 (1971): 280.

¹⁴⁹ Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (New York: Cambridge University Press, 1991), pp. 97-98, 128-32 (the quotation is on p. 129); James M. McClure, “The Ottawa,” in James A. Clifton, George L. Cornell, and James M. McClure, *People of the Three Fires: The Ottawa, Potawatomi and Ojibway of Michigan* (Grand Rapids, MI: Michigan Indian Press, Grand Rapids Inter-Tribal Council, 1986), p. 5. Robert Doherty, *Waters: Native Americans and The Great Lakes Fishery* (Kentucky: University Press of Kentucky, 1990, p. 10; Blackbird, *History of the Ottawa and Chippewa Indians of Michigan*, p. 15.

northern Michigan. The provisions of the 1836 Treaty of Washington specifically acknowledged and endorsed the continuation of fishing, hunting, sugaring, and trapping by providing for, among other things, “two additional blacksmith shops” with “a permanent interpreter” at each, fish barrels and salt for twenty years, and a gunsmith.¹⁵⁰ So, in the minds of the Ottawas and Chippewas, it would logically follow that the Great Father in Washington and his Council expected them to continue to do these things.

The payment of \$150,000 for “goods and provisions” following the ratification of the treaty included items relating to fishing (including tackle, hooks, and net thread), hunting (such as guns and rifles, gunpowder, powder horns, ball and shot, and traps), and sugaring (gouges for tree tapping and circular adzes for sap troughs), and the appropriations bill was held up by the members of the House of Representatives “until the assent of the said Indians shall be given to the change[s] proposed by the resolution of the Senate.” Again, the Indians had every reason to believe that congressmen also expected them to continue fishing, hunting, sugaring, and trapping. And, finally, Schoolcraft had assured them that they could do so “indefinitely” until “the lands shall be required for actual survey and settlement (as the white population advances from the South toward the North....”¹⁵¹

Schoolcraft’s assurances about Article 13 may help explain why a number of Ottawas and Chippewas signed (separately from the Articles of Assent) a memorial to President Jackson requesting that any future western location be in the north, rather than in the southwest as specified in the amended treaty. Dated July

¹⁵⁰ Kappler, *Indian Affairs*, 2: 452, 453.

¹⁵¹ U.S. Secretary of War, “Letter from the Secretary of War, Transmitting Estimates of Appropriations Necessary to Carry into Effect Certain Indian Treaties, June 15, 1836,” *House Document* 282, 24th, 1st sess., pp. 4-6; Act of July 2, 1836, Statutes at Large, 5: 74-75; Articles of Assent [July 1836], NAM-M668, roll 8, frame 106; Estimate to Carry into Effect the Treaty of the 28th of March 1836 with the Ottawas & Chippewas of Michigan in Schoolcraft to Cass, April 26, 1836, Articles of Agreement with Suydam, Jackson & Co., July 18, 1836, Invoice of Suydam Jackson & Co., August 15, 1836, NAM-M234, roll 422. frames 80-86, 191-96.

14, the memorial may well have been the result of Schoolcraft's own effort to keep the notion of removal alive. He knew how strongly the Indians opposed removal, and, with his ambitions for higher office still unfulfilled, he may have surmised that a northern location might at least keep the option of removal (and higher office for him) open. Given the strong language in the Articles of Assent, it is clear that the Indians had no intention of leaving Michigan. The names of several influential traders whose signatures appear on the memorial as witnesses verifying the Indian's marks suggest that they along with Schoolcraft may well have orchestrated the submission of the document for their own purposes. Supporting this conclusion is the fact that these men included traders whom Schoolcraft had called upon when he first attempted to secure compliant delegates to the original parley in Washington. Whatever the reason for the memorial being drafted, the Indians indicated by their actions over the ensuing years that they had no intention of undertaking a voluntary removal out of Michigan.¹⁵²

Following ratification of the treaty in the spring of 1836, the American economy entered a long period of depression that allowed Michigan's Indians time to devise successful strategies to resist efforts to remove them from their woodland environment. In fact, the traders' claims paid as a result of the treaty, according to one scholar, "probably saved the American Fur Company from bankruptcy and certainly made an otherwise sluggish business profitable indeed."¹⁵³

Meanwhile, American settlers focused their attention on the southern half of Lower Michigan. Viewing the ceded lands as "of a very inferior quality," an imaginary line stretching roughly westward from Saginaw Bay to the mouth of the Muskegon River served as a barrier slowing the northward spread of settlement,

¹⁵² Memorial to the President, July 14, 1836, enclosed in Schoolcraft to Cass, July 18, 1836, NAM-T494, roll 3, frames 368-75.

¹⁵³ Clayton, "The Impact of Traders' Claims on the American Fur Trade," 322.

thereby enabling the Ottawa and Chippewa people of northern Michigan to continue their subsistence lifestyle, hunting, trapping, and fishing.¹⁵⁴

As anthropologist Charles E. Cleland has commented, “a treaty was a solemn agreement for the Indian parties.” Although often at an extreme disadvantage in the negotiations because of pressure tactics employed by traders and other private interests as well as U.S. treaty commissioners, the Ottawa and Chippewa people “surrounded the negotiations with ritual and spirituality. For them, the treaty was not only an agreement of honor but also a symbolic representation of a mutually supportive relationship between themselves and their Great Father, the president of the United States.”¹⁵⁵ The strength of the Ottawa and Chippewa Indians’ relationship to their lands and their tenacity to exist as a people explain why the 1836 Treaty of Washington provided the guarantees that it included. Schoolcraft, who negotiated the treaty, understood all too clearly that the Ottawa and Chippewa Indians would never have signed the treaty without those guarantees and stated in 1838 that they would never leave Michigan unless “pressed to action by imperious necessity.”¹⁵⁶

Unlike the Creeks and Seminoles in the South or the Sac and Fox and the Winnebagos in the Northwest, the federal government never “pressed” the Chippewas and Ottawas to action by “imperious necessity.” National security interests did undoubtedly, however, play a role in the thinking of Treaty Commissioner Schoolcraft and Secretary Cass. Both men had a strong case of anglophobia. British influence among the tribes of the upper Great Lakes remained a continuous issue for the War Department in the years following the War of 1812, and there was a widely held assumption among the officials of the relatively

¹⁵⁴ John M. Gordon, “A Speculator’s Diary,” in Justin L. Kestenbaum, ed., *The Making of Michigan, 1820-1860: A Pioneer Anthology* (Detroit: Wayne State University Press, 1990), p. 149; Kenneth E. Lewis, *West to Michigan: Settling the Lower Peninsula, 1815-1860* (Lansing, MI: Michigan State University Press, 2002), pp. 39, 42, 59.

¹⁵⁵ Cleland, *The Place of the Pike*, p. 19.

¹⁵⁶ Schoolcraft to Harris, March 1, 1838, NAM-M234, roll 423, frames 118-21. (quotation is on frame 119).

exposed Michigan Territory of the inevitability of another war with Great Britain.¹⁵⁷

In 1815, Cass, a veteran officer and minor hero of the War of 1812, had urged the establishment of Indian agencies at northern outposts including Michilimackinac to “encircle the Country to which access from the British dominions is most easy.” Five years later, in 1820, he again cautioned “there will be neither permanent peace nor reasonable security” in the region until British influence is “wholly prevented.” Then, in 1828, Cass and William Clark, the superintendent of Indian affairs at St. Louis, warned of the continued “annual pilgrimage” of the Ottawas and Chippewas and other Great Lakes tribes to British traders at posts in Canada.¹⁵⁸

Michigan Indians continued to visit British posts to receive presents and trade throughout the 1830s. Indeed, Kawgayosh, an influential Chippewa clan leader designated as a first class chief in the 1836 Treaty of Washington, went over to the Canadian side of the border later in the year to become a “British chief” in large part because of Schoolcraft’s meddling in clan affairs. That same year Lord Glenelg, the British Secretary of State for the Colonies, in writing about the policy of distributing gifts to Indians from the United States reported, “on every Occasion when this County [Great Britain] has been engaged in War on the North American Continent the Co-operation of the Indian Tribes has been anxiously sought and has been obtained.”¹⁵⁹

¹⁵⁷ Bremer, *Indian Agent and Wilderness Scholar*, pp. viii, 29, 30, 58, 210.

¹⁵⁸ Recommendations by Governor Cass on Indian Posts, enclosed in Cass to Acting Secretary of War A. J. Dallas, July 20, 1815, *TPUS-Michigan 10*: 576 (quotation); Cass to Calhoun, June 17, 1820, *TPUS-Michigan 11*: 37; Clark and Cass to Thomas H. Benton, December 27, 1828, in *The New American State Papers: Indian Affairs, 1789-1860*, ed. Thomas C. Cochran, 13 vols. (Wilmington, DE: Scholarly Resources, Inc., 1972), 1:188-89 (hereafter cited as *NAS-IA*).

¹⁵⁹ Schoolcraft to Porter, June 13, 1834, NAM-M1, roll 34, frame 298; Schoolcraft to Elbert Herring, June 20, 1835, *ibid.*, roll 69, frame 114;; Chute, *The Legacy of Shingwaukonse*, pp. 31, 67-68; Lord Glenelg to Earl of Gosford, January 143, 1836, reprinted in Bauman, “The Migration of the Ottawa Indians from the Maumee Valley to Walpole Island,” p. 90.

The boundary between Michigan and Canada was not settled until 1842, and Schoolcraft and Cass were among those Jacksonians, including the anglophobe president himself, who worked hard to weaken British influence in the region at a time when the U.S. army was only thinly scattered at far-flung posts there. The majority of American soldiers in the mid-and late 1830s were fighting what Cass referred to as the "lawless [Seminole] banditti" in Florida Territory. In addition, the War Department was bracing for a war with France over spoliation claims, monitoring events in Alabama related to alleged frauds in the purchase of Creek allotments, concerned about possible hostilities by "dissatisfied Cherokees" under their 1835 treaty, and increasingly anxious about the growing numbers of emigrant Indians congregating West of Arkansas and Missouri as a result of removal treaties. In 1836, fear of an Indian uprising in the western Indian country was so great that the Governor of Arkansas was asked to have militia ready for active duty if necessary.¹⁶⁰

As Jacksonian Indian removal policy brought thousands of emigrants to the trans-Mississippi West in the 1830s, the residents of neighboring frontier states became greatly alarmed about the Indian "menace" on their flank. Indian policy increasingly became associated with national defense as residents of the frontier areas bordering the Indian country continuously "remained nervous" about the prospect of Indian depredations against their communities and increasingly became critical of America's national defense posture.¹⁶¹

¹⁶⁰Satz, *Chippewa Treaty Rights*, p 17; *Annual Report of the Secretary of War*, November 30, 1835, December 6, 1836, in U.S. Congress, *American State Papers: Military Affairs*, 7 vols. (Washington, D.C.: Gales & Seaton, 1832-61), 5: 627, 632, and 6: 806-08, 810, 813, 815; Report of Major General Alex[ander] Macomb to Cass, December, 1835, *ibid.*, 5:632; Extract of report of Schoolcraft, [1838], in *OIA AR*, vol. 4 (1838), pp. 458-59; Lancaster, *Removal Aftershock*, p. xi. In his efforts to reinforce his claims as a spokesperson for the West, Schoolcraft sent the president two nationalistic letters during the Winter of 1835-1836 decrying what he called British-influence seeking among Indians in the Columbia River Basin. Bremer, *Indian Agent and Wilderness Scholar*, p. 163. Kawgayosh's name appears on the treaty of 1836 but he was not present. He was represented by a headman, Maidysage. See Kappler, *Indian Affairs*, 2: 454.

¹⁶¹ Satz, *American Indian Policy in the Jacksonian Era*, pp.126-50, 211-245; John Hope Franklin, *The Militant South, 1800-1861* (Boston: Beacon Press, 1964), pp. 30-31, 214.

Even the organization and deployment of dragoons in the trans-Mississippi Indian country failed to relieve the anxiety of those on the western frontier who protested vigorously against treaty stipulations providing emigrant Indians with rifles for protection against the "wild nations" of the Plains. By the mid-1830s, there were over twenty thousand armed emigrant warriors west of the Arkansas-Missouri line. The western portion of the land assigned to the southern tribes was on the hunting grounds of fierce tribes who pillaged trade caravans between Missouri and Santa Fe. Rumors that the emigrants might join hands with these depredators arose fear among residents of Arkansas and Missouri with good reason. The outbreak of hostilities in Florida in 1835, the controversy over the Cherokee treaty of 1835, and the Creek controversy in Alabama in the mid-1830s had led to the reduction of troops stationed in the West at the same time the government was forcibly relocating these Indians to the West. Reports of boisterous "victory" dances held by the Prairie Kickapoos and other emigrant Indians in celebration of news of Seminole victories over American troops outraged whites. The presence of captured Seminole warriors together with other Indians removed under duress meant a large number of hostile Indians were within "striking distance" of the American frontier. Vice-President Martin Van Buren received a report in 1836 that the areas adjoining the western Indian country constituted "a more expos'd frontier, than at present is a part of any Civilized nation."¹⁶²

The Jackson administration sought to alleviate the growing anxiety among residents of the southwestern frontier by assuring them it was encouraging the recent emigrants to substitute "moral" law for the use of "physical force." In his annual message to Congress at the close of 1835, President Jackson had urged the adoption of legislation to provide closer "regulation" of the removed tribes. He also suggested that "some principles of intercommunication" would help to put an

¹⁶² Satz, *American Indian Policy in the Jacksonian Era*, p. 212; Joseph B. Herring, *Kenekuk: The Kickapoo Prophet* (Lawrence, KS: University Press of Kansas, 1988), p. 86.

end to "those bloody wars whose prosecution seems to have been made part of their social system."¹⁶³

In February and March of 1836, respectively, Whig Congressman Horace Everett of Vermont and Democrat Senator John Tipton of Indiana introduced bills calling for the organization of an Indian confederacy in the trans-Mississippi West under federal supervision. Both proposals were similar to a defeated Territorial Bill introduced in 1834 when administration Indian policy had come under attack by anti-Jacksonians claiming there had been inadequate planning regarding the relocation of tribes to the trans-Mississippi West. Everett and Tipton called for the granting of land patents to the Indians to assuage their fear that the government might renege on its promises to give them permanent title to their land; the establishment of an annual inter-tribal council, with ultimate veto power in the hands of a superintendent appointed by the president; and a delegate of Indian descent to represent the territory in Congress. Both men maintained that a territorial government for the Indian country would redeem the government's pledges to the emigrants and provide for better protection on the frontier, and their bills had the active support a concerned Jackson administration.¹⁶⁴

Although Congress failed to act on either the House or Senate bill, President Jackson sought to assure the nation that his Indian removal policy was a solid foundation for the future of Indian-white relations. On December 5, 1836, a little more than a half a year following his proclamation of the Treaty of Washington, Jackson presented his eighth and final annual message to Congress. In speaking of Indian affairs, he stated that "the national policy, founded alike in interest and in humanity, so long and so steadily pursued by this Government for the removal of the Indian tribes originally settled on this side of the Mississippi to

¹⁶³ Seventh Annual Message, December 7, 1835, in *Papers of the Presidents*, 3: 1392.

¹⁶⁴ S. 159, H.R. 365, *Original Bills*, 24th Cong., 1st sess ; Satz, *American Indian Policy in the Jacksonian Era*, p. 213. For events surrounding the defeated 1834 proposal, see *Ibid.*, pp. 126-45

the west of that river, may be said to have been consummated by the conclusion of the late treaty with the Cherokees.”¹⁶⁵

The Senate had ratified the Cherokee Treaty of New Echota on December 29, 1835, more than a year earlier than Jackson’s eighth message, and the president had signed and proclaimed that treaty in effect on May 23, 1836, shortly after supplementary articles had been approved.¹⁶⁶ Since the Cherokee treaty was officially concluded (ratified and proclaimed) four days *before* the official conclusion (ratification and proclamation) of the Treaty of Washington,¹⁶⁷ we have Jackson’s own acknowledgement that in his mind “the national policy” of Indian removal had in fact been “consummated” (i.e., completed¹⁶⁸) *before* the treaty with the Ottawas and Chippewas of Michigan went into effect!

Jackson did not refer to the Ottawas and Chippewas in his annual message. He had Cherokees on his mind. He could not resist noting that he had opened their landholdings to white settlement, something he had spent most of his life trying to accomplish. There can be no doubt, as I have maintained elsewhere, that Jackson’s primary focus during his presidency was on the removal of the Cherokees and the other large Southern tribes which he had long viewed as an impediment to Southern development. Noted anthropologist Anthony F.C. Wallace maintains that “the Northern tribes suffered less from the removal policy, and that suffering was postponed longer than was the case with the Southern Indians.” The reason for this, according to Wallace, was that “President Jackson was less interested personally [in the Northern tribes] and there was less political pressure from the Northern states.” Certainly, Jackson’s failure to address northern

¹⁶⁵ Eighth Annual Message, December 5, 1836, in *Papers of the President*, 3: 1475.

¹⁶⁶ Kappler, *Indian Affairs*, 2:439-49.

¹⁶⁷ *Ibid.*, pp.450-56.

¹⁶⁸ The word “consummated” is defined as “completed; perfected; ended” in both the 1828 and 1856 editions of Noah Webster’s popular 19th century American dictionary. See *An American Dictionary of the English Language* (1828), Vol. 1, unpaginated, see “consummated” and revised and enlarged edition (1856), p. 257.

Indians in his remarks demonstrates that the president had other regions and tribes on his mind.¹⁶⁹ And indeed, the Ottawas and Chippewas were not the concerns uppermost in the president's mind.

Jackson concluded his remarks on Indian affairs by calling on congress for "early and mature deliberation" on the "present crisis" by enacting legislation recommended by War Department for "providing a well-digested and comprehensive system for the protection, supervision, and improvement of the various tribes now planted in the Indian country." These measures, he noted, were "necessary for the double purpose of protecting the Indians from intestine war, and in other respects complying with our engagements to them, and of securing our western frontier against incursions which otherwise will assuredly be made on it." The very policy that enabled Jackson to extinguish Indian title of removed tribes had created a national security problem in the West.¹⁷⁰

¹⁶⁹ Satz, American Indian Policy in the Jacksonian Era, pp.66; Anthony F.C. Wallace, *The Long, Bitter Trail: Andrew Jackson and the Indians* (New York: Hill & Wang, 1993), p. 105 (quotation).

¹⁷⁰ Eighth Annual Message, December 5, 1836, in *Papers of the Presidents*, 3: 1475.

5} After the Treaty

Michigan's Ottawa and Chippewa communities persisted as viable identity groups with distinctive values, interests, practices, and goals following the ratification of the 1836 Treaty of Washington. The treaty was not a removal treaty, and these Indians never left Michigan. As one scholar has written, "they have persevered through the emergence of a continental United States, through civil and international wars, through economic booms and busts, through the emergence and growth of a federal government with all-pervasive political, economic, and social interests and powers."¹⁷¹ The Ottawa and Chippewa people of Michigan, as another scholar has commented, have both "withstood and survived a biological and cultural assault that has now lasted for eight generations." Given the loss of their land, the disruption of their communities, and the assault on their cultural identities, "it is almost beyond belief that they have endured at all, let alone thrived as a people who are proud of their traditions and enthused about their future."¹⁷² It is not the purpose of this rebuttal report to detail the post-Jacksonian era events in the history of those communities. A short review of some post-treaty events, however, sheds light on the context of the treaty in the Jacksonian era and helps address the questions posed to me by the attorneys for the Chippewa Ottawa Resource Authority.

The 1836 Treaty of Washington exemplifies several deficiencies in treaty making during the Jacksonian era. Treaties were frequently negotiated with inadequate tribal representation. Since the language of the negotiations was English, misunderstandings often arose about specific provisions of a treaty and what tribal signers understood about the provisions. And, the ratification process

¹⁷¹ Clifton, "Michigan's Indians," p. 126.

¹⁷² Cleland, *Rites of Passage*, p. 298.

sometimes included alteration of the treaty by the Senate without prior Indian consultation.¹⁷³

As noted earlier, no such entity as the “Ottawa and Chippewa nation” existed and no such entities as the “Ottawa and Chippewa nations” (another phraseology that appears in the treaty) existed. As the U.S. Indian Claims Commission concluded in its 1959 “Findings of Fact”:

No political entities existed in 1820 [in reference is to the cession July 6 of the St. Martin Islands in Lake Huron] and 1836 [in reference to the Treaty of Washington] which embraced all the Indians in the ethnic and cultural groupings described as either Ottawa or Chippewa Nations or tribes of Indians. They were each Algonquin people, speaking different but mutually intelligible languages and when known to the white men they were composed of separate, independent, autonomous groups or bands which were known by names having reference to their leaders or geographical locations.¹⁷⁴

Schoolcraft used the term “nation” and “nations” to give an aura of legitimacy to the negotiations. Like other Jackson administration officials, he was willing to blatantly violate clan leadership succession principles and tribal sovereignty by working to *appoint* or *select* particular chiefs or factions with whom the United States would deal or to whom the money for ceded lands would be paid.¹⁷⁵

Both Secretary of War Cass and Treaty Commissioner Schoolcraft understood that the treaty making in 1836 involved deception with regard to Indian representation. Not only did Schoolcraft maneuver to bring men to Washington who would favor a treaty and put them in the presence of individuals who would

¹⁷³ Satz, “Indian Policy in the Jacksonian Era,” p.82; Satz, *American Indian Policy in the Jacksonian Era*, pp. 99, 106-07.

¹⁷⁴ U.S. Indian Claims Commission, *Commission Findings on the Chippewa Indians*, Vol. 7: *Chippewa Indians*, comp. & ed., David Agee Horr (New York: Garland Publishing Co., 1974), p. 192 (hereafter cited as *Indian Claims Commission Findings*). This reprint edition is repaginated at the outside center to facilitate scholarly use.

encourage them to sign, he knew, as did Cass, that separate Great Lakes Indian villages actually carried on ceremonial and political activities as independent, autonomous units and that there was no such thing as an Ottawa or Chippewa “nation.” As Schoolcraft himself commented years earlier:

Their government, so far as they exercise any, is placed in the hands of chiefs. They have village chiefs and war chiefs. The former are hereditary, the latter elective. Neither are invested with much power in advance. The occasion which calls for action, brings with it an expression of the general voice. The latter is implicitly obeyed; and it is the policy of the chiefs to keep a little in the rear of public sentiment. The power of both orders of chiefs, is only advisory; but that of the war chief predominates during a state of war. No formality is exercised in taking the sense of the village, or nation, as to public men or measures. Popular feeling is the supreme law. They exchange opinions casually, and these are final. Councils generally deliberate upon what has been, beforehand, pretty well settled.¹⁷⁶

Many years before Schoolcraft recorded these observations of Indian governmental structure, Cass had reported to the War Department that the Indians were loosely organized into villages headed by chiefs who had only limited power and that “the Government of the Indians, if it deserve that name, is a Government of opinion.”¹⁷⁷

Schoolcraft and Cass understood that treaty commissioners often had the upper hand in negotiations. In 1848, at the end of the Jacksonian era, Schoolcraft, reflecting on his own experience as an Indian agent and treaty commissioner offered advice on an upcoming treaty council to Commissioner of the office of Indian Affairs William Medill, the former Governor of Ohio. “An Indian council,”

¹⁷⁶ Henry R. Schoolcraft, “Travels Among the Aborigines: The Chippewa Indians,” *North American Review* 27 (July 1828): 100.

¹⁷⁷ Quoted in Satz, *Chippewa Treaty Rights*, p. 9.

he observed, “is a test of diplomacy. The Indians are so *fickle*, that they will change there [sic] minds twice a day.” Schoolcraft claimed that it “requires some of the qualities of Job to get along with them, and their friends, the halfbreeds.” He assured Medill, however, that “perseverance in right views, will ultimately prevail. They have, after all, very little confidence in themselves, and a great deal in the United States.”¹⁷⁸

Sometimes, however, Indians “persevered,” and, as a result forced U.S. treaty commissioners to concede or stipulate provisions that they would have preferred not to have included. Indians often insisted on reserving rights and sometimes the particular situation required the inclusion of those rights in the treaty in order to secure their acceptance. Even in such instances, as was the case with the 1836 Treaty of Washington, Indians were dependent on the U.S. treaty commissioner to accurately convey their wishes in writing in the treaty

The Ottawas and Chippewas, like other non-English-speaking Indians, often understood words and events in different terms than their white counterparts. Linguistic research, for example, reveals there was no single word in the nineteenth-century Chippewa language for *fishing*, so it is very likely that the convenient catchall Ojibwa word meaning “general foraging” with *any* kind of a device for *any* purpose was used by interpreters to translate the meaning of the treaty wording, “hunting and fishing.” Such substitutions could render an Indian's understanding very different from a white person's understanding of treaty stipulations. And although most whites would see written words as taking priority over spoken, this is not true in Chippewa culture.¹⁷⁹

Since oral rather than written communication was the typical mode of Indian negotiations, the final written document to which Indians affixed an “X” or

¹⁷⁸ Schoolcraft to Medill, September 30, 1848, Medill Papers, Box 4, Library of Congress, Washington, D.C. quoted in Satz, *American Indian Policy in the Jacksonian Era*, p.98 (emphasis in original).

¹⁷⁹ Nancy Oestreich Lurie, *Wisconsin Indians* (Madison: State Historical Society of Wisconsin, 1987), pp. 59-60.

their marks was not as important to them as their understanding of the verbal agreements made, a direct contradiction to most white people's assumptions. The following comment by ethnohistorian Wilcomb E. Washburn aptly describes some of the difficulties Indians had in dealing with American treaty commissioners:

The white man as officeholder is, in many ways, a more perplexing and perverse figure to the Indian than the individual conqueror, or fur trapper, or explorer. Under the panoply of European formality the government representative communicated with Indian leaders, but too often the form and spirit were not in close juxtaposition. The Indian, valuing the spirit rather than the recorded form, which in his letterless society was, for the most part, superfluous, could not cope with the legalisms of the white man.. Nor could an alien government sympathize with, let alone understand, the plight of a race organized into categories that had no parallels in the white bureaucratic machinery.¹⁸⁰

As Washburn indicates, Indians left treaty negotiations with understandings based on the dialogue that had taken place while whites left with a written document confirming their intentions and goals if not their actual words as understood by the Indians. In the case of the Chippewas and Ottawas, there are two written documents—the amended 1836 treaty and their Articles of Assent.

The linguistic abilities of interpreters at treaty negotiations played a key role in the outcome of negotiations and of possible misunderstandings afterwards. "The right understanding and successful issue of every negotiation depend upon their fidelity and ability," Indian Commissioner Carey Allen Harris informed Secretary of War Joel R. Poinsett in 1837. Appointed and paid by the Indian Office, interpreters were in fact representatives of the United States government who, as Commissioner Harris poignantly observed, helped to shape the outcome of each treaty negotiation. For that reason, even the interpreters whom modern

¹⁸⁰ Wilcomb E. Washburn, "Introduction," *The Indian and the White Man*, ed. *Documents in American Civilization Series*. (Garden City, N.Y.: Anchor Books, 1964), pp. xii.

readers might assume to have been unbiased were paid to act in the best interests of the U. S. government, not of the Indians. According to John Nichols, one of the world's pre-eminent academic experts on the Ojibwe language, the quality of interpretation in the 1830s was "poor and misunderstandings were frequent." Schoolcraft himself, noted in his *Memoirs* that even "trifling mistakes [by an interpreter] may be injurious" and also conceded in one of his annual reports that "we often suffer from the blunders of interpreters, who are not only illiterate, but not trustworthy." While I am not a linguist and cannot comment on that aspect of the 1836 treaty negotiations other than to report what scholars in that field have stated, it is clear to me that the treaty provisions themselves sent an important message to the Indians, one that was also reflected in the wording of their Articles of Assent which they viewed as an important part of their understanding with the Great Father in Washington and his Council. The provisions of the 1836 Treaty of Washington specifically acknowledged and endorsed the continuation of fishing, hunting, sugaring, and trapping by providing for, among other things, "two additional blacksmith shops" with "a permanent interpreter" at each, fish barrels and salt for twenty years, and a gunsmith. So, in the minds of the Ottawas and Chippewas, it would logically follow that the Great Father in Washington and his Council expected them to continue to do these things.¹⁸¹

The 1836 Treaty of Washington with the Ottawas and Chippewas of Michigan is the only Jacksonian era U.S. Indian treaty that employs the following terminology which is found in Article 13: "The Indians stipulate for the right of hunting on the lands ceded, with the other usual privileges of occupancy, *until the*

¹⁸¹ Report of the Commissioner of Indian Affairs, December 1, 1837, *OIA AR*, vol. 3 (1837). P. 528; Satz, *American Indian Policy in the Jacksonian Era*, p. 196; See John D. Nichols, "The Translation of Key Phrases in the Treaties of 1837 and 1855," in *Fish in the Lakes, Wild Rice, and Game in Abundance: Testimony on Behalf of Mille Lacs Ojibwe Hunting and Fishing Rights*, ed James M. McClurken *et al.* (East Lansing, MI: Michigan State University Press, 2000), p. 514; Schoolcraft's Report of September 30, 1839, *OIA AR*, vol. 5 (1839), p. 481; and Schoolcraft, *Personal Memoirs*, pp., 636, 637.; Kappler, *Indian Affairs*, 2: 452, 453

land is required for settlement” (emphasis added).¹⁸² Less than a year after Senate ratification of the treaty, several white residents of Grand Rapids brought the meaning of Article 13 into question as the result of an inquiry concerning the status of lands in the cession area..¹⁸³

Schoolcraft offered the “private opinion” that “the right secured to the Indians by the 13th Article of the treaty, applies to the lands, while they remain the property of the United States, and ceases the moment any part of it becomes *private property*” (emphasis in original).¹⁸⁴ In a letter to Commissioner of Indian Affairs Carey Allen Harris, Schoolcraft explained that “the main question, in the cession made by the Indians at Washington, may be said, in a great measure, to have turned, on the right stipulated to be secured to them, to hunt upon, and occupy the lands ceded, until they were required for settlement.” He claimed that he had “carefully explained” to the Indians that “as fast as the lands were surveyed and sold, and thus converted into private property, this right would cease. But that it would continue to be enjoyed by them, on all portions of the territory ceded, not surveyed and sold.” Schoolcraft then stated:

It was believed, from the best information then extant, that portions of the large and imperfectly explored territory ceded, were uninviting to agriculturalists, and would be chiefly valuable for lumber and mill privileges, and to these tracts the Indians adverted, as places of temporary residence.

¹⁸² Kappler, *Indian Affairs*, 2: 454. In 1798 the United States signed a treaty with the Cherokees which included a provision that “until settlements shall make it improper, the Cherokee hunters shall be at liberty to hunt and take game upon the lands relinquished and ceded by this treaty.” Kappler, *Indian Affairs*, 2: 53.

¹⁸³ Copy of D.A. Lyman, A.D. Rathbone, N. H. Finney to Schoolcraft, February 20, 1837, enclosed in Schoolcraft to C. A. Harris, February 27, 1837, NAM-M234, roll 422, frames 631-35.

¹⁸⁴ Schoolcraft to Lyman, Rathbone, and Finney, February 27, 1837, *Ibid.*, frame 636-37 (quotation is on frame 636)..

Schoolcraft reported, “I employed the term ‘settlement’ in its ordinary meaning to denote the act or state of being settled, and as answering, as nearly the terms of the two languages would permit, to the tenor of my agreement with them.”¹⁸⁵

Schoolcraft may well have been expressing his preference as to how he would like the phrase “until the land is required for settlement” to be understood, but he was certainly not repeating what he had led the Indians to believe at the treaty parley in Washington or at the council in Michigan that produced the Articles of Assent or, for that matter, what he told others about what he had said to the Indians. Along these lines, it is important to note that Schoolcraft’s modern biographer portrays him as a person who had a reputation for probity but who also both “suppressed” and “fabricated” information in his official reports. Schoolcraft may have had possessed some attributes of a competent nineteenth-century career bureaucrat but he was also self-serving, capable of duplicity, willing to look the other way at violations of federal law when it suited his purpose, unwilling to challenge superiors, and not concerned about the wishes of the Indians themselves. If Indians, such as those at Grand River, for example, opposed removal and intended to invoke their treaty right to remain in Michigan, Schoolcraft’s simple response was: “they require the proper course to be pointed out and can easily be induced to conform to it.”¹⁸⁶

Schoolcraft’s “private opinion” on Article 13 of the treaty raised questions that were submitted to Attorney General Benjamin F. Butler for review. Butler’s opinion, published in the *Detroit Daily Advertiser*, stated that Indian usufructuary rights would terminate when ceded lands “shall have been actually disposed of, to individuals, by the United States.” This did not reflect what Schoolcraft had told the Indians Article 13 actually stipulated nor did it reflect what the Indians had told the United States they understood the article to mean in their Articles of Assent agreeing to the amended treaty. Butler, President Van

¹⁸⁵ Schoolcraft to Harris, February 27, 1837, *Ibid.*, frames 631-34.

¹⁸⁶ Bremer, *Indian Agent and Wilderness Scholar*, pp. 50, 87, 127-29, 191, 195, 210-13

Buren's former law partner, may well have been influenced by his political-economic relations. He had very strong ties to eastern businessmen involved in the economic development of the Old Northwest. These included among others, his brother Charles, an absentee land speculator who in 1835 became president of the American Land Company (a company heavily involved in land speculation in Chickasaw allotments in Mississippi), and his brother-in-law William B. Ogden, a land speculator who was elected in 1837 as Chicago's first mayor.¹⁸⁷

During the Jacksonian era, federal Indian policy opened vast areas east of the Mississippi River to white land speculators as well as to white settlers. "The growth of western states, the accessibility of their lands for settlement and speculation, townsite promotions, and internal improvement schemes—all depended upon cessions of land by Indian tribes," historian Mary E. Young has written in her exhaustive study of how Jacksonian Indian policy impacted the "common Indian" and the "actual settler" in the South. In 1830, when Jackson was promoting his Removal Act, he had asked "What good man would prefer a country covered with forests and ranged by a few thousand savages to our extensive Republic, studded with cities, towns, and prosperous farms, embellished with all the improvements which art can devise or industry execute, occupied by more than 12,000,000 happy people, and filled with all the blessings of liberty, civilization, and religion?" Jackson's vision was to acquire Indian land for the development of "cities, towns, and prosperous farms." In his annual message six years later, in December, 1836, Jackson declared that "much good, in my judgment, would be produced by prohibiting sales of the public lands except to

¹⁸⁷Butler to Secretary of War J. R. Poinsett, April 20, 1837, in *Detroit Daily Advertiser*, May 4, 1837 NAM-M234 roll 422, frame 678; Burch, *Elites in American History*, pp. 137, 142-43, 151, 166 n.78, 171 n.130, 223 n.80, 242, 287, 292.; John D. Haeger, *The Investment Frontier: New York Businessmen and the Economic Development of the Old Northwest* (Albany, NY: State University of New York Press, 1981), pp. xi, 21, 29, 43, 49-96, 105, 118, 136, 154-55; Buley, *Old Northwest*, 2: 149; Young, *Redskins, Ruffleshirts, and Rednecks*, pp. 117-18; Bessie Louise Pierce, *A History of Chicago: The Beginning of a City* (New York: A. A. Knopf, 1937), p. 64.

actual settlers at a reasonable reduction of price, and to limit the quantity which shall be sold to them” (emphasis added). Six months earlier, on July 11, his administration had issued the Specie Circular requiring with a few minor exceptions gold or silver in payment for public land that helped to cool off the “boom” in land sales of the 1830s which peaked in 1836. There was debate in Congress that year on legislation to permanently extend the pre-emption rights to actual settlers that were authorized under the Pre-Emption Act of 1830 as a temporary measure and, in substance, renewed at regular intervals.¹⁸⁸

Schoolcraft was well aware of the heated debates in Congress on federal land policy. Not only does his correspondence indicate a knowledge of these debates and related land policy issues, his job demanded such knowledge. He understood, as he put it, that Indian field service employees served “as an umpire between the Indian tribes and the citizens.” And questions pertaining to Indian lands were among the more thorny issues such officials had to regularly address. In addition, it is also very likely that Schoolcraft, who had served four years as a member of the Legislative Council of Michigan Territory (1828-1832), was well aware of legislative interest in Michigan regarding “actual settlers” including the Legislative Council’s petition to the 24th Congress in March, 1836, calling for the protection of “actual settlers” who “by their industry and enterprise” have established “flourishing villages and cultivated farms, where all the business of

¹⁸⁸ Young, *Redskins, Ruffleshirts and Rednecks*, p. 3; Second Annual Message, December 6, 1830, Eighth Annual Message, December 5, 1836, in *Papers of the Presidents*. 3: 1084, [3: 256]; Douglas H. Gordan and George S. May, eds. “The Michigan Land Rush in 1836,” *Michigan History* 43 (March 1959): 7; Levi Woodbury to M. Van Buren, February 25, 1836, and Communication from the President of the [Michigan] Legislative Council William S. Hamilton and Secretary of the Council A. G. Ellis to the House of Representatives, March 1, 1836, in U.S. Congress, *American State Papers: Public Lands*. 8 vols. (Washington, D.C.: Gales & Seaton, 1832-61), 8:510, 514-15; U.S. Congress, Senate, *Journal of the Senate*, 24th Cong., 1st sess., February 11, March 31, 1836, pp. 156, 254. The Pre-Emption Act of 1830 was renewed at regular intervals and remained in effect until June 22, 1842. Fuller notes in “Settlement in Michigan,” pp. 36-37, that “in the year 1835-1836 Michigan shared in a phenomenon of increased land sales that was national in extent, and the largest total of sales was made in Michigan.”

commerce, agriculture, and domestic industry, are prospering in a degree unexampled in the history of our country.”¹⁸⁹

The 1836 Treaty of Washington is the only Jacksonian era treaty with a provision stipulating that the Indians retained the right of hunting on ceded lands along with “the other usual privileges of occupancy, *until the land is required for settlement*” (emphasis added). Schoolcraft used the words “required for settlement” because they were absolutely critical to the successful negotiation of the treaty. He understood that the southern portion of the Lower Peninsula was going through a land rush but the lands he was seeking to acquire were not in immediate demand for settlement. He personally viewed the desired land cession as valuable primarily for timber, which would not interfere with Indian usufructuary rights. After the Senate amended the treaty, Schoolcraft secured the Indians acceptance of the amendments because they believed, as did he, “from the best information then extant, that portions of the large and imperfectly explored territory ceded, were uninviting to agriculturalists, and would be chiefly valuable for lumber and mill privileges, and to these tracts, the Indians adverted, as places of temporary residence.” Michigan territorial officials were pushing for statehood, and Schoolcraft believed that a major land cession treaty would be viewed positively by territorial and federal officials. While the paranoia that swept parts of the Old Northwest during the Black Hawk War in 1832 did not engulf Michigan, there were lingering concerns about British trade overtures to the Ottawa and Chippewa at a time when army posts in the upper Old Northwest were being thinly manned due to Indian warfare in the South. And, of course, Indians were feeling the burden of heavy debts while their traders, including Schoolcraft’s in-laws, were eager for their claims to be paid from annuity funds that a treaty would provide. While some Indians were eager to sell marginal lands to clear their

¹⁸⁹ See Notice issued by Schoolcraft, September 30, 1834, NAM-M1, roll 69, frame 67; Schoolcraft to Crooks, May 2, 1836, in *Calendar of AFC Papers*, entry 1551; Schoolcraft, *Personal Memoirs*, p. 396.

debts, the consensus was that negotiations could not proceed without a guarantee that all the Indians could remain in Michigan.¹⁹⁰

In his annual report to Commissioner of Indian Affairs Carey Allen Harris for 1837, Schoolcraft reported on the condition of what he referred to as “the united tribes of Chippewas and Ottawas, who are parties to the treaty of the 28th of March, 1836.” He reminded Harris that “their reservations will expire in 1841, after which, they will possess no further right to a residence on the lands, but the conditional usufructuary right contained in the 13th article.” This statement itself reconfirmed the Indians’ right to fish, hunt, tap trees for sugar, and gather on ceded lands and indicates that Schoolcraft believed that right was indefinite, limited only by actual settlement of the land by whites.¹⁹¹

In December, 1837, nine months after Andrew Jackson had given his Farewell Address as president and upon reflecting on Schoolcraft’s annual report, Commissioner of Indian Affairs Carey Allen Harris commented on the progress that had been made under the Removal Act Jackson had established as the cornerstone of federal Indian policy. Harris observed:

The progress in the removal of Indians east of the Mississippi, who have agreed to emigrate, has, from various causes, been inconsiderable during the past year. The whole number, including Cherokees, Creeks, Chickasaws, Potawatomis, and Ottawas, has not exceeded 5,700. When the stipulations with these and other tribes, upon this subject, are carried into effect, there will remain on the east side of the Mississippi, and south of the Chippewas of Lake Superior, only the Wyandots in Ohio, the Six Nations in New York, the Menominees, Munsees, and Stockbridges in Wisconsin, and the Miamis in Indiana. And the policy of exchanging lands west of that river for those held by tribes east of it, which was first

¹⁹⁰ Kappler, *Indian Affairs*, 2:454; Schoolcraft to Harris, February 27, 1837, NAM-M1, roll 37, frames 168-9; Bremer, *Indian Agent and Wilderness Scholar*, pp. 141-42.

¹⁹¹ Report of the Acting Superintendent of Michigan, [Late Fall, 1837], *OIA AR*, vol 3 (1837), pp. 531, 532.

authorized in 1804, though not vigorously commenced till 1830, will have been brought to a point of successful accomplishment, that could not have been anticipated at its inception.¹⁹²

The Cherokees, Creeks, Chickasaws, Potawatomis, and Ottawas that Harris specifically mentioned were subject to removal either under treaties that required their removal (Cherokees, Chickasaws, Potawatomis, and Ottawas) or by military decree without the formality of a treaty (Creeks). Their situations were discussed earlier in this report—the Southern tribes in Section 3 and the Northern tribes in Sections 4 and 5. The only Ottawas *requiring* removal in 1837 were *Ohio* Indians (see Section 4). Harris’ statement that ultimately “there will remain on the east side of the Mississippi, and south of the Chippewas of Lake Superior, only the Wyandots in Ohio, the Six Nations in New York, the Menominees, Munsees, and Stockbridges in Wisconsin, and the Miamis in Indiana” was erroneous. The 1836 Treaty with the Ottawas and Chippewas most certainly did not require their removal. It specifically stated: “when the Indians *wish* it, the United States will remove them....” (emphasis added).¹⁹³ Under the provisions of the Removal Act of 1830 (See Section 7, Appendix A), which Harris referenced in his comments, removal was to be voluntary: “Indians as may *choose* to exchange the lands where they now reside, and remove....” (emphasis added)¹⁹⁴ Schoolcraft had previously acknowledged that Article 13 was essential to securing Indian consent to the original treaty, and the Indians had made it perfectly clear in the Articles of Assent to the amended treaty that they had no desire to emigrate. If the War Department had wanted to terminate Ottawa and Chippewa usufructuary rights in 1836 the government had precedents to follow—Secretary of War Cass had been involved in crafting language for removal both as Michigan Territorial Governor and Ex-Officio Superintendent of Indian Affairs and had even ordered the removal of the

¹⁹² Report of the Commissioner of Indian Affairs, December 1, 1837, *ibid.*, p.526.

¹⁹³ Kappler, *Indian Affairs*, 2: 453. For the Ottawas of Ohio under stipulation to remove, see

¹⁹⁴ Act of May 28, 1830, *Statutes at Large*, 4: 411-12.

Creek Nation without the formality of a removal treaty as secretary of war. So, why did Harris make the erroneous statement quoted above?

Harris, a Tennessean and a member of President Jackson's inner circle with open access to the president, was appointed to office by Jackson on July 4, 1836, a little more than a week before the Articles of Assent were originally signed. Martin Van Buren continued him in office when he became president but Harris' tenure under Van Buren was short-lived. Harris has the distinction of being the only commissioner of Indian affairs during the Jacksonian era to be dismissed for cause. Caught by members of his staff, among others, in the act of fraudulent activities and deceitful behavior at the expense of Indians, President Van Buren found Harris' explanation of his actions "NOT SUFFICIENT" and dismissed him on October 19, 1838. The evidence indicates that Harris was a man capable of deceit. Whatever the reason for his misstatement regarding the treaty rights of Ottawas and Chippewas, they remained in Michigan throughout the Jacksonian era and into the twenty-first century in accordance with the provisions of their treaty. Federal officials had experience dislodging Indians who refused to emigrate when public pressure demanded it, whether required by treaty to remove or not (as the story of the Creeks [see Section 3] clearly demonstrates). But, the Ottawas and Chippewas were not under public pressure to remove. Indeed, many non-Indians found them to be good and desirable neighbors.¹⁹⁵

The Panic of 1837 and the ensuing economic depression halted the flow of white settlers in the Grand River Valley until well into the 1840s. It also curbed efforts to promote the removal of Michigan's Indians north of the valley. As predicted by Schoolcraft and others, settlement in the cession area was a slow process. Meanwhile, the Indians' cash from their annuities (except in 1837 when the U.S. violated the treaty and paid in goods) as well as their availability as

¹⁹⁵ Satz, *American Indian Policy in the Jacksonian Era*, pp. 158-59, 164, 172.n 21; Ronald N. Satz, "Carey Allen Harris: Commissioner of Indian Affairs, 1836-1838," *The Commissioners of Indian Affairs, 1824-1977*, edited by Robert M. Kvasnicka and Herman J. Viola (Lincoln and London: University of Nebraska Press, 1979), pp. 17-22.

seasonal migratory labor and their peaceful behavior won them considerable support among whites. Some Indians were able to enlist settlers' help in purchasing land with their annuity moneys. Schoolcraft understood what the Indians were doing, indeed there is correspondence from a Grand River Ottawa suggesting that Schoolcraft had "advised" that the Indians do this when he sought their concurrence in the Senate amendments.¹⁹⁶ The Ottawa were particularly adept at "learning to live as Indians in the midst of white settlement." Many whites found them "neighborly" and their presence "beneficial." According to historian Susan E. Gray who has studied community life on the Michigan frontier, the Ottawas and the Yankee settlers of Michigan served each other's "mutual economic needs."¹⁹⁷ An organization known as the Western Society to Benefit the Indians was in operation by 1838 for the purpose of formally assisting Ottawas.¹⁹⁸ Farther north, Chippewas at Sault Ste. Marie, Garden River, Grand Island, and Drummond Island followed their traditional lifestyle and also helped promote the economic development of the Upper Peninsula by serving the region as "its sailors, fishermen, agriculturalists, and lumbermen."¹⁹⁹

In 1838, Schoolcraft (whose entire career had been marked by what his biographer calls "wholesale nepotism") employed his brother James to lead an

¹⁹⁶ Bremer, *Indian Agent and Wilderness Scholar*, p. 185; Ottawas of Gull Prairie to Schoolcraft, January 1, 1838, NAM-M1, roll 44, frames 1-4. In 1837, the United States violated the treaty by issuing annuities in kind rather than in specie as required. Major Jonathan Garland reported the Indians had rumored that "their Great Father had caused them [the delivered goods] to be infected with some fatal malady and that he never intended to keep good faith with them when he made the treaty; and as evidence of it, instanced the alterations made by the Senate and now the offer of goods in lieu of specie. See Garland to Harris, September 24, 1837, NAM-M234, roll 402, frames 315-19 (the quotation in on frame 316). When annuity payments in specie resumed in 1838, the payments gave Indians access to cash that Michigan citizens coveted.

¹⁹⁷ Susan E. Gray, "Limits and Possibilities: White-Indian Relations in Western Michigan in the Era of Removal," *Michigan Historical Review* 20 (Fall 1994): 71-92 (the quotations are on pp. 83, 89. Also see Gray's *The Yankee West: Community Life on the Michigan Frontier* (Chapel Hill, NC: University of North Carolina Press, 1996), pp. 73-74.

¹⁹⁸ Neumeyer, "Michigan Indians Battle Against Removal," p. 281.

¹⁹⁹ Petition of Chiefs, November 1, 1853, NAM-M234, roll 404, frames 193-95.

exploring party of Indians to the region southwest of the Missouri River specified in Article 8 of the treaty as a possible western home for the Ottawas and Chippewas should they “desire it.” Schoolcraft contacted Baptist minister Isaac McCoy who had long promoted the development of an Indian territory in the West, and sought his assistance in convincing the delegation to accept land in Kansas in exchange for their Michigan lands.²⁰⁰

Schoolcraft first met and visited McCoy at his Indiana mission school in 1821 while traveling with Cass. McCoy then established Carey Mission among the Potawatomis on the St. Joseph River near present-day Niles, Michigan in 1822 and four years later, in 1826, founded Thomas Mission among the Ottawas near Grand Rapids. He became a strong advocate of removal and encouraged Ottawa students to work toward the emigration of their kinfolk to the West. Leonard Slater, who worked with McCoy, on the other hand, advocated that the Indians stay in Michigan and, also unlike McCoy, he favored local day schools for Ottawa youngsters over distant boarding schools that would separate them from their families. McCoy looked to the federal government for support of his missionary efforts and his ambitions to become superintendent of a new western “Indian Territory,” and he became more of a “political lobbyist” for removal than a missionary. Slater, on the other hand, supported the Indians in what he later referred to as their “universal prejudice to a removal.” Both McCoy and Slater were in Washington during the 1836 treaty negotiations. Slater signed the treaty as a witness, and McCoy later wrote about it in 1840 in his *History of Baptist Indian Missions*. McCoy had lobbied Schoolcraft in March, 1836, for federal support under the treaty and now, two years later, Schoolcraft was asking for his support.²⁰¹

²⁰⁰Schoolcraft to McCoy, June 23, 1838, NAM-M1, roll 37, frame 515. The quotation on nepotism is from Bremer, *Indian Agent and Wilderness Scholar*, pp.79, 203.

²⁰¹Bremer, *Indian Agent and Wilderness Scholar*, p. 46; Schultz, *An Indian Canaan*, pp. 85, 91, 119, 128, 154, 156, 180, 181 (quotation); McCoy, *History of the Baptist Missions*, pp.494-96; Robert F. Berkhofer, Jr., *Salvation and the Savage: An Analysis of Protestant Missions and American Indian Response, 1787-1862* (Lexington: University of Kentucky Press, 1965), p. 102;

Schoolcraft assured McCoy that “the [exploring] delegation is a full and respectable one, comprising both nations.” In fact, he had excluded opponents of removal from serving as members of the party. He then gave detailed instructions for the journey as his biographer Bremer points out:

The approach to the Indian country should be made in the spring when a rich verdure covered the prairies. The delegation should approach the suggested location by the most heavily wooded route to avoid too sudden a contrast with the Michigan woodlands. At the same time, the conductor should stress the agricultural value of prairie lands.

In effect, his brother James was to serve, as Bremer put it, “the combined roles of guardian, counselor, and real estate salesman to the dispirited tribesmen still suffering from the rigors of travel west from Mackinac.” In asking McCoy to assist James, Schoolcraft said, “it is very desirable that after viewing the country, they should come to some decision, *before their return*”(emphasis in original). In requesting McCoy’s assistance, he pointed out that “strong local opposition exists here [in Michigan], to their emigrating at all....” McCoy, of course, had witnessed that opposition firsthand when the treaty parley was underway in Washington (and, he later wrote about it). Schoolcraft believed that McCoy’s assistance in explaining the “liberal” arrangements in the West to the exploring party would “have a considerable effect in quieting” the opposition in Michigan.²⁰²

Despite the careful planning for the exploring party that James Schoolcraft lead to the West, there was no enthusiasm among the Indians for moving to Kansas. After visiting the designated region, the delegates reported that they were “disappointed at not seeing the sugar tree.” As anthropologist Charles Cleland has noted, “the Ojibwa and Ottawa vigorously resisted removal and resisted parting

Kappler. *Indian Affairs*, 2: 453; McCoy, *History of Baptist Indian Missions*, pp. 494-98; McCoy to Schoolcraft, March 27, 1836, Isaac McCoy Papers, Kansas State Historical Society, Topeka, KS, roll 6, frame 960; Schoolcraft to McCoy, March 28, 1836, *ibid.*, frame 961.

²⁰² Schoolcraft to McCoy, June 23, 1838, NAM-M1, roll 37, frame 515. Bremer, *Indian Agent and Wilderness Scholar*, pp. 191-92

company with the ‘sugar tree’” in the maple-dominated forest areas of their Michigan lands. As noted earlier, the collapse of the frontier land boom in 1837 and the assistance of friendly whites also helped to spoil Henry Schoolcraft’s plan for securing Chippewa and Ottawa removal.²⁰³

In 1844, Justin Rice, an Indian Office field service employee at Mackinac summed up the status of the Chippewa and Ottawa people of Michigan in reporting his conversations with Indians at Little Traverse and Cheyabogan about purchasing Land. Rice wrote:

I have taken occasion, when the subject of purchasing land and holding property has been brought up at the office by these indians [*sic*], to have a long talk with them, or to them, on the importance of a new mode of doing their business with the traders; viz, to give up the Credit System, and pay down for all they buy; in a word to *keep out of debt*. I tell them, with their annuities, & their extensive privileges of Hunting in winter, fishing, Sugar making, crops &c there is not the *least necessity* for contracting debts--that as soon as they begin to own houses and land the traders will appear very friendly—will be very willing to trust them—will urge them to buy, and before they are aware of it, if they take goods on credit, their accounts will be larger than they expect and larger than they can readily pay, when called upon, and instead of the traders waiting as they have heretofore did, for a treaty, or some part of what Govt owes them they will sue them, and the sheriff or constable, will take their houses and lands, and horses, and crops away from them for half of what they may be worth, and leave them worse off than ever; but if they will come to the *full determination* from the beginning, not to get into debt, they will be in *no danger* &c &c....[underlining added, other emphasis in original]

²⁰³ Charles E. Cleland, “Indians in a Changing Environment,” in *The Great Lakes Forest: An Environmental and Social History*, edited by Susan L. Flader (Minneapolis, MN: University of Minnesota Press in association with the Forest History Society, Inc., 1983), p. 92.

Clearly the Indians were being encouraged to become homeowners and to enjoy the benefits of their “extensive” usufructuary rights. Rice closed his letter by commending those who had been following his advice and whom he viewed as “in reality a community of sober, industrious men, and appear to be very fast acquiring just notions of economy.” Within two weeks of Rice’s report, Commissioner of Indian Affairs T. Hartley Crawford appended to his annual report for 1844 a memorial from the Chippewas and Ottawas with an endorsement of the Michigan Legislature stating that “a large portion of them [the Indians] (not much short of one-half, it is represented) are so far advanced, morally and socially, as to qualify them for being useful members of any community.”²⁰⁴

Eight years later, in 1852, the Speaker of the House of Representatives and the President of the Senate of the Michigan, noting that the Ottawa and Chippewa Indians then had “equal judicial rights and privileges with other inhabitants” under the state’s revised statutes, petitioned Congress to comply with Article 5 of the 1836 treaty and pay the Indians “the overplus” remaining after the payment of their debts prior to the treaty of the \$300,000 plus the interest which was “still due.”²⁰⁵ It is clear that by the middle of the nineteenth century both federal and state officials understood the meaning of Article 13 of the 1836 Treaty of Washington and that those Indians who placed their marks on the original treaty and on the Articles of Assent had looked to the future and understood that their children and grandchildren would be able to live on ceded lands and share resources with non-Indians just as they had shared resources with other Indians and non-Indians. More than thirty years ago, Elizabeth Neumeyer in her article

²⁰⁴ Justin Rice to Acting Superintendent of Indian Affairs Robert Stuart, November 12, 1844, NAM-M1, roll 57, frames 168-70; Report of the Commissioner of Indian Affairs, November 25, 1844, in *NASP-IA*, 2:311.

²⁰⁵ Legislature of Michigan, “Preamble and Resolutions of the Legislature of Michigan, Recommending the Payment of the Balance Due Under the Treaty Between the United States and the Ottawa and Chippewa Nations of Indians, Concluded at Washington on the 28th March, 1836,” in *Senate Miscellaneous Document 13*, 32d Cong., 1st Sess., January 15, 1852. Michigan’s second constitution adopted in 1850 provided that “civilized Indians” could become citizens. Cleland, *Rites of Conquest*, p. 243.

“Michigan Indians Battle Against Removal” succinctly stated four major reasons why Michigan’s Chippewa and Ottawa people were successful in avoiding removal.

First, there was the fight of the Indians themselves to remove. The stereotype of the Indian as apathetic was hardly true here. This was assisted by the fact that few farmers wanted the land in northern Michigan. It is important to note that the only Indians removed were Potawatomi in southern Michigan where the [white] population was larger. Thanks to the government’s vacillation, the West was eventually settled faster. So particularly, after the mid-1840s. A third factor was a feeling of magnanimity toward the Indians on the part of many Michigan citizens.²⁰⁶

Neumeyer’s explanation is supported by the primary and secondary sources I have examined for this report.

Commissioner of Indian Affairs George W. Manypenny summarized the history of the Ottawa and Chippewa people in Michigan in his 1853 report. “By treaty, these Indians have the right to a home west of the Mississippi should they desire to emigrate;” Manypenny stated, adding, “but there is no prospect of their ever being willing to do so, and the citizens of Michigan, it is understood, entertain no desire to have them expelled from the country and home of their forefathers.”²⁰⁷ As Manypenny put it, the continuing presence of Indians in Michigan after the 1836 Washington Treaty was beneficial to whites. It also was able, as scholar Susan Gray observes, “to give the lie to the proposition that, at least under certain circumstances, white and Indian societies were incompatible.” In many respects, after the 1836 treaty as well as before it, the continuing Ottawa and Chippewa presence subsidized Michigan’s development.²⁰⁸ More importantly for the

²⁰⁶ Neumeyer, “Michigan Indians Battle Removal,” pp. 287-88.

²⁰⁷ Report of the Commissioner of Indian Affairs, November 26, 1853, in *NASP-IA*, 2: 364.

²⁰⁸ Gray, *The Yankee West*, p. 90.

Indians, the strength of their relationship to their Michigan lands and their tenacity to exist as a people paved the way for future generations of Ottawas and Chippewas *in* Michigan.

6} Summary and Conclusions

The Chippewa Ottawa Resource Council commissioned this report for the purpose of rebuttal with regard to the contention of the State of Michigan's expert witnesses that the limiting clause in Article 13 of the 1836 Treaty of Washington has the same meaning as the phraseology "surveyed and sold" or "while it [the land] remains the property of the United States," phrases used in other documents and treaties. I was asked to research and report my findings with respect to this contention in the context of my academic specialty, federal Indian policy in the Jacksonian era, paying particular attention to the language of treaty provisions relating to usufructuary rights as well as to the interplay of federal objectives and local circumstances as they may have impacted the terminology used in treaties.

In my opinion, it is a fundamental error in interpretation to equate limitations on usufructuary rights in all Indian treaties regardless of the actual language used in a particular treaty and the circumstances surrounding the particular negotiations. As discussed in the body of this report, there were significant regional variations even in Jacksonian era treaties, one example of which is the absence of *any* usufructuary provisions in southern removal treaties. There were also significant intra-regional variations in the treaties, reflecting national politics and local circumstances (including the condition of the tribes, the extent to which tribal lands were needed for settlement, and the interests of local politicians, land speculators, settlers, traders, and others), as well as the broad discretion vested in treaty commissioners. These variations are apparent in the different provisions found in treaties with tribes in the Old Northwest for the Indians' use of, or removal from, ceded lands.

Lewis Cass' career as a treaty negotiator provides several examples of the variations in Indian treaties. Following the War of 1812 and until 1832, Cass served as a treaty commissioner in the negotiation of nineteen treaties subsequently ratified by the U.S. Senate and formally confirmed, signed and proclaimed by the

president.²⁰⁹ In September 1818, Cass was one of the negotiators of a treaty at St. Mary's in western Ohio, which, contrary to the instructions of Secretary of War John C. Calhoun, did not call for the removal of the signatory tribes. Cass explained his actions to Calhoun, a strong proponent of removal, by commenting it was not yet "politik" to require them to emigrate, adding that white settlement would have to surround these Indians before they would feel inclined to emigrate "voluntarily."²¹⁰ A year later, in 1819, Cass informed Secretary Calhoun that the Saginaw Chippewas had also rejected removal to the West and that he found it necessary to include reservations to obtain their acceptance as well as "to provide a blacksmith, cattle, farming utensils, and agricultural assistance." He again urged "patient forbearance" in securing their removal. "When they are surrounded by our settlements, and brought into contact with our people," he assured Calhoun, "they will be more disposed to migrate."²¹¹

In the 1820 Treaty of Sault St. Marie with the Chippewa, the first of several agreements made directly between the northern Chippewa and the federal government, Cass provided for "a perpetual right of fishing at the falls of St. Mary's." In transmitting the treaty to Secretary Calhoun, Cass observed, "The maximum of the cession directed to be procured by you was ten miles square," and then added, "I presume from this circumstance, that the land is not required for the purposes of settlement, but solely with a view to its military occupation." In the absence of any prospect for settlement in the area, neither the 1820 treaty nor Cass' explanation of it made any reference to the removal of the Indians.²¹²

²⁰⁹ See Francis Paul Prucha, *American Indian Treaties: The History of a Political Anomaly* (Berkeley: University of California Press, 1994), Appendix B: Ratified Indian Treaties.

²¹⁰ Lewis Cass and Duncan McArthur to John C. Calhoun, September 18, 1818, NAM-T494, roll 1, frames 324-27.

²¹¹ Cass to Calhoun, September 30, 1819, in *American State Papers: Indian Affairs*, 2: 199; Woodward, *Lewis Cass*, pp. 124-26.

²¹² Kappler, *Indian Affairs*, 2: pp. 187-88 (the quotation is on p. 188); Cass to Calhoun, June 17, 1820, *TPUS-11*, p. 36.

In the 1821 negotiations with the Ottawas, Chippewas, and Potawatomis at Chicago aimed at acquiring agricultural lands in Michigan south of the Grand River as well as northern stretches of Illinois and Indiana, Cass referenced the Treaty of Greenville and promised usufructuary rights on ceded land “while it continues the property of the United States....”²¹³ Cass and two other commissioners who negotiated with the Potawatomis in Indiana in 1826 recognized Indian hunting rights on ceded lands “as long as the same shall remain the property of the United States.”²¹⁴

As these examples illustrate, Cass dealt with each situation individually; he understood there was no exact template to be followed. Words and actions were used to fit each specific situation depending on the give and take in negotiations and the extent to which he as a treaty commissioner deemed it “politik” to press the Indians.

The variation in Indian treaties that is reflected in the treaties Cass negotiated is reflected as well in Jacksonian era treaties with tribes in the Old Northwest. James Gardiner’s treaty with the Senecas in Ohio states that the Indians had “solicited the President of the United States to negotiate with them” for their removal,²¹⁵ but not all Ohio Indians Gardiner treated with agreed to emigrate. Some bands, moreover, had ceded land in return for temporary reserves elsewhere *within* the state. Again, local circumstances played an important role in shaping treaty language and what treaty commissioners were able to secure in their agreements with tribes.

In the wake of the Black Hawk war, the United States acquired a 6 million acre cession from the Sac and Fox. All Indians had to vacate the region by June 1, 1833, forfeiting *forever* the right to “reside, plant, fish, or hunt on any portion of the ceded land.” Similarly, the Winnebagos, whose lands were eagerly sought by

²¹³ *Ibid.*, p. 200. Also see Klunder, *Lewis Cass and Politics of Moderation*, p. 40.

²¹⁴ Kappler, *Indian Affairs*, 2: 275.

²¹⁵ Kappler, *Indian Affairs*, 2: 325-27, 327-31, 331-34, 335-39, and 339-41

white farmers and who were targeted for removal following the war, were advised in their treaty of 1832 that "it is expressly understood that no band or party of Winnebagoes shall reside, plant, fish, or hunt after the first day of June next, on any portion of the country herein ceded to the United States." Kickapoo leader Kenekuk was advised that failure to emigrate would result in his people being "treated as enemies."²¹⁶ Nevertheless, specific situations again dictated different verbiage when it was "politik." In 1833, the so-called United Nation of Chippewa, Ottawa, and Potawatomi Indians of northeastern Illinois, southeastern Wisconsin, and the southwest corner of Michigan were told, "it is the wish of the Government of the United States that the said nation of Indians should remove to the country thus assigned to them *as soon as conveniently can be done* (emphasis added)." There was nothing about "convenience" in the Sac and Fox, or Winnebago treaties.²¹⁷

The unique language in Article 13 of the 1836 Treaty of Washington likewise reflects the unique circumstances of that treaty. Unlike efforts to remove the Sac and Fox, the Winnebagos, or the Potawatomis, there was no wholesale removal of the Chippewas and Ottawas from Michigan. The lands they inhabited north of the Grand River were generally thought to be undesirable for American citizens for agricultural purposes. As Michigan approached statehood in the mid-1830s both Agent Schoolcraft and his mentor and friend (and now Secretary of War), Lewis Cass, had personal and political reasons for pushing for the acquisition of all remaining Indian lands in Michigan. Both were ambitious, and both had close friends among traders, speculators, and others interested in what a cession would bring. Schoolcraft, hoping to attract political attention and boost his career worked behind the scenes to promote Indian willingness to accept a treaty, knowing that hard times had fallen upon the bands and that their members were

²¹⁶ Kappler, *Indian Treaties*, 2: 347, 353-56, 365-70, 372-75; Herring, *Kenekuk*, p. 72.

²¹⁷ Kappler, *Indian Affairs*, 2: 402-10 (the quotation is on p. 402); Thomas G. Conway, "Potawatomi Politics," *Journal of the Illinois State Historical Society* 65 (Winter 1972): 410-411, 413, 416-18; Clifton, *The Prairie People*, pp. 228, 231, 235, 239-42, 273-75, 286-91, 318-325, 330.

heavily in debt to traders, with some debts going back many years. Schoolcraft enlisted his friends among the fur traders to bring Indians to Washington who would be likely to negotiate for a cession of all lands.

Some Indians were willing to part with marginal lands. But even those Indians who were most anxious to pay off their debts and to acquire annuities wanted a guarantee of permanent reservations and the usufruct on ceded lands as part of any land cession.

Schoolcraft and Cass had proposed a usufructuary right that would last until the lands were “surveyed and sold” in the “power of sale” they prepared in December 1835. Schoolcraft briefly referred to this document (“the paper from Mackinac” as he called it) in March 1836 at the treaty negotiations in Washington, asking anyone who had signed it and wished to speak to do so.²¹⁸ The language contained in the “paper,” however, did not find its way into the actual treaty. What emerged from the treaty parley was the promise of permanent reservations along with “the right of hunting on the lands ceded, with the other usual privileges of occupancy, until the land is required for settlement.”²¹⁹

Why did Article 13 say “until required for settlement?” In my opinion, it said this precisely for the reason stated in the treaty—i.e., the Indians stipulated for it. Schoolcraft needed to include precisely that wording to gain Indian acceptance of the treaty, so he did so.

Modifications by the Senate during the ratification process meant that Schoolcraft would need to “reassemble the chiefs” and secure their consent to the revised agreement. Once again, he relied on his friends among the traders to assist him. On July 12, Schoolcraft convened a council at Mackinac and started gathering signatures on a document titled “Articles of Assent” for the amended treaty. This document explains the Indians’ reasons for accepting the Senate’s change in the tenure of their reservations, stating that the Indians were “confiding

²¹⁸ *Hulbert’s Treaty Journal*, pp. 6, 12.

²¹⁹ ; Kappler, *Indian Affairs*, 2: 454

in the disposition of the government of the United States to permit them to reside upon their reservations, after the period hereinafter mentioned, until the lands shall be required for *actual* [emphasis added] survey and settlement, (as the white population advances from the South toward the North),” and were taking into consideration the fact “that no part or provision of the said treaty . . . which is not specified in the Senate’s resolution is in any manner affected or altered”²²⁰

On July 18, Schoolcraft reported to Cass that, “The cession of the reservations at the expiration of five years has been “strenuously opposed by a party of chiefs, but was finally yielded, on a consideration of the practical operation of the provision in the 13th article of the treaty, which secures to them indefinitely, the right of hunting on the lands ceded, with the other usual privileges of occupancy, until the land is required for settlement.” Schoolcraft’s assurance that the amended treaty still retained “the provision in the 13th article of the treaty, which secured to them indefinitely, the right of hunting on the lands ceded, with the other usual privileges of occupancy, until the land is required for settlement,” and the inclusion in the Articles of Assent of the word “actual” (meaning “real or effective, or that exists truly and absolutely”²²¹) in the statement “until the lands shall be required for *actual* survey and settlement,” signaled to the Indians that they would retain the right to remain on their lands *indefinitely*, with the prospect of hunting, fishing, and trapping while sharing resources with non-Indians, until such time as the land was surveyed *and* there was *actual* white settlement on it. As Schoolcraft wrote in his memoirs, “this cession was obtained on the principle of making limited reserves for the principal villages, and granting the mass of Indian

²²⁰ *Articles of Assent* [July 12, 1836], in NAM-M668, roll 8, frames 106-12.

²²¹ See the definition of “actual” in Webster’s, *An American Dictionary of the English Language*, (1828) Vol. 1 unpaginated, see “actual” and in his *An American Dictionary of the English Language*, .rev. and enlarged edition (1856), p. 16.

population the right to live on and occupy any portion of the lands until it is actually required for settlement.”²²²

The Indians who signed the Articles of Assent had reason to believe that Schoolcraft, the Great Father in Washington, and his Council (both houses of Congress) expected them to continue to fish, hunt, tap trees for sugar, and trap in northern Michigan. The provisions of the 1836 Treaty of Washington specifically acknowledged and endorsed the continuation of fishing, hunting, sugaring, and trapping by providing for, among other things, “two additional blacksmith shops” with “a permanent interpreter” at each, fish barrels and salt for twenty years, and a gunsmith.²²³ So, in the minds of the Ottawas and Chippewas, it would logically follow that the Great Father in Washington and his Council expected them to continue to do these things. The sharing of resources was routine among the Chippewa and Ottawa people. Other Indians, and even non-Indian outsiders, who had sought permission, had used the resources of their lands long before the 1836 Treaty of Washington.

The 1836 Treaty of Washington is the only Jacksonian era treaty with a provision stipulating that the Indians retained the right of hunting on ceded lands along with “the other usual privileges of occupancy, *until the land is required for settlement*” (emphasis added). For the reasons explained above, I believe Schoolcraft used the words “required for settlement” because they were absolutely critical to the successful negotiation of the treaty. He understood that the southern portion of the Lower Peninsula was going through a land rush but the lands he was seeking to acquire were not in immediate demand for settlement. He personally viewed the desired land cession as valuable primarily for timber, which would not

²²² Harris to Schoolcraft, July 6, 1836, roll 41, NAM-M1, roll 41, frames 9-10; Schoolcraft to Cass, July 18, 1836 (quotation), NAM-M1, roll 37, frames 3-5,; Harris to John W. Edmonds, July 8, 1836, NAM-M21, roll 19, frames 150-51; Harris to Garland, July 9, 1836, NAM-M21, roll 19, frames 163-65; Articles of Assent [July 1836], NAM-M668, roll 8, frame 106 (quotation); Bremer, *Indian Agent and Wilderness Scholar*, p. 185; Schoolcraft, *Personal Memoirs*, p. 534; Elizabeth Neumeyer, “Michigan Indians Battle Against Removal,” *Michigan History* 54, no. 4 (1971): 280.

²²³ Kappler, *Indian Affairs*, 2: 452, 453.

interfere with Indian usufructuary rights. After the Senate amended the treaty, Schoolcraft secured the Indians' acceptance of the amendments because they believed, as did he, "from the best information then extant, that portions of the large and imperfectly explored territory ceded, were uninviting to agriculturalists, and would be chiefly valuable for lumber and mill privileges, and to these tracts, the Indians adverted, as places of temporary residence." Michigan territorial officials were pushing for statehood, and Schoolcraft believed that a major land cession treaty would be viewed positively by territorial and federal officials. While the paranoia that swept parts of the Old Northwest during the Black Hawk War in 1832 did not engulf Michigan, there were lingering concerns about British trade overtures to the Ottawa and Chippewa at a time when army posts in the upper Old Northwest were being thinly manned due to Indian warfare in the South. And, of course, Indians were feeling the burden of heavy debts while their traders, including Schoolcraft's in-laws, were eager for their claims to be paid from annuity funds that a treaty would provide. While some Indians were eager to sell marginal lands to clear their debts, the consensus was that negotiations could not proceed without a guarantee that all the Indians could remain in Michigan.²²⁴

In his annual report to Commissioner of Indian Affairs Carey Allen Harris for 1837, Schoolcraft reported on the condition of what he referred to as "the united tribes of Chippewas and Ottawas, who are parties to the treaty of the 28th of March, 1836." He reminded Harris that "their reservations will expire in 1841, after which, they will possess no further right to a residence on the lands, but the conditional usufructuary right contained in the 13th article." This statement itself reconfirmed the Indians' right to fish, hunt, tap trees for sugar, and gather on ceded lands and indicates that Schoolcraft believed that right was indefinite, limited only by actual settlement of the land by whites.²²⁵

²²⁴ Kappler, *Indian Affairs*, 2:454; Schoolcraft to Harris, February 27, 1837, NAM-M1, roll 37, frames 168-9; Bremer, *Indian Agent and Wilderness Scholar*, pp. 141-42.

²²⁵ Report of the Acting Superintendent of Michigan, [Late Fall, 1837], *OIA AR*, vol. 3 (1837), pp. 531, 532.

In conclusion, it is my opinion, based on my research, that the “until the land is required for settlement” clause of the 1836 Treaty of Washington is not synonymous with the “until the land is surveyed and sold” or the “while it [the land] remains the property of the United States” clauses found in earlier documents and treaties as claimed by State of Michigan expert witnesses Lawrence C. Kelley, Paul Driben and Theodore J. Karamanski.²²⁶ Agent Henry Rowe Schoolcraft, Secretary of War Lewis Cass, Senate Indian Committee Chairman Hugh Lawson White, and President Andrew Jackson were all experienced in Indian affairs. While the Senate amended several of the provisions of the Chippewa and Ottawa Treaty, it did not alter Schoolcraft’s original usufructuary rights statement nor did Secretary Cass or President Jackson object to it. Schoolcraft’s use of “required for settlement,” while unique in Jacksonian treaty language, was preceded by a 1798 treaty with the Cherokees permitting usufructuary rights “until settlements shall make it improper”²²⁷ and by a explanatory note from Schoolcraft’s mentor Lewis Cass to the War Department in 1820 that military use of an area did not equate with it being “required for the purposes of settlement.”²²⁸ It is my opinion Schoolcraft, Cass, White, and Jackson all understood that the wording of Article 13 was a necessary requirement for successful conclusion of the treaty. This point is reinforced by the wording of the Articles of Assent to the amended treaty, since the iteration of the Article 13 limiting clause is strengthened in that document by the insertion of the word “until *actual* survey and settlement”²²⁹ (emphasis added).

²²⁶ Lawrence C. Kelley, “A Report on the 1836 and 1855 Federal Treaties with the Ottawa and Chippewa Indians of Michigan” (October 2004), p.89; Paul Driben, “The Capacity of Anishinaabe Leaders to Comprehend the Thirteenth Article of the Treaty with the Ottawa, etc., 1836, and How They Understood the Article” (undated), pp. 21-22, 25; Theodore J. Karamanski, “The Historical and Ethnohistorical Context of Hunting and Fishing Treaty Rights in Western and Northern Michigan” (undated), p. 2

²²⁷ Kappler, *Indian Affairs*, p. 53

²²⁸ Kappler, *Indian Affairs*, 2: pp. 187-88 (the quotation is on p. 188); Cass to Calhoun, June 17, 1820, *TPUS-11*, p. 36.

²²⁹ Articles of Assent [July 1836], NAM-M668, roll 8, frames 106-12.

Throughout the Jacksonian era, Indian treaties reflected local, regional, national, and sometimes even international issues or pressures. It is a fundamental error, I believe, to assume that different words used by different treaty commissioners with regard to usufructuary rights in treaties negotiated under dissimilar circumstances have similar meanings. The words that appeared in the treaty submitted to the Senate for ratification in 1836 were the words that Schoolcraft selected because he found them necessary to secure Indian acceptance of the agreement. The ratification of those words by the Senate and the proclamation of those words by the president of the United States indicate a shared understanding that the Indians would retain usufructuary rights on the ceded lands until the lands were actually settled by whites.

7} Appendices

Appendix A} The Removal Act of May 28, 1830²³⁰

An Act to provide for an exchange of lands with the Indians residing in any of the states or territories, and for their removal west of the river Mississippi.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall and may be lawful for the President of the United States to cause so much of any territory belonging to the United States, west of the river Mississippi, not included in any state or organized territory, and to which the Indian title has been extinguished, as he may judge necessary, to be divided into a suitable number of districts, for the reception of such tribes or nations of Indians as may choose to exchange the lands where they now reside, and remove there; and to cause each of said districts to be so described by natural or artificial marks, as to be easily distinguished from every other.

And be it further enacted, That it shall and may be lawful for the President to exchange any or all of such districts, so to be laid off and described, with any tribe or nation of Indians now residing within the limits of any of the states or territories, and with which the United States have existing treaties, for the whole or any part or portion of the territory claimed and occupied by such tribe or nation, within the bounds of any one or more of the states or territories, where the land claimed and occupied by the Indians, is owned by the United States, or the United States are bound to the state within which it lies to extinguish the Indian claim thereto.

And be it further enacted, That in the making of any such exchange or exchanges, it shall and may be lawful for the President solemnly to assure the tribe or nation with which the exchange is made, that the United States will forever secure and guaranty to them, and their heirs or successors, the country so exchanged with them; and if they prefer it, that the United States will cause a patent or grant to be made and executed to them for the same: *Provided always,* That such lands shall revert to the United States, if the Indians become extinct, or abandon the same.

And be it further enacted, That if, upon any of the lands now occupied by the Indians, and to be exchanged for, there should be such improvements as add value to the land claimed by any individual or individuals of such tribes or nations, it shall and may be lawful for the President to cause such value to be ascertained by appraisement or otherwise, and to cause such ascertained value to be paid to the person or persons rightfully claiming such improvements.

And upon the payment of such valuation, the improvements so valued and paid for, shall pass to the United States, and possession shall not afterwards be permitted to any of the same tribe.

²³⁰ Act of May 28, 1830, U.S., *Stat.*, 4: 411-12.

And be it further enacted, That upon the making of any such exchange as is contemplated by this act, it shall and may be lawful for the President to cause such aid and assistance to be furnished to the emigrants as may be necessary and proper to enable them to remove to, and settle in, the country for which they may have exchanged; and also, to give them such aid and assistance as may be necessary for their support and subsistence for the first year after their removal.

And be it further enacted, That it shall and may be lawful for the President to cause such tribe or nation to be protected, at their new residence, against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever.

And be it further enacted, That it shall and may be lawful for the President to have the same superintendence and care over any tribe or nation in the country to which they may remove, as contemplated by this act, that he is now authorized to have over them at their present places of residence: *Provided,* That nothing in this act contained shall be construed as authorizing or directing the violation of any existing treaty between the United States and any of the Indian tribes.

And be it further enacted, That for the purpose of giving effect to the provisions of this act, the sum of five hundred thousand dollars is hereby appropriated, to be paid out of any money in the treasury, not otherwise appropriated.

Appendix B} 1830 Treaty of Dancing Rabbit Creek²³¹

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A treaty of perpetual, friendship, cession and limits, entered into by John H. Eaton and John Coffee, for and in behalf of the Government of the United States, and the Mingoes, Chiefs, Captains and Warriors of the Choctaw Nation, begun and held at Dancing Rabbit Creek, on the fifteenth of September, in the year eighteen hundred and thirty.

WHEREAS the General Assembly of the State of Mississippi has extended the laws of said State to persons and property within the chartered limits of the same, and the President of the United States has said that he cannot protect the Choctaw people from the operation

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of these laws; Now therefore that the Choctaw may live under their own laws in peace with the United States and the State of Mississippi they have determined to sell their lands east of the Mississippi and have accordingly agreed to the following articles of treaty: a

ARTICLE I.

Perpetual peace and friendship is pledged and agreed upon by and between the United States and the Mingoes, Chiefs, and Warriors of the Choctaw Nation of Red People; and that this may be considered the Treaty existing between the parties all other Treaties heretofore existing and inconsistent with the provisions of this are hereby declared null and void.

ARTICLE II.

The United States under a grant specially to be made by the President of the U.S. shall cause to be conveyed to the Choctaw Nation a tract of country west of the Mississippi River, in fee simple to them and their descendants, to inure to them while they shall exist as a nation and live on it, beginning near Fort Smith where the Arkansas boundary crosses the Arkansas River, running thence to the source of the Canadian fork; if in the limits of the United States, or to those limits; thence due south to Red River, and down Red River to the west boundary of the Territory of Arkansas; thence north along that line to the beginning. The boundary of the

²³¹ Pages refer to Kappler, *Indian Affairs*, 2: 310-19.

same to be agreeably to the Treaty made and concluded at Washington City in the year 1825. The grant to be executed so soon as the present Treaty shall be ratified.

ARTICLE III.

In consideration of the provisions contained in the several articles of this Treaty, the Choctaw nation of Indians consent and hereby cede to the United States, the entire country they own and possess, east of the Mississippi River; and they agree to move beyond the Mississippi River, early as practicable, and will so arrange their removal, that as many as possible of their people not exceeding one half of the whole number, shall depart during the falls of 1831 and 1832; the residue to follow during the succeeding fall of 1833, a better opportunity in this manner will be afforded the Government, to extend to them the facilities and comforts which it is desirable should be extended in conveying them to their new homes.

ARTICLE IV.

The Government and people of the United States are hereby obliged to secure to the said Choctaw Nation of Red People the jurisdiction and government of all the persons and property that may be within their limits west, so that no Territory or state shall ever have a right to pass laws for the government of the Choctaw Nation of Red People and their descendants; and that no part of the land granted them shall ever be embraced in any Territory or State; but the F. S. shall forever secure said Choctaw Nation from, and against, all laws except such as from time to time may be enacted in their own National Councils, not inconsistent with the Constitution, Treaties, and Laws of the United States; and except such as may, and which have been enacted by Congress, to the extent that Congress under the Constitution are required to exercise a legislation over Indian affairs. But the Choctaws, should this treaty be ratified, express a wish that Congress may grant to the Choctaws the right of punishing by their own laws any white man who shall come into their nation and infringe any of their national regulations.

ARTICLE V.

The United States are obliged to protect the Choctaws from domestic strife and from foreign enemies on the same principles that the citizens of the United States are protected, so that whatever would be a legal demand upon the U.S. for defense or for wrongs committed by an enemy, on a citizen of the U.S. shall be equally binding in favor of the Choctaws, and in all cases where the Choctaws shall be called upon by a legally authorized officer of the U.S. to fight an enemy, such Choctaw shall receive the pay and other emoluments,

This paragraph [Article V above] was not ratified.

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which citizens of the U.S. receive in such cases, provided, no war shall be undertaken or prosecuted by said Choctaw Nation but by declaration made in full Council, and to be approved by the U.S. unless it be in self defense against an open rebellion or against an enemy marching into their country, in which cases they shall defend, until the U.S. are advised thereof.

ARTICLE VI.

Should a Choctaw or any party of Choctaws commit acts of violence upon the person or property of a citizen of the U.S. or join any war party against any neighbouring tribe of Indians, without the authority in the preceding article; and except to oppose an actual or threatened invasion or rebellion, such person so offending shall be delivered up to an officer of the U.S. if in the power of the Choctaw Nation, that such offender may be punished as may be provided in such cases, by the laws of the U.S.; but if such offender is not within the control of the Choctaw Nation, then said Choctaw Nation shall not be held responsible for the injury done by said offender.

ARTICLE VII.

All acts of violence committed upon persons and property of the people of the Choctaw Nation either by citizens of the U.S. or neighbouring Tribes of Red People, shall be referred to some authorized Agent by him to be referred to the President of the U.S. who shall examine into such cases and see that every possible degree of justice is done to said Indian party of the Choctaw Nation.

ARTICLE VIII.

Offenders against the laws of the U.S. or any individual State shall be apprehended and delivered to any duly authorized person where such offender may be found in the Choctaw country, having fled from any part of U.S. but in all such cases application must be made to the Agent or Chiefs and the expense of his apprehension and delivery provided for and paid by the U. States.

ARTICLE IX.

Any citizen of the U.S. who may be ordered from the Nation by the Agent and constituted authorities of the Nation and refusing to obey or return into the Nation without the consent of the aforesaid persons, shall be subject to such pains and penalties as may be provided by the laws of the U.S. in such cases. Citizens of the

U.S. traveling peaceably under the authority of the laws of the U.S. shall be under the care and protection of the nation.

ARTICLE X.

No person shall expose goods or other article for sale as a trader, without a written permit from the constituted authorities of the Nation, or authority of the laws of the Congress of the U.S. under penalty of forfeiting the Articles, and the constituted authorities of the Nation shall grant no license except to such persons as reside in the Nation and are answerable to the laws of the Nation. The U.S. shall be particularly obliged to assist to prevent ardent spirits from being introduced into the Nation.

ARTICLE XI.

Navigable streams shall be free to the Choctaws who shall pay no higher toll or duty than citizens of the U.S. It is agreed further that the U.S. shall establish one or more Post Offices in said Nation, and may establish such military post roads, and posts, as they may consider necessary.

ARTICLE XII.

All intruders shall be removed from the Choctaw Nation and kept without it. Private property to be always respected and on no occasion taken for public purposes without just compensation being made therefor to the rightful owner. If an Indian unlawfully take or steal any property from a white man a citizen of the U.S. the offender shall be punished. And if a white man unlawfully take or steal any thing from an Indian, the property shall be restored and the offender punished. It is further agreed that when a Choctaw shall be given up to be tried for any offense against the laws of the U.S. if unable to employ counsel to defend him, the U.S. will do it, that his trial may be fair and impartial.

ARTICLE XIII.

It is consented that a qualified Agent shall be appointed for the Choctaws every four years, unless sooner removed

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by the President; and he shall be removed on petition of the constituted authorities of the Nation, the President being satisfied there is sufficient cause shown. The Agent shall fix his residence convenient to the great body of the people; and in the selection of an Agent immediately after the ratification of this Treaty, the wishes of the Choctaw Nation on the subject shall be entitled to great respect.

ARTICLE XIV.

Each Choctaw head of a family being desirous to remain and become a citizen of the States, shall be permitted to do so, by signifying his intention to the Agent within six months from the ratification of this Treaty, and he or she shall thereupon be entitled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner shall be entitled to one half that quantity for each unmarried child which is living with him over ten years of age; and a quarter section to such child as may be under 10 years of age, to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States for five years after the ratification of this Treaty, in that case a grant in fee simple shall issue; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privilege of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity.

ARTICLE XV.

To each of the Chiefs in the Choctaw Nation (to wit) Greenwood Laflore, Nutackachie, and Mushulatubbe there is granted a reservation of four sections of land, two of which shall include and adjoin their present improvement, and the other two located where they please but on unoccupied unimproved lands, such sections shall be bounded by sectional lines, and with the consent of the President they may sell the same. Also to the three principal Chiefs and to their successors in office there shall be paid two hundred and fifty dollars annually while they shall continue in their respective offices, except to Mushulatubbe, who as he has an annuity of one hundred and fifty dollars for life under a former treaty, shall receive only the additional sum of one hundred dollars, while he shall continue in office as Chief; and if in addition to this the Nation shall think proper to elect an additional principal Chief of the whole to superintend and govern upon republican principles he shall receive annually for his services five hundred dollars, which allowance to the Chiefs and their successors in office, shall continue for twenty years. At any time when in military service, and while in service by authority of the U.S. the district Chiefs under and by selection of the President shall be entitled to the pay of Majors; the other Chief under the same circumstances shall have the pay of a Lieutenant Colonel. The Speakers of the three districts, shall receive twenty-five dollars a year for four years each; and the three secretaries one to each of the Chiefs, fifty dollars each for four years. Each Captain of the Nation, the number not to exceed ninety-nine, thirty-three from each district, shall be furnished upon removing to the West, with each a good suit of clothes and a broad sword as an outfit, and for four years commencing with the first of their removal shall each receive fifty dollars a year, for the trouble of keeping their people at order in

settling; and whenever they shall be in military service by authority of the U.S. shall receive the pay of a captain.

ARTICLE XVI.

In wagons; and with steam boats as may be found necessary—the U.S. agree to remove the Indians to their new homes at their expense and under the care of discreet and careful persons, who will be kind and brotherly to them. They agree to furnish them with ample corn and beef, or pork for themselves and families for twelve months after reaching their new homes. It is agreed further that the U.S. will take all their cattle, at the valuation of some discreet person to be appointed by the President, and the same shall be paid for in money after their arrival at their

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new homes; or other cattle such as may be desired shall be furnished them, notice being given through their Agent of their wishes upon this subject before their removal that time to supply the demand may be afforded.

ARTICLE XVII.

The several annuities and sums secured under former Treaties to the Choctaw nation and people shall continue as though this Treaty had never been made.

And it is further agreed that the U.S. in addition will pay the sum of twenty thousand dollars for twenty years, commencing after their removal to the west, of which, in the first year after their removal, ten thousand dollars shall be divided and arranged to such as may not receive reservations under this Treaty.

ARTICLE XVIII.

The U.S. shall cause the lands hereby ceded to be surveyed; and surveyors may enter the Choctaw Country for that purpose, conducting themselves properly and disturbing or interrupting none of the Choctaw people. But no person is to be permitted to settle within the nation, or the lands to be sold before the Choctaws shall remove. And for the payment of the several amounts secured in this Treaty, the lands hereby ceded are to remain a fund pledged to that purpose, until the debt shall be provided for and arranged. And further it is agreed, that in the construction of this Treaty wherever well founded doubt shall arise, it shall be construed most favorably towards the Choctaws.

ARTICLE XIX.

The following reservations of land are hereby admitted. To Colonel David Fulsom four sections of which two shall include his present improvement, and two may be located elsewhere, on unoccupied, unimproved land.

To I. Garland, Colonel Robert Cole, Tuppanahomer, John Pytchlynn, Charles Juzan, Johokebetubbe, Eaychahobia, Ofehoma, two sections, each to include their improvements, and to be bounded by sectional lines, and the same may be disposed of and sold with the consent of the President. And that others not provided for, may be provided for, there shall be reserved as follows:

First. One section to each head of a family not exceeding Forty in number, who during the present year, may have had in actual cultivation, with a dwelling house thereon fifty acres or more. Secondly, three quarter sections after the manner aforesaid to each head of a family not exceeding four hundred and sixty, as shall have cultivated thirty acres and less than fifty, to be bounded by quarter section lines of survey, and to be contiguous and adjoining.

Third; One half section as aforesaid to those who shall have cultivated from twenty to thirty acres the number not to exceed four hundred. Fourth; a quarter section as aforesaid to such as shall have cultivated from twelve to twenty acres, the number not to exceed three hundred and fifty, and one half that quantity to such as shall have cultivated from two to twelve acres, the number also not to exceed three hundred and fifty persons. Each of said class of cases shall be subject to the limitations contained in the first class, and shall be so located as to include that part of the improvement which contains the dwelling house. If a greater number shall be found to be entitled to reservations under the several classes of this article, than is stipulated for under the limitation prescribed, then and in that case the Chiefs separately or together shall determine the persons who shall be excluded in the respective districts.

Fifth; Any Captain the number not exceeding ninety persons, who under the provisions of this article shall receive less than a section, he shall be entitled, to an additional quantity of half a section adjoining to his other reservation. The several reservations secured under this article, may be sold with the consent of the President of the U.S. but should any prefer it or omit to take a reservation for the quantity

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he may be entitled to, the U.S. will on his removing pay fifty cents an acre, after reaching their new homes, provided that before the first of January next they shall adduce to the Agent, or some other authorized person to be appointed, proof of his

claim and the quantity of it. Sixth; likewise children of the Choctaw Nation residing in the Nation, who have neither father nor mother a list of which, with satisfactory proof of Parentage and orphanage being filed with Agent in six months to be forwarded to the War Department, shall be entitled to a quarter section of Land, to be located under the direction of the President, and with his consent the same may be sold and the proceeds applied to some beneficial purpose for the benefit of said orphans.

ARTICLE XX.

The U.S. agree and stipulate as follows, that for the benefit and advantage of the Choctaw people, and to improve their condition, their shall be educated under the direction of the President and at the expense of the U.S. forty Choctaw youths for twenty years. This number shall be kept at school, and as they finish their education others, to supply their places shall be received for the period stated. The U.S. agree also to erect a Council House for the nation at some convenient central point, after their people shall be settled; and a House for each Chief, also a Church for each of the three Districts, to be used also as school houses, until the Nation may conclude to build others; and for these purposes ten thousand dollars shall be appropriated; also fifty thousand dollars (viz.) twenty-five hundred dollars annually shall be given for the support of three teachers of schools for twenty years. Likewise there shall be furnished to the Nation, three Blacksmiths one for each district for sixteen years, and a qualified Mill Wright for five years; Also there shall be furnished the following articles, twenty-one hundred blankets, to each warrior who emigrates a rifle, moulds, wipers and ammunition. One thousand axes, ploughs, hoes, wheels and cards each; and four hundred looms. There shall also be furnished, one ton of iron and two hundred weight of steel annually to each District for sixteen years.

ARTICLE XXI.

A few Choctaw Warriors yet survive who marched and fought in the army with General Wayne, the whole number stated not to exceed twenty. These it is agreed shall hereafter while they live, receive twenty-five dollars a year; a list of them to be early as practicable, and within six months, made out, and presented to the Agent, to be forwarded to the War Department.

ARTICLE XXII.

The Chiefs of the Choctaws who have suggested that their people are in a state of rapid advancement in education and refinement, and have expressed a solicitude that they might have the privilege of a Delegate on the floor of the House of Representatives extended to them. The Commissioners do not feel that they can

under a treaty stipulation accede to the request, but at their desire, present it in the Treaty, that Congress may consider of, and decide the application.

Done, and signed, and executed by the commissioners of the United States, and the chiefs, captains, and head men of the Choctaw nation, at Dancing Rabbit creek, this 27th day of September, eighteen and thirty.

Jno. H. Eaton, [L. S.]

Jno. Coffee, [L. S.]

Greenwood Leflore, [L. S.]

Musholatubbee, his x mark, [L. S.]

Nittucachee, his x mark, [L. S.]

Holarterhoomah, his x mark, [L. S.]

Hopiaunchabubbee, his x mark, [L. S.]

Zishomingo, his x mark, [L. S.]

Captainthalke, his x mark, [L. S.]

James Shield, his x mark, [L. S.]

Pistiyubbee, his x mark, [L. S.]

Yobalarunehabubbee, his x mark, [L. S.]

Holubbee, his x mark, [L. S.]

Robert Cole, his x mark, [L. S.]

Mokelareharhopin, his x mark, [L. S.]

Lewis Perry, his x mark, [L. S.]

Artonamarstubby, his x mark, [L. S.]

Hopeatubbee, his x mark, [L. S.]

Hoshahoomah, his x mark, [L. S.]

Chuallahoomah, his x mark, [L. S.]

Joseph Kincaide, his x mark, [L. S.]

Eyarhoccuttubbee, his x mark, [L. S.]

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Iyacherhopia, his x mark, [L. S.]

Offahoomah, his x mark, [L. S.]

Archalater, his x mark, [L. S.]

Onnahubbee, his x mark, [L. S.]

Pisinhocuttubbee, his x mark, [L. S.]

Tullarhacher, his x mark, [L. S.]
Little leader, his x mark, [L. S.]
Maanhutter, his x mark, [L. S.]
Coweoomah, his x mark, [L. S.]
Tillamoer, his x mark, [L. S.]
Innullacha, his x mark, [L. S.]
Artopilachubbee, his x mark, [L. S.]
Shupherunchahubbee, his x mark, [L. S.]
Nitterhoomah, his x mark, [L. S.]
Oaklaryubbee, his x mark, [L. S.]
Pukumna, his x mark, [L. S.]
Arpalar, his x mark, [L. S.]
Holber, his x mark, [L. S.]
Hoparmingo, his x mark, [L. S.]
Isparhoomah, his x mark, [L. S.]
Tieberhoomah, his x mark, [L. S.]
Tishoholarter, his x mark, [L. S.]
Mahayarchubbee, his x mark, [L. S.]
Artooklubbetushpar, his x mark, [L. S.]
Metubbee, his x mark, [L. S.]
Arsarkatubbee, his x mark, [L. S.]
Issaterhoomah, his x mark, [L. S.]
Chohtahnatahah, his x mark, [L. S.]
Tunnupashubbee, his x mark, [L. S.]
Okocharyer, his x mark, [L. S.]
Hoshhopia, his x mark, [L. S.]
Warsharshahopia, his x mark, [L. S.]
Maarshunchahubbee, his x mark, [L. S.]
Misharyubbee, his x mark, [L. S.]
Daniel McCurtain, his x mark, [L. S.]
Tushkerharcho, his x mark, [L. S.]
Hoktoontubbee, his x mark, [L. S.]
Nuknacrahookmarhee, his x mark, [L. S.]

Mingo hoomah, his x mark, [L. S.]
James Karnes, his x mark, [L. S.]
Tishohakubbee, his x mark, [L. S.]
Narlanalar, his x mark, [L. S.]
Pennasha, his x mark, [L. S.]
Inharyarker, his x mark, [L. S.]
Mottubbee, his x mark, [L. S.]
Narharyubbee, his x mark, [L. S.]
Ishmaryubbee, his x mark, [L. S.]
James McKing, [L. S.]
Lewis Wilson, his x mark, [L. S.]
Istonarkerharcho, his x mark, [L. S.]
Hohinskamartarher, his x mark, [L. S.]
Kinsulachubbee, his x mark, [L. S.]
Emarhinstubbee, his x mark, [L. S.]
Gysalndalra, bm, his x mark, [L. S.]
Thomas Wall, [L. S.]
Sam. S. Worcester, [L. S.]
Arlartar, his x mark, [L. S.]
Nittahubbee, his x mark, [L. S.]
Tishonouan, his x mark, [L. S.]
Warsharchahoomah, his x mark, [L. S.]
Isaac James, his x mark, [L. S.]
Hopiaintushker, his x mark, [L. S.]
Aryoxhkermer, his x mark, [L. S.]
Shemotar, his x mark, [L. S.]
Hopiaisketina, his x mark, [L. S.]
Thomas Leflore, his x mark, [L. S.]
Arnokechatubbee, his x mark, [L. S.]
Shokoperlukna, his x mark, [L. S.]
Posherhoomah, his x mark, [L. S.]
Robert Folsom, his x mark, [L. S.]
Arharyotubbee, his x mark, [L. S.]

Kushonolarter, his x mark, [L. S.]
James Vaughan, his x mark, [L. S.]
Phiplip, his x mark, [L. S.]
Meshameye, his x mark, [L. S.]
Ishteheka, his x mark, [L. S.]
Heshohomme, his x mark, [L. S.]
John McKolbery, his x mark, [L. S.]
Benjm. James, his x mark, [L. S.]
Tikbachahambe, his x mark, [L. S.]
Aholiktube, his x mark, [L. S.]
Walking Wolf, his x mark, [L. S.]
John Waide, his x mark, [L. S.]
Big Axe, his x mark, [L. S.]
Bob, his x mark, [L. S.]
Tushkochaubbee, his x mark, [L. S.]
Ittabe, his x mark, [L. S.]
Tishowukayo, his x mark, [L. S.]
Folehommo, his x mark, [L. S.]
John Garland, his x mark, [L. S.]
Koshona, his x mark, [L. S.]
Ishleyohamobe, his x mark, [L. S.]
Jacob Folsom, [L. S.]
William Foster, [L. S.]
Ontioerharcho, his x mark, [L. S.]
Hugh A. Foster, [L. S.]
Pierre Juzan, [L. S.]
Jno. Pitchlynn, jr., [L. S.]
David Folsom, [L. S.]
Sholohommastube, his x mark, [L. S.]
Tesho, his x mark, [L. S.]
Lauwechubee, his x mark, [L. S.]
Hoshehammo, his x mark, [L. S.]
Ofenowo, his x mark, [L. S.]

Ahekoche, his x mark, [L. S.]
Kaloshoube, his x mark, [L. S.]
Atoko, his x mark, [L. S.]
Ishtemeleche, his x mark, [L. S.]
Emthohabe, his x mark, [L. S.]
Silas D. Fisher, his x mark, [L. S.]
Isaac Folsom, his x mark, [L. S.]
Hekatube, his x mark, [L. S.]
Hakseche, his x mark, [L. S.]
Jerry Carney, his x mark, [L. S.]
John Washington, his x mark, [L. S.]
Panshastubbee, his x mark, [L. S.]
P. P. Pitchlynn, his x mark, [L. S.]
Joel H. Nail, his x mark, [L. S.]
Hopia Stonakey, his x mark, [L. S.]
Kocohomma, his x mark, [L. S.]
William Wade, his x mark, [L. S.]
Panshtickubbee, his x mark, [L. S.]
Holittankchahubbee, his x mark, [L. S.]
Oklanowa, his x mark, [L. S.]
Neto, his x mark, [L. S.]
James Fletcher, his x mark, [L. S.]
Silas D. Pitchlynn, [L. S.]
William Trahorn, his x mark, [L. S.]
Toshkahemmitto, his x mark, [L. S.]
Tethetayo, his x mark, [L. S.]
Emokloshahopie, his x mark, [L. S.]
Tishoimita, his x mark, [L. S.]
Thomas W. Foster, his x mark, [L. S.]
Zadoc Brashears, his x mark, [L. S.]
Levi Perkins, his x mark, [L. S.]
Isaac Perry, his x mark, [L. S.]
Ishlonocka Hoomah, his x mark, [L. S.]

Hiram King, his x mark, [L. S.]

Ogla Enlah, his x mark, [L. S.]

Nultlahtubbee, his x mark, [L. S.]

Tuska Hollattuh, his x mark, [L. S.]

Kothoantchahubbee, his x mark, [L. S.]

Eyarpulubbee, his x mark, [L. S.]

Okentahubbe, his x mark, [L. S.]

Living War Club, his x mark, [L. S.]

John Jones, his x mark, [L. S.]

Charles Jones, his x mark, [L. S.]

Isaac Jones, his x mark, [L. S.]

Hocklucha, his x mark, [L. S.]

Muscogee, his x mark., [L. S.]

Eden Nelson, his x mark, [L. S.]

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In presence of—

E. Breathitt secretary to the Commission,

William Ward, agent for Choctaws,

John Pitchlyn, United States interpreter,

M. Mackey, United States interpreter,

Geo. S. Gaines, of Alabama,

R. P. Currin,

Luke Howard,

Sam. S. Worcester,

Jno. N. Byrn,

John Bell,

Jno. Bond.

SUPPLEMENTARY ARTICLES TO THE PRECEDING TREATY. Sept. 28, 1830. | 7 Stat., 340.

Various Choctaw persons have been presented by the Chiefs of the nation, with a desire that they might be provided for. Being particularly deserving, an earnestness has been manifested that provision might be made for them. It is therefore by the

undersigned commissioners here assented to, with the understanding that they are to have no interest in the reservations which are directed and provided for under the general Treaty to which this is a supplement.

As evidence of the liberal and kind feelings of the President and Government of the United States the Commissioners agree to the request as follows, (to wit) Pierre Juzan, Peter Pitchlynn, G. W. Harkins, Jack Pitchlynn, Israel Fulsom, Louis Laflore, Benjamin James, Joel H. Nail, Hopoynjahubbee, Onorkubbee, Benjamin Laflore, Michael Laflore and Allen Yates and wife shall be entitled to a reservation of two sections of land each to include their improvement where they at present reside, with the exception of the three first named persons and Benjamin Laflore, who are authorized to locate one of their sections on any other unimproved and unoccupied land, within their respective districts.

ARTICLE II.

And to each of the following persons there is allowed a reservation of a section and a half of land, (to wit) James L. McDonald, Robert Jones, Noah Wall, James Campbell, G. Nelson, Vaughn Brashears, R. Harris, Little Leader, S. Foster, J. Vaughn, L. Durans, Samuel Long, T. Magagha, Thos. Everge, Giles Thompson, Tomas Garland, John Bond, William Laflore, and Turner Brashears, the two first named persons, may locate one section each, and one section jointly on any unimproved and unoccupied land, these not residing in the Nation; The others are to include their present residence and improvement.

Also one section is allowed to the following persons (to wit) Middleton Mackey, Wesley Train, Choclehomo, Moses Foster, D. W. Wall, Charles Scott, Molly Nail, Susan Colbert, who was formerly Susan James, Samuel Garland, Silas Fisher, D. McCurtain, Oklahoma, and Polly Fillecuthey, to be located in entire sections to include their present residence and improvement, with the exception of Molly Nail and Susan Colbert, who are authorized to locate theirs, on any unimproved unoccupied land.

John Pitchlynn has long and faithfully served the nation in character of U. States Interpreter, he has acted as such for forty years, in consideration it is agreed, in addition to what has been done for him there shall be granted to two of his children, (to wit) Silas Pitchlynn, and Thomas Pitchlynn one section of land each, to adjoin the location of their father; likewise to James Madison and Peter sons of Mushulatubbee one section of land each to include the old house and improvement where their father formerly lived on the old military road adjoining a large Prairie.

And to Henry Groves son of the Chief Natticache there is one section of land given to adjoin his father's land.

And to each of the following persons half a section of land is granted on any unoccupied and unimproved lands in the Districts where they respectively live (to wit) Willis Harkins, James D. Hamilton, William

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Juzan, Tobias Laflore, Jo Doke, Jacob Fulsom, P. Hays, Samuel Worcester, George Hunter, William Train, Robert Nail and Alexander McKee.

And there is given a quarter section of land each to Delila and her five fatherless children, she being a Choctaw woman residing out of the nation; also the same quantity to Peggy Trihan, another Indian woman residing out of the nation and her two fatherless children; and to the widows of Pushmilaha, and Pucktshenubbee, who were formerly distinguished Chiefs of the nation and for their children four quarter sections of land, each in trust for themselves and their children.

All of said last mentioned reservations are to be located under and by direction of the President of the U. States.

ARTICLE III.

The Choctaw people now that they have ceded their lands are solicitous to get to their new homes early as possible and accordingly they wish that a party may be permitted to proceed this fall to ascertain whereabouts will be most advantageous for their people to be located.

It is therefore agreed that three or four persons (from each of the three districts) under the guidance of some discreet and well qualified person or persons may proceed during this fall to the West upon an examination of the country.

For their time and expenses the U. States agree to allow the said twelve persons two dollars a day each, not to exceed one hundred days, which is deemed to be ample time to make an examination.

If necessary, pilots acquainted with the country will be furnished when they arrive in the West.

ARTICLE IV.

John Donly of Alabama who has several Choctaw grand children and who for twenty years has carried the mail through the Choctaw Nation, a desire by the Chiefs is expressed that he may have a section of land, it is accordingly granted, to be located in one entire section, on any unimproved and unoccupied land.

Allen Glover and George S. Gaines licensed Traders in the Choctaw Nation, have accounts amounting to upwards of nine thousand dollars against the Indians who are unable to pay their said debts without distressing their families; a desire is expressed by the chiefs that two sections of land be set apart to be sold and the proceeds thereof to be applied toward the payment of the aforesaid debts. It is agreed that two sections of any unimproved and unoccupied land be granted to George S. Gaines who will sell the same for the best price he can obtain and apply the proceeds thereof to the credit of the Indians on their accounts due to the before mentioned Glover and Gaines; and shall make the application to the poorest Indian first.

At the earnest and particular request of the Chief Greenwood Leflore there is granted to David Haley one half section of land to be located in a half section on any unoccupied and unimproved land as a compensation, for a journey to Washington City with dispatches to the Government and returning others to the Choctaw Nation.

The foregoing is entered into, as supplemental to the treaty concluded yesterday. Done at Dancing Rabbit creek the 28th day of September, 1830.

Jno. H. Eaton, [L. S.]

Jno. Coffee, [L. S.]

Greenwood Leflore, [L. S.]

Nittucachee, his x mark, [L. S.]

Mushulatubbee, his x mark, [L. S.]

Offahoomah, his x mark, [L. S.]

Eyarhoeuttubbee, his x mark, [L. S.]

Iyaeherhopia, his x mark, [L. S.]

Holubbee, his x mark, [L. S.]

Onarhubbee, his x mark, [L. S.]

Robert Cole, his x mark, [L. S.]

Hopiaunchahubbee, his x mark, [L. S.]

David Folsom, [L. S.]

John Garland, his x mark, [L. S.]

Hopiahoomah, his x mark, [L. S.]

Captain Thalko, his x mark, [L. S.]

Pierre Juzan, [L. S.]

Immarstarher, his x mark, [L. S.]

Hoshinhamartar, his x mark, [L. S.]

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In presence of—

E. Breathitt, Secretary to Commissioners,

W. Ward, Agent for Choctaws,

M. Mackey, United States Interpreter,

John Pitchlynn, United States Interpreter,

R. P. Currin,

Jno. W. Byrn,

Geo. S. Gaines.

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Appendix C} 1831 Treaty of Washington with Senecas²³²

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Articles of agreement and convention, made and concluded at the City of Washington, on the twenty-eight day of February, in the year of our Lord, one thousand eight hundred and thirty-one, by and between James B. Gardiner, specially appointed Commissioner on the part of the United States, of the one part, and the undersigned, principal Chiefs and Warriors of the Seneca tribe of Indians, residing on the Sandusky river in the State of Ohio, on the part of said tribe, of the other part; for the cession of the lands now owned and occupied by the said tribe of Indians, lying on the waters of the Sandusky river, and situate within the territorial limits of the organized counties of Seneca and Sandusky, in said State of Ohio.

WHEREAS the tribe of Seneca Indians, residing on Sandusky River, in the State of Ohio, have earnestly solicited the President of the United States to negotiate with them, for an exchange of the lands, now owned and occupied by them, for lands of the United States, west of the river Mississippi, and for the removal and permanent settlement of said tribe: Therefore, in order to carry into effect the aforesaid objects, the following articles have been agreed upon:

ARTICLE 1.

The Seneca tribe of Indians, in consideration of the stipulations herein made on the part of the United States, do forever cede, release and quit claim to the United States, the lands granted to them, by patent, in fee simple, by the sixth section of the Treaty, made at the foot of the Rapids of the Miami River of Lake Erie, on the twenty-ninth day of September, in the year 1817, containing thirty thousand acres, and described as follows: "beginning on the Sandusky river at the lower corner of the section granted to William Spicer; thence down the river on the east side, with the meanders thereof at high water mark, to a point east of the mouth of Wolf Creek; thence, and from the beginning, east, so far that a north line will include the quantity of thirty thousand acres." And said tribe also cede, as aforesaid, one other tract of land, reserved for the use of the said Senecas, by the second article of the treaty, made at St. Mary's, in the State of Ohio, on the seventeenth day of September, in the year 1818, which tract is described in said treaty as follows: "Ten thousand acres of land, to be laid off on the east side of the Sandusky river, adjoining the south side of their reservation of thirty thousand acres, which begins on the Sandusky river, at the lower corner of William Spicer's section, and

²³² Page numbers refer to Kappler, *Indian Affairs*, 2: 325-27.

excluding therefrom the said William Spicer's section:" making, in the whole of this cession, forty thousand acres.

ARTICLE 2.

In consideration of the cessions stipulated in the foregoing article; the United States agree to cause the said tribe of Senecas, consisting of about four hundred souls, to be removed in a convenient and suitable manner, to the western side of the Mississippi river; and will grant them, by patent, in fee simple, as long as they shall exist as a nation and remain on the same, a tract of land, situate on, and adjacent to the northern boundary of the lands heretofore granted to the

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Cherokee nation of Indians, and adjoining the boundary of the State of Missouri; which tract shall extend fifteen miles from east to west, and seven miles from north to south, containing about sixty-seven thousand acres, be the same more or less; for which the President of the United States shall cause letters patent to be issued, in due form of law, agreeably to the Act of the last session of Congress.

ARTICLE 3.

The United States will defray the expenses of the removal of the said Senecas, and will moreover supply them with a sufficiency of wholesome provisions, to support them for one year, after their arrival at their new residence.

ARTICLE 4.

Out of the first sales, to be made of the lands herein ceded by the Senecas, the United States will cause a grist mill, a saw mill, and a blacksmith shop to be erected on the lands herein granted to the Senecas, with all necessary tools, to be supported and kept in operation, at the expense of the United States, for the sole benefit of the said Senecas; and for these purposes, the United States will employ a miller and a blacksmith, for such term as the President of the United States, in his discretion, may think proper.

ARTICLE 5.

As the Seneca Indians, on their removal, will stand in need of funds to make farms and erect houses; it is agreed that the United States will advance them six thousand dollars, in lieu of the improvements which they have made on the lands herein ceded to the United States; which sum shall be reimbursed from the sales of the lands ceded. An equitable distribution of this sum shall be made by the Chiefs, with the consent of the tribe, in general council assembled, to such individuals of

the tribe, as, having left improvements, may be properly entitled to receive the same.

ARTICLE 6.

The live stock, farming utensils, and other chattel property, which the Senecas now own, and may not be able to take with them, shall be sold by some agent, to be appointed by the President; and the proceeds paid to the owners of such property, respectively.

ARTICLE 7.

The expenses of the Chiefs, in coming to and remaining at Washington, and returning to Ohio, as well as the expenses and *per diem* pay of the native Interpreter accompanying them, shall be paid by the United States.

ARTICLE 8.

The United States will expose to public sale, to the highest bidders, at such time and in such manner as the President may direct, the tracts of land herein ceded by the Seneca Indians: And, after deducting from the proceeds of such sale, the *minimum* price of the public lands; the cost of building the saw and grist mills and blacksmith shop for the Senecas; the cost of surveying the lands; and the sum of six thousand dollars, to be advanced in lieu of their present improvements: it is agreed that any balance which may remain, of the avails of the lands after sale as aforesaid, shall constitute a fund for the future exigencies of the tribe, on which the Government of the United States consent and agree to pay to the Chiefs of the nation, for the use and general benefit of the nation, annually, five per cent on said balance, as an annuity: And if, at any time hereafter, the Seneca Chiefs, by and with the advice and consent of their tribe in General Council assembled, shall make known to the President, their desire that the fund, thus to be created, should be dissolved and given to the tribe; the President shall cause the same to be paid over to them, in such manner as he may direct; provided he shall become satisfied of the propriety of so doing.

ARTICLE 9.

It is agreed that any annuity, accruing to the Senecas, by former treaties, shall be paid to them at their intended residence, west of the Mississippi, under the direction of the President.

ARTICLE 10.

The United States hereby agree to give to the Senecas, as presents, one hundred rifles, as soon as practicable, and four hundred blankets, for the use of the tribe, to be delivered to them at such time

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and place as may be directed by the Secretary of War. Also fifty ploughs, fifty hoes and fifty axes, will be given to the tribe, as aforesaid, to assist them in commencing farming.

ARTICLE 11.

The Chiefs of the Senecas, being impressed with gratitude towards Henry C. Brish, their sub-agent, for his private advances of money and provisions, and numerous other acts of kindness towards them, as well as his extra services in coming with them to Washington; and having expressed a wish that a quarter section of a hundred and sixty acres of the lands ceded by them, should be granted to him in consideration thereof: the same is hereby granted to him and his heirs to be located under the direction of the President the United States.

ARTICLE 12.

The lands granted by this Agreement and Convention to the Seneca tribe of Indians shall not be sold or ceded by them, except to the United States.

ARTICLE 13.

It is communicated by the Chiefs here, that, in Council, before they left home, it was agreed by the tribe, that, for their services in coming to the City of Washington, each should receive one hundred dollars, to be paid by said tribe: At the request of said Chiefs, it is agreed that the United States will advance the amount, to wit: five hundred dollars, to be hereafter reimbursed from the sale of their lands in Ohio.

In testimony whereof, the parties respectively have this twenty-eighth of February signed the same and affixed their seals.

James B. Gardiner, [L. S.]

Comstick, his x mark, [L. S.]

Small Cloud Spicer, his x mark, [L. S.]

Seneca Steel, his x mark, [L. S.]

Hard Hickory, his x mark, [L. S.]

Capt. Good Hunter, his x mark, [L. S.]

Signed in presence of—

Henry C. Brish, Sub-agent,

George Herron, Interpreter,

W. B. Lewis,

Henry Toland,

P. G. Randolph.

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Appendix D} 1836 Treaty of Washington²³³

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Articles of a treaty made and concluded at the city of Washington in the District of Columbia, between Henry R. Schoolcraft, commissioner on the part of the United States, and the Ottawa and Chippewa nations of Indians, by their chiefs and delegates.

ARTICLE 1.

The Ottawa and Chippewa nations of Indians cede to the United States all the tract of country within the following boundaries: Beginning at the mouth of Grand river of Lake Michigan on the north bank thereof, and following up the same to the line called for, in the first article of the treaty of Chicago of the 29th of August 1821, thence, in a direct line, to the head of Thunder-bay river, thence with the line established by the treaty of Saganaw of the 24th of September 1819, to the mouth of said river, thence northeast to the boundary line in Lake Huron between the United States and the British province of Upper Canada, thence northwestwardly, following the said line, as established by the commissioners acting under the treaty of Ghent,

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through the straits, and river St. Mary's, to a point in Lake Superior north of the mouth of *Gitchy Seebing*, or Chocolate river, thence south to the mouth of said river and up its channel to the source thereof, thence, in a direct line to the head of the *Skonawba* river of Green bay, thence down the south bank of said river to its mouth, thence, in a direct line, through the ship channel into Green bay, to the outer part thereof, thence south to a point in Lake Michigan west of the north cape, or entrance of Grand river, and thence east to the place of beginning, at the cape aforesaid, comprehending all the lands and islands, within these limits, not hereinafter reserved.

ARTICLE 2.

From the cession aforesaid the tribes reserve for their own use, to be held in common the following tracts for the term of five years from the date of the ratification of this treaty, and no longer; unless the United States shall grant them permission to remain on said lands for a longer period, namely: One tract of fifty thousand acres to be located on Little Traverse bay: one tract of twenty thousand

²³³ Page numbers refer to Kappler, *Indian Affairs*, 2: 450-56

acres to be located on the north shore of Grand Traverse bay, one tract of seventy thousand acres to be located on, or, north of the *Pieire Marquette* river, one tract of one thousand acres to be located by Chingassanoo,—or the Big Sail, on the Cheboigan. One tract of one thousand acres, to be located by Mujeekeewis, on Thunder-bay river.

ARTICLE 3.

There shall also be reserved for the use of the Chippewas living north of the straits of Michilimackinac, the following tracts for the term of five years from the date of the ratification of this treaty, and no longer, unless the United States shall grant them permission to remain on said lands for a longer period, that is to say: Two tracts of three miles square each, on the north shores of the said straits, between *Point-au-Barbe* and *Mille Coquin* river, including the fishing grounds in front of such reservations, to be located by a council of the chiefs. The Beaver islands of Lake Michigan for the use of the Beaver-island Indians. Round island, opposite Michilimackinac, as a place of encampment for the Indians, to be under the charge of the Indian department. The islands of the *Chenos*, with a part of the adjacent north coast of Lake Huron, corresponding in length, and one mile in depth. Sugar island, with its islets, in the river of St. Mary's. Six hundred and forty acres, at the mission of the Little Rapids. A tract commencing at the mouth of the *Pississowining* river, south of Point Iroquois, thence running up said stream to its forks, thence westward, in a direct line to the Red water lakes, thence across the portage to the Tacquimenon river, and down the same to its mouth, including the small islands and fishing grounds, in front of this reservation. Six hundred and forty acres, on Grand island, and two thousand acres, on the main land south of it. Two sections, on the northern extremity of Green bay, to be located by a council of the chiefs. All the locations, left indefinite by this, and the preceding articles, shall be made by the proper chiefs, under the direction of the President. It is understood that the reservation for a place of fishing and encampment, made under the treaty of St. Mary's of the 16th of June 1820, remains unaffected by this treaty.

ARTICLE 4.

In consideration of the foregoing cessions, the United States engage to pay to the Ottawa and Chippewa nations, the following sums, namely. 1st. An annuity of thirty thousand dollars per annum, in specie, for twenty years; eighteen thousand dollars, to be paid to the Indians between Grand River and the Cheboigan; three thousand six hundred dollars, to the Indians on the Huron shore, between the Cheboigan and Thunder-bay river; and seven thousand four hundred dollars, to the Chippewas north of the straits, as far as the cession extends; the remaining one thousand dollars, to be invested in stock by the Treasury Department and to remain incapable of being

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sold, without the consent of the President and Senate, which may, however, be given, after the expiration of twenty-one years. 2nd. Five thousand dollars per annum, for the purpose of education, teachers, school-houses, and books in their own language, to be continued twenty years, and as long thereafter as Congress may appropriate for the object. 3rd. Three thousand dollars for missions, subject to the conditions mentioned in the second clause of this article. 4th. Ten thousand dollars for agricultural implements, cattle, mechanics' tools, and such other objects as the President may deem proper. 5th. Three hundred dollars per annum for vaccine matter, medicines, and the services of physicians, to be continued while the Indians remain on their reservations. 6th. Provisions to the amount of two thousand dollars; six thousand five hundred pounds of tobacco; one hundred barrels of salt, and five hundred fish barrels, annually, for twenty years. 7th. One hundred and fifty thousand dollars, in goods and provisions, on the ratification of this treaty, to be delivered at Michilimackinac, and also the sum of two hundred thousand dollars, in consideration of changing the permanent reservations in article two and three to reservations for five years only, to be paid whenever their reservations shall be surrendered, and until that time the interest on said two hundred thousand dollars shall be annually paid to the said Indians.

ARTICLE 5.

The sum of three hundred thousand dollars shall be paid to said Indians to enable them, with the aid and assistance of their agent, to adjust and pay such debts as they may justly owe, and the overplus, if any, to apply to such other use as they may think proper.

ARTICLE 6.

The said Indians being desirous of making provision for their half-breed relatives, and the President having determined, that individual reservations shall not be granted, it is agreed, hat in lieu thereof, the sum of one hundred and fifty thousand dollars shall be set apart as a fund for said half-breeds. No person shall be entitled to any part of said fund, unless he is of Indian descent and actually resident within the boundaries described in the first article of this treaty, nor shall any thing be allowed to any such person, who may have received any allowance at any previous Indian treaty. The following principles, shall regulate the distribution. A census shall be taken of all the men, women, and children, coming within this article. As the Indians hold in higher consideration, some of their half-breeds than others, and as there is much difference in their capacity to use and take care of property, and,

consequently, in their power to aid their Indian connexions, which furnishes a strong ground for this claim, it is, therefore, agreed, that at the council to be held upon this subject, the commissioner shall call upon the Indian chiefs to designate, if they require it, three classes of these claimants, the first of which, shall receive one-half more than the second, and the second, double the third. Each man woman and child shall be enumerated, and an equal share, in the respective classes, shall be allowed to each. If the father is living with the family, he shall receive the shares of himself, his wife and children. If the father is dead, or separated from the family, and the mother is living with the family, she shall have her own share, and that of the children. If the father and mother are neither living with the family, or if the children are orphans, their share shall be retained till they are twenty-one years of age; provided, that such portions of it as may be necessary may, under the direction of the President, be from time to time applied for their support. All other persons at the age of twenty-one years, shall receive their shares agreeably to the proper class. Out of the said fund of one hundred and fifty thousand dollars, the sum of five thousand dollars shall be reserved to be applied, under the direction of the President, to the support of such of the poor half breeds, as may require

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assistance, to be expended in annual instalments for the term of ten years, commencing with the second year. Such of the half-breeds, as may be judged incapable of making a proper use of the money, allowed them by the commissioner, shall receive the same in instalments, as the President may direct.

ARTICLE 7.

In consideration of the cessions above made, and as a further earnest of the disposition felt to do full justice to the Indians, and to further their well being, the United States engage to keep two additional blacksmith-shops, one of which, shall be located on the reservation north of Grand river, and the other at the *Sault Ste. Marie*. A permanent interpreter will be provided at each of these locations. It is stipulated to renew the present dilapidated shop at Michilimackinac, and to maintain a gunsmith, in addition to the present smith's establishment, and to build a dormitory for the Indians visiting the post, and appoint a person to keep it, and supply it with fire-wood. It is also agreed, to support two farmers and assistants, and two mechanics, as the President may designate, to teach and aid the Indians, in agriculture, and in the mechanic arts. The farmers and mechanics, and the dormitory, will be continued for ten years, and as long thereafter, as the President may deem this arrangement useful and necessary; but the benefits of the other stipulations of this article, shall be continued beyond the expiration of the annuities, and it is understood that the whole of this article shall stand in force, and

inure to the benefit of the Indians, as long after the expiration of the twenty years as Congress may appropriate for the objects.

ARTICLE 8.

It is agreed, that as soon as the said Indians desire it, a deputation shall be sent to the southwest of the Missouri River, there to select a suitable place for the final settlement of said Indians, which country, so selected and of reasonable extent, the United States will forever guaranty and secure to said Indians. Such improvements as add value to the land, hereby ceded, shall be appraised, and the amount paid to the proper Indian. But such payment shall, in no case, be assigned to, or paid to, a white man. If the church on the Cheboigan, should fall within this cession, the value shall be paid to the band owning it. The net proceeds of the sale of the one hundred and sixty acres of land, upon the Grand River upon which the missionary society have erected their buildings, shall be paid to the said society, in lieu of the value of their said improvements. When the Indians wish it, the United States will remove them, at their expence, provide them a year's subsistence in the country to which they go, and furnish the same articles and equipments to each person as are stipulated to be given to the Pottowatomies in the final treaty of cession concluded at Chicago.

ARTICLE 9.

Whereas the Ottawas and Chippewas, feeling a strong consideration for aid rendered by certain of their half-breeds on Grand river, and other parts of the country ceded, and wishing to testify their gratitude on the present occasion, have assigned such individuals certain locations of land, and united in a strong appeal for the allowance of the same in this treaty; and whereas no such reservations can be permitted in carrying out the special directions of the President on this subject, it is agreed, that, in addition to the general fund set apart for half-breed claims, in the sixth article, the sum of forty-eight thousand one hundred and forty-eight dollars shall be paid for the extinguishment of this class of claims, to be divided in the following manner: To Rix Robinson, in lieu of a section of land, granted to his Indian family, on the Grand river rapids, (estimated by good judges to be worth half a million,) at the rate of thirty-six dollars an acre: To Leonard Slater, in trust for Chiminonoquat, for a section of land above said rapids, at the rate of ten dollars an acre: To John A. Drew, for a tract of one section and three quarters, to his Indian

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family, at Cheboigan rapids, at the rate of four dollars; to Edward Biddle, for one section to his Indian family at the fishing grounds, at the rate of three dollars: To John Holiday, for five sections of land to five persons of his Indian family, at the

rate of one dollar and twenty-five cents; to Eliza Cook, Sophia Biddle, and Mary Holiday, one section of land each, at two dollars and fifty cents: To Augustin Hamelin junr, being of Indian descent, two sections, at one dollar and twenty-five cents; to William Lasley, Joseph Daily, Joseph Trotier, Henry A. Levake, for two sections each, for their Indian families, at one dollar and twenty-five cents: To Luther Rice, Joseph Lafrombois, Charles Butterfield, being of Indian descent, and to George Moran, Louis Moran, G. D. Williams, for half-breed children under their care, and to Daniel Marsac, for his Indian child, one section each, at one dollar and twenty-five cents.

ARTICLE 10.

The sum of thirty thousand dollars shall be paid to the chiefs, on the ratification of this treaty, to be divided agreeably to a schedule hereunto annexed.

ARTICLE 11.

The Ottawas having consideration for one of their aged chiefs, who is reduced to poverty, and it being known that he was a firm friend of the American Government, in that quarter, during the late war, and suffered much in consequence of his sentiments, it is agreed, that an annuity of one hundred dollars per annum shall be paid to Ningweegon or the Wing, during his natural life, in money or goods, as he may choose. Another of the chiefs of said nation, who attended the treaty of Greenville in 1793, and is now, at a very advanced age, reduced to extreme want, together with his wife, and the Government being apprized that he has pleaded a promise of Gen. Wayne, in his behalf, it is agreed that Chusco of Michilimackinac shall receive an annuity of fifty dollars per annum during his natural life.

ARTICLE 12.

All expenses attending the journeys of the Indians from, and to their homes, and their visit at the seat of Government, together with the expenses of the treaty, including a proper quantity of clothing to be given them, will be paid by the United States.

ARTICLE 13.

The Indians stipulate for the right of hunting on the lands ceded, with the other usual privileges of occupancy, until the land is required for settlement.

In testimony whereof, the said Henry R. Schoolcraft, commissioner on the part of the United States, and the chiefs and delegates of the Ottawa and Chippewa nation of Indians, have hereunto set their hands, at Washington the seat of Government,

this twenty-eighth day of March, in the year one thousand eight hundred and thirty-six.

Henry R. Schoolcraft.

John Hulbert, secretary.

Oroun Aishkum, of Maskigo, his x mark,

Wassangaze, of Maskigo, his x mark,

Osawya, of Maskigo, his x mark,

Wabi Windego, of Grand river, his x mark,

Megiss Ininee, of Grand river, his x mark,

Nabun Ageezhig, of Grand river, his x mark,

Winnimissagee, of Grand river, his x mark,

Mukutaysee, of Grand river, his x mark,

Wasaw Bequm, of Grand river, his x mark,

Ainse, of Michilimackinac, his x mark,

Chabowaywa, of Michilimackinac, his x mark,

Jawba Wadiek, of Sault Ste. Marie, his x mark,

Waub Ogeeg, of Sault Ste. Marie, his x mark,

Kawgayosh, of Sault Ste. Marie, by Maidysage, his x mark,

Apawkozigun, of L'Arbre Croche, his x mark,

Keminitchagun, of L'Arbre Croche, his x mark,

Tawaganee, of L'Arbre Croche, his x mark,

Kinoshamaig, of L'Arbre Croche, his x mark,

Naganigobowa, of L'Arbre Croche, his x mark,

Onaisino, of L'Arbre Croche, his x mark,

Mukuday Benaïs, of L'Arbre Croche, his x mark,

Chingassamo, of L'Arbre Croche, his x mark,

Aishquagonabee, of Grand Traverse, his x mark,

Akosa, of Grand Traverse, his x mark,

Oshawun Epenaysse, of Grand Traverse, his x mark,

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Lucius Lyon,

R. P. Parrott, captain, U. S. Army,

W. P. Zantzing, purser, U. S. Navy,

Josiah F. Polk,

John Holiday,

John A. Drew,

Rix Robinson,

Leonard Slater,

Louis Moran,

Augustin Hamelin, jr.,

Henry A. Lenake,

William Lasley,

George W. Woodward,

C. O. Ermatinger.

Schedule referred to, in the tenth article.

1. The following chiefs constitute the first class, and are entitled to receive five hundred dollars each, namely: On Grand river, Muccutay Osha, Namatippy, Nawequa Geezhig or Noon Day, Nabun Egeezhig son of Kewayguabowequa, Wabi Windego or the White Giant, Cawpemossay or the Walker, Mukutay Oquot or Black Cloud, Megis Ininee or Wampum-man, Winnimissagee: on the Maskigo, Osawya, and Owun Aishcum; at L'Arbre Croche, Apawkozigun, or Smoking Weed, Nisowakeout, Keminechawgun; at Grand Travers, Aishquagonabee, or the Feather of Honor, Chabwossun, Mikenok: on the Cheboigan, Chingassamo, or the Big Sail; at Thunder-bay, Mujeekiwiss; on the Manistic North, Mukons Ewyang; at Oak Point on the straits, Ains: at the Chenos, Chabowaywa: at Sault Ste. Marie, Iawba Wadick and Kewayzi Shawano; at Tacquimenon, Kawgayosh; at Grand Island, Oshawun Epenaysee, or the South Bird.

2. The following chiefs constitute the second class, and are entitled to receive two hundred dollars each, namely: On Grand river, Keeshaowash, Nugogikaybee, Kewaytowaby, Wapoos or the Rabbit, Wabitouguaysay, Kewatondo, Zhaquinaw, Nawiqua Geezhig of Flat river, Kenaytinunk, Weenonga, Pabawboco, Windecowiss, Muccutay Penay or Black Partridge, Kaynotin Aishcum, Boynashing, Shagwabeno son of White Giant, Tushetowun, Keway Gooshcum the former head chief, Pamossayga; at L'Arbre Croche, Sagitondowa, Ogiman Wininee, Megisawba, Mukuday Benais: at the Cross, Nishcaininee, Nawamushcota, Pabamitabi, Kimmewun, Gitchey Mocoman; at Grand Traverse, Akosa, Nebauquaum, Kabibonocca; at Little Traverse, Miscomamaingwa or Red Butterfly, Keezhigo Benais, Pamanikinong, Paimossegay; on the Cheboigan, Chonees, or Little John, Shaweenossegay; on Thunder bay, Suganikwato; on Maskigo, Wassangazo; on Ossigomico or Platte river, Kaigwaidosay; at Manistee, Keway Gooshcum: on river Pierre Markette, Saugima: at Sault Ste. Marie, Neegaubayun, Mukudaywacquot, Cheegud; at Carp river west of Grand island,

Kaug Wyanais: at Mille Cocquin on the straits, Aubunway: at Michilimackinac, Missutigo, Saganosh, Akkukogeesh, Chebyawboas.

3. The following persons constitute the third class, and are entitled to one hundred dollars each, namely: Kayshewa, Penasee or Gun lake, Kenisoway, Keenabie of Grand river: Wasso, Mosaniko, Unwatin Oashcum, Nayogirna, Itawachkochi, Nanaw Ogomoo, Gitchy, Peendowan or Scabbard, Mukons, Kinochimaig, Tekamosimo, Pewaywitum, Mudji Keguabi, Kewayaum, Paushkizigun or Big Gun, Onaausino, Ashquabaywiss, Negaunigabowi, Petossegay, of L'Arbre Croche: Poiees or Dwarf and Pamossay of Cheboigan: Gitchy Ganocquot and Pamossegay of Thunder Bay: Tabusshy Geeshick and Mikenok, of Carp river south of Grand Traverse; Wapooso, Kaubinau, and Mudjeekee of river Pierre Markuette: Pubokway, Manitowaba, and Mishewatig, of White river: Shawun Epenaysee and Agausgee of Grand Traverse: Micqumisut, Chusco of Mackinac; Keeshkidjiwum, Waub Ojeeg, Aukudo, Winikis, Jaubeens, Maidosagee, Autya, Ishquagunaby, Shaniwaygwunabi son of Kakakee, Nittum Egabowi, Magisanikway, Ketekewegauboway, of Sault Ste. Marie: Chegauzehe and Waubudo of Grand island: Ashegons, Kinuwais, Misquaonaby and

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Mongons of Carp and Chocolate rivers; Gitchy Penaisson of Grosse Tete, and Waubissaig of Bay de Nocquet: Kainwaybekis and Pazhikwaywitum of Beaver islands: Neezhick Epenais of the Ance: Ahdanima of Manistic: Mukwyon, Wahzahkoon, Oshawun, Oneshannocquot of the north shore of Lake Michigan: Nagauniby and Keway Gooshkum of the Chenos.

*Henry R. Schoolcraft,
Commissioner.*

SUPPLEMENTAL ARTICLE.

To guard against misconstruction in some of the foregoing how certain, and to secure, by further limitations, the just rights of the Indians, it is hereby agreed: that no claims under the fifth article shall be allowed for any debts contracted previous to the late war with Great Britain, or for goods supplied by foreigners to said Indians, or by citizens, who did not withdraw from the country, during its temporary occupancy by foreign troops, for any trade carried on by such persons during the said period. And it is also agreed: that no person receiving any commutation for a reservation, or any portion of the fund provided by the sixth article of this treaty, shall be entitled to the benefit of any part of the annuities herein stipulated. Nor shall any of the half-breeds, or blood relatives of the said tribes, commuted with, under the provisions of the ninth article, have any further

claim on the general commutation fund, set apart to satisfy reservation claims, in the said sixth article. It is also understood, that the personal annuities, stipulated in the eleventh article, shall be paid in specie, in the same manner that other annuities are paid. Any excess of the funds set apart in the fifth and sixth articles, shall, in lieu of being paid to the Indians, be retained and vested by the Government in stock under the conditions mentioned in the fourth article of this treaty.

In testimony whereof, the parties above recited, have hereunto set their hands, at Washington the seat of Government, this thirty-first day of March, in the year one thousand eight hundred and thirty-six.

Henry R. Schoolcraft.

John Hulbert, Secretary.

Owun Aaishkum, of Maskigo, his x mark,

Wassangazo, of Maskigo, his x mark,

Osawya, of Maskig, his x mark,

Wabi Widego, of Grand river, his x mark,

Megiss Ininee, of Grand river, his x mark,

Nabun Ageezhig, of Grand river, his x mark,

Ainse, of Michilimackinac, his x mark,

Chabowaywa, of Michilimackinac, his x mark,

Jauha Wadic, of Sault Ste. Marie, his x mark,

Waub Ogeeg, of Sault Ste. Marie, his x mark,

Kawgayosh, of Sault Ste. Marie, by

Maidosagee, his x mark,

Apawkozigun, of L'Arbre Croche, his x mark,

Keminitchagun, of L'Arbre Croche, his x mark,

Tawagnee, of L'Arbre Croche, his x mark,

Kinoshemaig, of L'Arbre Croche, his x mark,

Naganigabawi, of L'Arbre Croche, his x mark,

Oniasino, of L'Arbre Croche, his x mark,

Mukaday Benais, of L'Arbre Croche, his x mark,

Chingassamoo, of Cheboigan, his x mark,

Aishquagonabee, of Grand Traverse, his x mark,

Akosa, of Grand Traverse, his x mark,

Oshawun Epenaysee, of Grand Traverse, his x mark.

Robert Stewart,

Win. Mitchell,

John A Drew,

Augustin Hamelin, jr.

Rix Robinson,

C. O. Ermatigner.

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8} Acronyms and Bibliography (manuscripts and other primary sources as well as the specific pages of secondary sources cited in the report have been reproduced and accompany the report):

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- 1977-80 Consultant, Native American Rights Fund, Boulder, CO
- 1977-78 Secretary-Treasurer, Tennessee Conference of Graduate Schools
- 1977 Editorial Referee, *The Historian*
- 1977-82 Editorial Referee, *The Educational Catalyst*
- 1977-82 Member, Editorial Advisory Board, *American Indian Quarterly*
- 1976-83 Advisor, Fulbright Program, The University of Tennessee at Martin
- 1976 Editorial Referee, *Pacific Historical Review*
- 1975-78 Member, Editorial Board, The University of Tennessee Press, Knoxville, TN
- 1975-76 Faculty Counselor to President Edward J. Boling, The University of Tennessee System President, Knoxville, TN
- 1974-75 Consultant, Minorities in West Tennessee Project, University of Tennessee at Martin
- 1974 Consultant, University of Nebraska Press
- 1970-71 Member, Editorial Board, *The Maryland Historian*

SCHOLARSHIPS, FELLOWSHIPS, AND GRANTS:

- 1992 Wisconsin Department of Public Instruction (\$19,034 grant), Development of a Guide on Wisconsin Indian Treaty Rights and Tribal Sovereignty for Teachers in Grades 4-12 (see Publications)
- 1991 Title III: U. S. Department of Education Strengthening Institutional Programs (\$1.6 million grant), The University of Wisconsin-Eau Claire (with Title III Task Force)
- 1991 Wisconsin Department of Public Instruction (\$11,589 grant), Development of a Guide on Chippewa Treaty Rights for Teachers in Grades 4-12 (see Publications)
- 1988 Center of Excellence for Faculty and Undergraduate Student Research Collaboration, (Board of Regents approval in system-wide competition), University of Wisconsin-Eau Claire

- 1985 Honeywell, Inc., DPS 8/49C Mainframe Computer System and Upgrade Equipment, (\$414,300 gift-in-kind), University of Wisconsin-Eau Claire (submitted through the University Development Office)
- 1985 Cray Research, Inc., Computer Science Faculty Development Award Program (\$85,000 grant), University of Wisconsin-Eau Claire (submitted through the University Development Office)
- 1985 Critical Thinking Across the Disciplines (\$20,000 grant), University of Wisconsin System Undergraduate Teaching Improvement Council (with members of the University of Wisconsin-Eau Claire Faculty Development and Curriculum Improvement Committee which I chaired)
- 1982 Title III: U. S. Department of Education Strengthening Developing Institutions Program (\$1.5 million grant), University of Tennessee at Martin (with Mr.. Phillip Miller and Dr. Douglas Blom)
- 1981 Title III: U. S. Department of Education Strengthening Developing Institutions Program (\$300,000 grant), University of Tennessee at Martin (with Vice Chancellor Francis Gross and Dr. Douglas Blom)
- 1978 Title III: U. S. Office of Education Advanced Institutional Development Program (\$1 million grant), University of Tennessee at Martin (with Vice Chancellor Francis Gross and Professor Phillip Feldman)
- 1974 Younger Humanist Research Fellow, National Endowment for the Humanities
- 1974 University of Tennessee at Martin Instructional Innovation Grant, Development of Audiovisual Resources for Minority History Courses
- 1973 University of Tennessee at Martin Instructional Innovation Grant, Development of Slide Program on Indian Life from Sources at the Library of Congress
- 1973 University of Tennessee at Martin Instructional Innovation Grant, Development of Videotape Resources on Minority Group Experiences in American Life
- 1971 Fellow in Ethnic Studies, Ford Foundation
- 1970 National Defense Education Act Fellow, University of Maryland
- 1965 State of Illinois Scholarship, Illinois Institute of Technology
- 1964 Stone Scholar, Illinois Institute of Technology

HONOR SOCIETIES:

Omicron Delta Kappa: The National Leadership Honor Society
 Sigma XI, The Scientific Research Society
 Phi Kappa Phi National Honor Society
 President, Eau Claire Chapter, 1990-91
 First Vice President, Eau Claire Chapter, 1989-9
 Phi Alpha Theta International History Honor Society
 Pi Gamma Mu National Social Science Honor Society
 Delta Tau Kappa International Social Science Honor Society
 The National Honor Society

OTHER HONORS AND RECOGNITIONS:

- 1999 Presented with an Ojibwe name, Wa-bish-ka O-gitchi-da ("The White Warrior" [for treaty rights]), in a traditional Eagle feather naming ceremony by John Anderson, Lac Courte Oreilles Band of Lake Superior Ojibwa tribal elder and Chair of the American Indian Studies Department at Mount Senario College in recognition of contributions to the understanding of Ojibwe history and treaty rights.
- 1996 Wisconsin Library Association's Distinguished Public Document of the Year Award for *Classroom Activities on Wisconsin Indian Treaties and Tribal Sovereignty*

- 1995 The University of Wisconsin-Eau Claire Foundation, Inc.'s Excellence in Public Service Award, based on recommendations from the faculty and presented by the Chancellor and the President of the Foundation (this is the University's highest recognition for excellence in public service)
- 1995 Certificate of Recognition for Outstanding Contributions to Graduate Education, The Graduate Faculty of the University of Wisconsin-Eau Claire
- 1993 Certificate of Recognition for Commitment to the Advancement of American Indian Studies in Wisconsin's Public Schools, State of Wisconsin Department of Public Instruction
- 1993 Nominated for the Wisconsin Commitment to Human Rights Award
- 1992 Merit Award for Distinguished Service to History from the State Historical Society of Wisconsin for *Chippewa Treaty Rights: The Reserved Rights of Wisconsin's Chippewa Indians in Historical Perspective*
- 1991 Nominated for the Wisconsin Commitment to Human Rights Award
- 1985 The University of Wisconsin-Eau Claire's nominee for American Association of State Colleges and Universities' Mitau Award for Innovation and Change in Higher Education for the Time Reassignment Incentive Program (See *More Good Ideas: Responses to Changing Educational Needs by State Colleges and Universities*, [1985])
- 1983 Phi Kappa Phi Scholar Award, The University of Tennessee at Martin
- 1974 Liberal Arts Merit Award for Excellence in Teaching, The University of Tennessee at Martin

BIOGRAPHICAL CITATIONS:

- Who's Who in the World*, 12th ed. (1995-96)
- Who's Who in America*, vol. 3, 48th ed. (1994)
- Who's Who in American Education*, 4th ed. (1993)
- Men of Achievement*, 16th International Edition, (1993)
- Reference Encyclopedia of the American Indian*, 4th ed. (1986); 5th ed. (1990); 6th ed. (1992); 7th ed. (1994); 8th ed. (1997); 9th ed. (2000), 10th ed. (2003), 11th ed. (2005)
- Who's Who in the Midwest*, 20th ed. (1986-87), 23rd ed. (1992-93)
- International Who's Who in Education*, 1980 ed.
- Personalities of the South*, 1978-79 ed., 1979-80 ed.
- Newsworthy Southerners*, 1979 ed.
- Who's Who in the South and Southwest*, 16th ed. (1978-79), 17th ed. (1980-81), 18th ed. (1982-83)
- Dictionary of International Biography*, 1976-77 ed.
- Contemporary Authors*, vol. 61-64, vol. 61-64 revised ed. (1982)
- Directory of American Scholars*, 6th ed. (1978), 7th ed. (1978), 8th ed. (1982)
- Outstanding American Educators*, 1974-75 ed. (nominated by department chair)

PUBLICATIONS:

Books

- American Indian Policy in the Jacksonian Era*, 2d ed., revised and expanded (Norman: University of Oklahoma Press, forthcoming).
- American Indian Policy in the Jacksonian Era*, reprint edition with new Preface and maps (Norman: University of Oklahoma Press, 2002).
- Chippewa Treaty Rights: The Reserved Rights of Wisconsin's Chippewa Indians in Historical Perspective* (Madison: Wisconsin Academy of Sciences, Arts and Letters, 1991; 2nd printing, rev., 1994; 1997, distributed by the University of Wisconsin Press). **Recipient of 1992 State Historical Society of Wisconsin Merit Award for Distinguished Service to History.**

Tennessee's Indian Peoples: From White Contact to Removal, 1540-1840 (Knoxville: University of Tennessee Press, 1979—hardback and paperback). **Recommended as a "core" history book by the Tennessee State Library and Archives**; see www.state.tn.us/sos/statelib/pubsvs/corelist.htm
American Indian Policy in the Jacksonian Era (Lincoln: University of Nebraska Press, 1975—hardback, 1976—Bison Books Paperback).

Monographs

Recruitment, Admission, and Retention of Black Students in Graduate and Professional Education, Tennessee Conference of Graduate Schools, Publication, No. 2, revised edition (Knoxville: Tennessee Conference of Graduate Schools, 1987).

Recruitment, Admission and Retention of Black Students in Graduate and Professional Education, Tennessee Conference of Graduate Schools, Publications, No.2 (Chattanooga: Tennessee Conference of Graduate Schools, 1982).

Contract and Expert Witness Reports and Affidavits, Depositions, and Testimony in Federal Court Cases

Chippewa Treaty Rights: The Reserved Rights of Wisconsin's Chippewa Indians in Historical Perspective (Madison: University of Wisconsin Press for the Wisconsin Academy of Sciences, Arts and Letters, 1991, 2d printing rev., 1994), lodged with the U. S. Supreme Court. See *Lodging Appendix for Respondents Bad River Band of Lake Superior Chippewa Indians and Lac du Flambeau Band of Lake Superior Chippewa Indians in State of Minnesota et al. vs. Mille Lacs Band of Chippewa Indians, et. al.* in U. S. Supreme Court, Case No. 97-1337, *Lodging Appendix*, No. 1, October term, 1997.

The Lac Courte Oreilles Ojibwe Indians and the Chippewa Flowage, 1745-1997: Research Report on Major Events in the History of the Chippewa Flowage prepared for the Great Lakes Indian Fish and Wildlife Commission, 1997.

Deposition of Ronald N. Satz Pertaining to the Case of the Fond du Lac Band of Chippewa Indians vs. Arne Carlson, Governor of Minnesota et al., November 14-15, 1994, U.S. District Court, District of Minnesota, Fifth Division, 2 vols., 389 pp.

Research Report Relative to Chippewa Treaties with the United States, the Executive Order of 1850, and Other Issues of Federal Indian Policy Pertaining to the Case of Fond du Lac Band of Chippewa Indians vs. Arne Carlson, Governor of Minnesota et al., October 30, 1994, U.S. District Court, District of Minnesota, Fifth Division, 270 pp.

Affidavit Relative to the Case of Lac Courte Oreilles Band of Lake Superior Chippewa Indians et al. vs. State of Wisconsin et al. Prepared for Plaintiffs in the U.S. District Court for the Western District of Wisconsin, Case No. 74-C-313-C., October 1, 1992.

Historical Report Relative to the Case of Mashpee Tribe vs. New Seaburg Corporation, Prepared for the Native American Rights Fund, 1978.

Co-author

Thesis Manual, 3d ed. (Eau Claire: University of Wisconsin-Eau Claire College of Professional Studies and Office of University Research, 1998) with Cheryl A. Barrows.

Classroom Activities on Wisconsin Indian Treaties and Tribal Sovereignty (Madison: Wisconsin Department of Public Instruction, 1996) with members of the University of Wisconsin-Eau Claire Wisconsin Indian History, Culture and Tribal Sovereignty Project. **Recipient of Wisconsin Library Association's Distinguished Public Document of the Year Award for 1996.**

Thesis Manual, 2d ed., revised (Eau Claire: University of Wisconsin-Eau Claire School of Graduate Studies and Office of University Research, 1995) with William R. Frankenberger and Cheryl A. Barrows.

- Classroom Activities on Chippewa Treaty Rights* (Madison: Wisconsin Department of Public Instruction, 1991) with Anthony G. Gulig and Richard St. Germaine.
- Enhancing Academic Excellence Through Professional Diversity*, University of Wisconsin System President's Select Committee on the Status of Minority Faculty and Staff, Final Report (Madison: University of Wisconsin System, 1988).
- Wisconsin's Educational Imperative: Observations and Recommendations, Indian-White Relations*, Lac Courte Oreilles Commission on Racism, Final Report (Hayward, Wisconsin: Lac Courte Oreilles Band of Lake Superior Chippewa Indians, 1984) with Veda W. Stone *et al.* (Reprinted in *Lac Courte Oreilles Journal*, Special Edition [January 1985]). Reprint edition currently available from Great Lakes Indian Fish and Wildlife Commission, PO Box 9, Odanah, WI, 54861.
- **America: Changing Times—A Brief History*, 2nd edition (New York, Chichester, Brisbane, Toronto, and Singapore: John Wiley & Sons, Inc., Publishers, 1984)—abridgment and revision.
- **America: Changing Times*, 2nd Edition (New York, Chichester, Brisbane, Toronto, and Singapore: John Wiley & Sons, Inc., Publishers, 1982)—revision of one and two volume editions.
- *NOTE: These textbooks were acquired by Random House in January 1984 and subsequently published under the Alfred A. Knopf imprint for Random House. In 1988 these books were acquired by the College Division of McGraw Hill, and they are now under its imprint.
- America: Changing Times—A Brief History* (New York, Chichester, Brisbane, and Toronto: John Wiley & Sons, Inc., Publishers, 1980)—abridgment and revision of the following publication.
- America: Changing Times* (one volume clothbound edition and two volume paperback edition; New York, Chichester, Brisbane, and Toronto: John Wiley & sons, Inc., Publishers, 1979) with Charles Dollar (National Archives and Records Service), Joan Gundersen (St. Olaf), H. Viscount Nelson, Jr. (Dartmouth), and Gary Reichard (Ohio State).

Chapters written by Ronald N. Satz:

- Chapter 8, pp. 248-279: The Genesis of Industrial America
- Chapter 9, pp. 280-321: Race, Sex, and Nationality
- Chapter 10, pp. 322-357: Religion, Reform, and Utopianism
- Chapter 11, pp. 358-395: The Age of Jackson
- Chapter 12, pp. 396-425: America at Mid-Century
- Chapter 13, pp. 426-463: Sectionalism and Secession
- Chapter 14, pp. 464-501: The War to Save the Union
- Chapter 15, pp. 502-543: Restoring the Union

Articles

- "Forward," *ASTRA: The McNair Scholars Journal*, 2 (Summer 2003): 5-6.
- "Nurturing Opportunities for Minorities at UW-Eau Claire," *FutureHmong* (July 2002): 11-12.
- "Forward," *ASTRA: The McNair Scholars Journal*, 1 (Summer 2002): 4.
- "Undergraduate Student and Faculty Research Collaboration: A Cornerstone of UW-Eau Claire's Continuing Excellence," *The View*, 61, no. 4 (Fall 2000): 2.
- "Nineteenth Century Ojibwe Treaties in the U.S. and Canada: An Historical Perspective," *Masinaigan* [Great Lakes Indian Fish and Wildlife Commission] (Winter 1998/99): 7, 28-29.
- "'Tell Those Gray Hair Men What They Should Know': The Hayward Indian Congress of 1934," *Wisconsin Magazine of History*, 77 (Spring 1994): 196-224.
- "Treaty Rights History Readings," *Wisconsin West* (March/April 1990): 17.
- "The Cherokee Trail of Tears: A Sesquicentennial Perspectives," *Georgia Historical Quarterly* 73 (Fall 1989): 431-466.
- "The United States Constitution and the Cherokees, 1787-1987," *Kennesaw Review* 1 (February 1987): 34-49.
- "Cherokee Traditionalism, Protestant Evangelism, and the Trail of Tears, Part II," *Tennessee Historical Quarterly* 45 (Winter 1985-86): 380-401.
- "Cherokee Traditionalism, Protestant Evangelism, and the Trail of Tears, Part I," *Tennessee Historical Quarterly* 45 (Fall 1995): 285-301.

- "The Jackson Purchase Treaty of 1818 in Historical Perspective," *Journal of the Jackson Purchase Historical Society* 9 (June 1981): 9-16.
- "The Trail of Tears: A Trail of Complications," Memphis, Tennessee *Commercial Appeal* (October 5, 1980): Section G, page 5.
- "Remini's Andrew Jackson (1767-1821: Jackson and the Indians," *Tennessee Historical Quarterly* 38 (Summer 1979): 158-166.
- "Indian Policy in the Jacksonian Era: The Old Northwest as a Test Case," *Michigan History* 60 (Spring 1976): 71-93.
- "The African Slave Trade and Lincoln's Campaign of 1858," *Journal of the Illinois State Historical Society* 65 (Autumn 1972): 269-279.
- "The 1850's and the Need for Revision," 1 *Maryland Historian* (Spring 1970): 81-86.

Published Commentaries and Interviews

- "Hard Work and a Commitment to Teaching: The University of Wisconsin-Eau Claire," pp.107-133 of *Profiles of Preservice Teacher Education*, Kenneth R. Howey and Nancy L. Zimpher (Albany: State University Press of New York, 1989).
- "Discussion Note/Indian Assimilation: The Nineteenth Century," p. 96 of *Indian-White Relations: A Persistent Paradox*, edited by Jane F. Smith and Robert M. Kvasnicka (Washington, DC: Howard University Press, 1976).

Contributions to Books

- "The Chickasaws," in *Tennessee Encyclopedia of History and Culture*, Online Edition, edited by Carroll Van West (Nashville; Tennessee Historical Society, 2003). See <http://160.36.208.47/FMPro?-db=tnencyc&-format=tetail.htm&-lay=web&entryid=C079&-find=>
- "The Chickasaws," pp. 152-153 of *Tennessee Encyclopedia of History and Culture*, edited by Carroll Van West (Nashville; Tennessee Historical Society, 1998).
- "Indian Policy in the Jacksonian Era: The Old Northwest as a Test Case," pp. 203-213 of *Perspectives on the American Past*, Vol. 1: *To 1877*, edited by Michael Perman, 2nd ed. (Lexington, Mass.: DC Heath and Company, 1996).
- "Indian Policy in the Jacksonian Era," pp. 159-175 of *American Vistas, 1607-1877*, edited by Leonard Dinnerstein and Kenneth T. Jackson (7th ed., New York: Oxford University Press, 1995).
- "After the Treaties: The Chippewa Struggle to Retain Reserved Treaty Rights in the North Woods of Wisconsin," pp. 107-126 of 1991-1992 *Proceedings of the Minnetrista Council for Great Lakes Native American Studies Woodland National Conference* (Muncie, Indiana: Minnetrista Cultural Center and Ball State University, 1993).
- "Rhetoric Versus Reality: The Indian Policy of Andrew Jackson," in *Cherokee Removal: Before and After*, edited by William L. Anderson (Athens: University of Georgia Press, 1991) pp. 29-54.
- "Indian Policy in the Jacksonian Era," pp. 159-175 of *American Vistas, 1607-1877*, edited by Leonard Dinnerstein and Kenneth T. Jackson (6th ed., New York: Oxford University Press, 1991).
- "Elbert Herring: Commissioner of Indian Affairs, 1831-1836," p. 651 of William G. Sturtevant, general editor, *Handbook of North American Indians*, vol. 4: *History of Indian-White Relations*, edited by Wilcomb Washburn (Washington, DC: Smithsonian Institution Press, 1988).
- "William Medill: Commissioner of Indian Affairs, 1845-1849," p. 666-667 of William G. Sturtevant, general editor, *Handbook of North American Indians*, vol. 4: *History of Indian-White Relations*, edited by Wilcomb Washburn (Washington, DC: Smithsonian Institution Press, 1988).
- "Thomas Hartley Crawford: Commissioner of Indian Affairs, 1838-1845," p. 635 of William G. Sturtevant, general editor, *Handbook of North American Indians*, vol. 4: *History of Indian-White Relations*, edited by Wilcomb E. Washburn (Washington, DC: Smithsonian Institution Press, 1988).

- "Carey Allen Harris: Commissioner of Indian Affairs, 1836-1838," p. 649 of William G. Sturtevant, general editor, *Handbook of North American Indians*, vol. 4: *History of Indian-White Relations*, edited by Wilcomb E. Washburn (Washington, DC: Smithsonian Institution Press, 1988).
- "Indian Policy in the Jacksonian Era," pp. 159-175 of *American Vistas, 1607-1877*, edited by Leonard Dinnerstein and Kenneth T. Jackson (5th ed., New York: Oxford University Press, 1987).
- "Indian Policy in the Jacksonian Era: The Old Northwest as a Test Case," pp. 233-270 of *An Anthology of Western Great Lakes Indian History*, edited by Donald L. Fixico (Milwaukee: University of Wisconsin-Milwaukee American Indian Studies Program, 1987).
- "The Mississippi Choctaw: From the Removal Treaty to the Federal Agency," in *After Removal: The Choctaw in Mississippi*, edited by Samuel J. Wells and Roseanna Tubby (Oxford: University Press of Mississippi, 1986), 3-32.
- "Indian Policy in the Jacksonian Era," pp. 159-175 of *American Vistas, 1607-1877*, edited by Leonard Dinnerstein and Kenneth T. Jackson (4th ed., New York: Oxford University Press, 1984).
- "Thomas Hartley Crawford: Commissioner of Indian Affairs, 1838-1845," pp. 23-27 of *The Commissioners of Indian Affairs, 1824-1977*, edited by Robert M. Kvasnicka and Herman J. Viola (Lincoln and London: University of Nebraska Press, 1979).
- "Carey Allen Harris: Commissioner of Indian Affairs, 1836-1838," pp. 17-22 of *The Commissioners of Indian Affairs, 1824-1977*, edited by Robert M. Kvasnicka and Herman J. Viola (Lincoln and London: University of Nebraska Press, 1979).
- "Elbert Herring: Commissioner of Indian Affairs, 1831-1836," pp. 13-16 of *The Commissioners of Indian Affairs, 1824-1977*, edited by Robert M. Kvasnicka and Herman J. Viola (Lincoln and London: University of Nebraska Press, 1979).
- "Sequoyah," pp. 54-68 of *Heroes of Tennessee*, edited by Billy M. Jones (Memphis: Memphis State University Press, 1979).
- "Indian Policy in the Jacksonian Era," pp. 159-175 of *American Vistas, 1607-1877*, edited by Leonard Dinnerstein and Kenneth T. Jackson (3rd ed., New York: Oxford University Press, 1979).

Editorial Work

Compiler

- Proceedings of the Hayward Indian Congress of April 23-24, 1934*, Madison, WI: State Historical Society of Wisconsin, 1994.
- Letitia Caldwell Twentieth Century Menominee Indian Newspaper Collection, Special Collection*, Special Collections Department, Regional Archives and Research Center, University of Wisconsin-Eau Claire Library, 1993. (A duplicate copy is on file at the Menominee Tribal Library, Keshena, WI).

Consultant

- Journal of American History*, 2004
- Journal of Southern History*, 2002
- WDSE-TV, PBS 8, Duluth-Superior Area Educational Television Corporation, 1998-2002
- Great Lakes Indian Fish and Wildlife Commission, 1997-98, 2001-02
- University of Oklahoma Press, 1995, 2001-2002
- Chippewa Valley Press, 1993
- University of Wisconsin Press, 1993, 1997
- Oxford University Press, 1992
- McGraw-Hill, Inc., 1992
- National Association for Ethnic Studies, 1991
- Journal of the Early Republic*, 1991
- Explorations in Ethnic Studies*, 1991
- University of Georgia Press, 1990-91
- Wisconsin Academy of Sciences, Arts & Letters, *Transactions*, 1987

Michigan Historical Review, 1986
Journal of American Ethnic History, 1982
Journal of American History, 1981, 1990
 University of Tennessee Press, 1979-80
 Memphis State University Press, 1979
Indiana Magazine of History, 1979
Western Historical Quarterly, 1978
The Historian, 1977
The Educational Catalyst, 1977-82
Pacific Historical Review, 1976
 University of Nebraska Press, 1974, 1980-83, 1998

Editor

Humanity, vol. 1 (1996)- vol. 4 (1999)
Proceedings, University of Wisconsin System American Indian History and Culture National Conference, 1991
Proceedings, 45th Annual Meeting of the Midwestern Association of Graduate Schools, 1989
Proceedings, 44th Annual Meeting of the Midwestern Association of Graduate Schools, 1988
Issues in Teaching and Learning, vol. 1 (1989) – vol. 4 (1992)
 Publication Series, Tennessee Conference of Graduate Schools, 1982-83

Member

Editorial Advisory Board, *National Forum*, *The Phi Kappa Phi Journal*, 1994-98
 Publications Committee, Midwestern Association of Graduate Schools, 1985-1991
 Editorial Board, University of Tennessee Press, 1975-78, 1981-83
 Editorial Advisory Board, *American Indian Quarterly*, 1977-82
 Editorial Board, *The Maryland Historian*, 1970-71

Non-Print:

Historical Consultant, "*Waasa-inaabidaa—We Look in All Directions: Seasons of Change*," 6 part historical documentary series on the Ojibwe, WDSE-TV, PBS 8, Duluth-Superior Area Educational Television Corporation, Duluth, MN, 1998-2001. **Recipient of five Emmy Awards from the Upper Midwest Chapter of the National Academy of Television Arts and Sciences (NATAS) on October 5, 2002; <http://www.NATASUpperMidwest.org/2002winners.htm>**

Historical Consultant, *Lighting the Seventh Fire* by filmmaker Sandra Osawa and Upstream Productions, Seattle, WA, 1994. Premier performance, Point of View, Wisconsin Public Television, July 4, 1995, 10 p.m.-11 p.m. (Examines how the Chippewa Indians of northern Wisconsin have struggled to restore the centuries-old tradition of spear fishing and the heated opposition they have encountered.)

Audio tape of *Chippewa Treaty Rights: The Reserved Rights of Wisconsin's Chippewa Indians in Historical Perspective* (Milwaukee, WI: Volunteer Services of the Visually Handicapped, Inc., 1992)

Abstracts:

Chronicles of Oklahoma, 48, Nos. 1-3 (1970) for American Bibliographical Center's *America: History and Life*.

Book Reviews:

Andrew Jackson and His Indian Wars, by Robert V. Remini, *Journal of American History* 90 (December 2003): 1013-14.

The Legal Ideology of Removal: The Southern Judiciary and the Sovereignty of Native American Nations, by Tim Alan Garrison, *Florida Historical Quarterly* 82 (Fall 2003): 230-32.

- Indian Names on Wisconsin's Map*, by Virgil J. Vogel, *Wisconsin Magazine of History* 77 (Spring 1994): 225-226.
- The Middle Ground, Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*, by Richard White, *Journal of the Early American Republic* 13 (Fall 1993): 406-08.
- Champions of the Cherokees: Evan and John B. Jones*, by William G. McLoughlin, *American Historical Review* 97 (June 1992): 922.
- Kenekuk: The Kickapoo Prophet*, by Joseph B. Herring, *American Historical Review* 95 (June 1990): 907-08.
- Sovereignty and Symbol: Indian-White Conflict at Ganienkeh*, by Gail H. Landsmen, *Explorations in Sights and Sounds* (Summer 1989): 49-50.
- Little Crow: Spokesman for the Sioux*, by Gary C. Anderson, *Wisconsin Magazine of History* 71 (Spring 1988): 217-218.
- The Southern Indians and Benjamin Hawkins, 1796-1816*, by Florette Henri, *American Historical Review* 92 (October 1987): 1031-1032.
- The Shaman: Patterns of Siberian and Ojibway Healing*, by John A. Grim, *Explorations in Sights and Sounds* 7 (Summer 1987): 38-39.
- Manifest Destiny: Anxious Aggrandizement in Late Jacksonian America*, by Thomas R. Hictala, *Western Historical Quarterly* (18 January 1987): 63-64.
- Cherokee Editor: The Writings of Elias Boudinot*, edited by Theda Perdue, *Ethnohistory* 33 (May 1986): 238-239.
- The Great Father: The United States Government and the American Indians* (2 vols.), by Francis Paul Prucha, *Journal of American History* 72 (December 1985): 661-662.
- Cherokees and Missionaries, 1789-1839*, by William G. McLoughlin, *Pacific Historical Review* 54 (November 1985): 523-524.
- Changes in the Land: Indians, Colonists and the Ecology of New England*, by William Cronon, *The History Teacher* 19 (November 1985): 130-131.
- Manifest Destiny: The Origins of American Racial Anglo-Saxonism*, by Reginald Horsman, *Indiana Magazine of History* 79 (September 1983): 274-275.
- Indian Policy in the United States: Historical Essays*, by Francis Paul Prucha, *Great Plains Quarterly* 3 (Summer 1983): 186-187.
- The Chickasaw Freedmen: A People Without a Country*, by Daniel F. Littlefield, Jr., *American Indian Quarterly* 6 (Fall/Winter 1982): 397-399.
- Nations Remembered: An Oral History of the Five Civilized Tribes, 1865-1907*, by Theda Perdue, *American Indian Quarterly* 6 (Fall/Winter 1982): 397-399.
- Savagism & Civility: Indians and Englishmen in Colonial Virginia*, by Bernard Sheehan, *The History Teacher* 15 (August 1982): 612-613.
- Settling with the Indians: The Meeting of English and Indian Cultures in America, 1580-1640*, by Karen Ordahl Kupperman, *The History Teacher* 15 (August 1982): 612-613.
- The Only Land They Knew: The Tragic Story of the American Indians in the Old South*, by J. Leitch Wright, Jr., *Journal of Southern History* 48 (February 1982): 94-95.
- Indeh: An Apache Odyssey*, by Eve Ball, *Oral History Review* 9 (1981): 138-140.
- The Choctaws: Cultural Evolution of A Native American Tribe*, by Jessee O. McKee and Jon A. Schlenker, *Tennessee Historical Quarterly* 40 (Fall 1981): 307-309.
- The Potawatomis: Keepers of the Fire*, by R. David Edmunds, *Journal of the Society for Historians of the Early American Republic* 1 (Summer 1981): 201-203.
- The Half-Blood: A Cultural Symbol in 19th Century American Fiction*, by William J. Schleick, *Journal of the Jackson Purchase Historical Society* 9 (June 1981): 80-81.
- The Road: Indian Tribes and Political Liberty*, by Russel L. Barsh and James Youngblood Henderson, *The History Teacher* 14 (February 1981): 293-294.
- Southeastern Indians Since the Removal Era*, edited by Walter L. Williams, *Journal of American History* 67 (September 1980): 409-410.

- Reference Encyclopedia of the American Indian* (2 vols.), edited by Barry Klein, *West Tennessee Historical Society Papers* 34 (October 1980): 107-108.
- Everyday Life of the North American Indian*, by Jon Manchip White, *The History Teacher* 13 (August 1980): 601-602.
- The Shawnee*, by Jerry E. Clark, *Journal of the Jackson Purchase Historical Society* 8 (June 1980): 64.
- The Cherokee Indian Nation: A Troubled History*, edited by Dwayne H. King, *West Tennessee Historical Society Papers* 33 (October 1979): 108-110.
- The Delaware Indian Westward Migration*, by C. S. Weslager, *Journal of American History* 66 (September 1979): 396.
- The Cherokee Freedman: From Emancipation to American Citizenship*, by Daniel Littlefield, Jr., *American Indian Quarterly* 5 (August 1979): 250-251.
- Africans and Seminoles: From Removal to Emancipation*, by Daniel F. Littlefield, *Western Historical Quarterly* 10 (April 1979): 217-218.
- John Ross: Cherokee Chief*, by Gary E. Moulton, *Tennessee Historical Quarterly* 38 (Spring 1979): 89-91.
- Ethnic Leadership in America*, edited by John Higham, *Journal of Southern History* 45 (May 1979): 303-304.
- The White Man's Indian: Images of the American Indian From Columbus to the Present*, by Robert F. Berkhofer, Jr., *Jackson Sun* (January 7, 1979): 4-A.
- Indian Life: Transforming an American Myth*, edited by William W. Savage, Jr., *Jackson Sun* (January 7, 1979): 4-A.
- Edward Sheriff Curtis: Visions of a Vanishing Race*, by Florence Curtis Graybell and Victor Broeson, *Jackson Sun* (January 7, 1979): 4-A.
- Great North American Indians: Profiles in Life and Leadership*, by Frederick J. Dockstadter, *Jackson Sun* (January 7, 1979): 4-A.
- Lincoln and the Indians: Civil War Policy and Politics*, by David A. Nichols, *American Indian Quarterly* 4 (November 1978): 415-417.
- William Clark: Jeffersonian Man on the Frontier*, by Jerome O. Steffen, *Pacific Historical Review* 47 (August 1978): 475-477.
- Andrew Jackson and the Course of American Empire, 1767-1821*, by Robert V. Remini, *Journal of the Jackson Purchase Historical Society* 6 (June 1978): 40-41.
- Red Men and Hat-Wearers: Viewpoints in Indian History*, edited by Daniel Tyler, *History Teacher* 11 (February 1978): 274-275.
- The Conflict Between the California Indian and White Civilization*, by Sherburne F. Cook, *History Teacher* 11 (February 1978): 274-275.
- The Cherokee Crown of Tannassy*, by William O. Steele, *Jackson Sun* (January 8, 1978): 4-A.
- Indian-White Relations: A Persistent Paradox*, edited by Jane F. Smith and Robert M. Kvasnicka, *Tennessee Historical Quarterly* 36 (Winter 1977): 545-546.
- Education and the American Indian: The Road to Self-Determination, 1928-1973*, by Margaret Szasz, *History Teacher* 9 (August 1976): 686-687.
- The Trail of Tears: The Story of the American Indian Removals, 1813-1855*, by Gloria Jahoda, *Jackson Sun* (July 4, 1976): 4-A.
- Fathers and Children: Andrew Jackson and the Subjugation of the American Indian*, by Michael Paul Rogin, *American Historical Review* 81 (June 1976): 658-659.
- Alternative to Extinction: Federal Indian Policy and the Beginnings of the Reservation System, 1846-1851*, by Robert A. Trennert, Jr., *Western Historical Quarterly* 7 (April 1976): 204-205.
- American Indian and Eskimo Authors: A Comprehensive Bibliography*, by Arlene B. Hirschfelder, *Social Studies* 67 (March/April 1976): 88.
- "That Disgraceful Affair," *The Black Hawk War* by Cecil Eby, *Journal of American History* 61 (June 1974): 183-184.
- Big Brother's Indian Programs—With Reservations*, by Sar A. Levitan and Barbara Hetrick, *Social Studies* 64 (February 1974): 92-93.

- Reconstruction in Indian Territory: A Story of Avarice, Discrimination, and Opportunism*, by M. Thomas Bailey, *History Teacher* 7 (November 1973): 148-149.
- The Search for an American Indian Identity: Modern Pan-Indian Movements*, by Hazel W. Hertzberg, *Social Studies* 63 (November 1972): 289-290.
- Indian America: The Black Hawk War*, by Miriam Gurko, *Social Studies* 63 (October 1972): 234-235
- Chicano*, by Richard Vasquez, *University of Tennessee at Martin Pacer* (March 1, 1972): 6.

RESEARCH IN PROGRESS:

- American Indians in Historical Perspective
- A Comparative Analysis of Government Policies for Indigenous Peoples in Australia, Canada, New Zealand, and the United States
- In Pursuit of Justice: The Struggle to Preserve Treaty Rights in Ceded Territory in Mississippi, New York, and Wisconsin—A Comparative Analysis of Efforts to Protect Reserved Treaty Rights from the 1830's to Present
- The Treaty Making Era, 1778-1871
- Wisconsin's Indian Peoples

COURSES TAUGHT: Courses marked with an asterisk (*) were taught at the University of Wisconsin-Eau Claire. All other courses listed were taught at the University of Maryland or at the University of Tennessee at Martin.

Survey Courses

- American History
- American History Honors Section
- American History Experimental Section (Biographical)
- *History of American Indians
- *Introduction to American Indian History and Cultures
- Latin American History

Upper Division Courses

- Afro-American History
- *American Indian History
- American Social History
- Cherokee History
- *Chippewa Treaty Rights
- *Directed Studies in American Indian History
- *Great Lakes Indian Removal
- Historiography
- Independent Studies
- *Indian Nations Within Wisconsin
- *Indian Removal in the Jacksonian Era
- *Lakota History and Culture
- Methods of Teaching Ethnic Studies (School of Education)
- Middle Period and Civil War
- Minorities in the History of the U. S.
- Roots: A Biographical Study of Afro-American History
- *Studies in Wisconsin Indian History
- Tennessee's Indian Peoples

*Undergraduate Research and Writing

Western History

*Wisconsin Indian History, Culture, and Tribal Sovereignty for Classroom Teachers

*Wisconsin's Native Americans

Your Family in History

Graduate Courses

Afro-American History

American Indian History

Cherokee History

*Chippewa Treaty Rights

*Colloquium on American Indian History

*Great Lakes Indian Removal

Historiography

Immigration and White Ethnic History

*Independent Studies

*Indian Nations Within Wisconsin

*Indian Removal in the Jacksonian Era

*Lakota History and Culture

Methods of Teaching Ethnic Studies (School of Education)

Middle Period and Civil War

Minorities in the History of the U. S.

Readings in Indian History

Readings in Ethnic History

Research in Ethnic History

*Studies in Wisconsin Indian History

*Thesis

Western History

*Wisconsin Indian History, Culture, and Tribal Sovereignty for Classroom Teachers

*Wisconsin's Native American

STUDENT THESES AT THE UNIVERSITY OF WISCONSIN-EAU CLAIRE:

2004 Lambert, Laura. "A History of the Indian School at Hayward, Wisconsin" (in progress).

2003 Shrake, Peter. "Col. Stambaugh's Treaty." Currently Executive Director, Sauk County Historical Society, Baraboo, WI.

1994 Leighton, Arthur. "Federal Indian Policy in Northern Michigan: The Michigan Superintendency and the Sault Ste. Marie Band, 1836-1845." Employed as historical consultant by the Sault St. Marie Band of Ojibwe Indians and enrolled in Ph.D. program at Purdue University.

1994 Panasuk, Timothy. "Ojibwa Ogichida: Lac Courte Oreilles Warriors of World War Two in Historical Perspective." Teaches high school in Rice Lake, WI.

1993 Brown, Robert. "'The Year One': The American Indian Chicago Conference of 1961 and the Rebirth of Indian Activism." Faculty member at Chippewa Valley Technical College, Eau Claire, WI

1993 Firkus, Angela. "'That the Indians of the Area Might Lift Themselves up by Their Bootstraps': The Great Lakes Indian Tribal Council's First Decade." Completed Ph.D. program at Purdue University and is currently teaching at Cottey College in Nevada, MO.

1993 Steele, Paul. "Indians in St. Paul-Minneapolis, 1945-1960." Enrolled in Ph.D. program at the University of Illinois-Chicago Circle.

1991 Tetzloff, Jason. "The Diminishing Winnebago Estate in Wisconsin: From White Contact to Removal." Completed Ph.D. program at Purdue University with teaching experience at Purdue

- University, Western Washington University, and Defiance College in Ohio. Now Interim Director of Orientation and First Year Experiences and Visiting Assistant Professor of History at the University of Wisconsin-Eau Claire.
- 1991 Spindler, Timothy J. "George Copway: Chippewa Cultural Broker and Communicator." Librarian at Circus World in Baraboo, WI.
- 1990 Gulig, Anthony. "The Social and Political Relationship of Lawrence Taliaferro to the Chippewas and Sioux of the St. Peters Agency, 1819-1839. Runner-up, Midwestern Association of Graduate Schools Annual Distinguished Master's Thesis Competition, 1992. Completed Ph.D. program at the University of Saskatchewan and is now on the history faculty at the University of Wisconsin-Whitewater.

SCHOLARLY PAPERS AND PUBLIC SERVICE PRESENTATIONS:

- November 8, 2003 "Teaching about Indian Treaty Rights," Seminar for Teaching Fellows, Department of History, University of Wisconsin-Eau Claire
- November 7, 2003 "Reflections on *Chippewa Treaty Rights*," Annual Public History Program Forum, Department of History, University of Wisconsin-Eau Claire
- October 16, 2003 "Key Issues in Indian History, Cultural, and Tribal Sovereignty for K-12 Teachers," School of Education Human Relations Seminar, University of Wisconsin-Eau Claire
- October 7, 2003 "The American Democracy Project," The West Side, Wisconsin Public Radio. Live Interview, 88.3 FM, Eau Claire, WI
- August 2, 2003 "Introducing Campus Conversations and the American Democracy Project," invited presentation, American Association of State Colleges and Universities, Academic Affairs Summer Meeting, Snowbird, Utah
- August 1, 2003 "The Role of Civic Engagement in Undergraduate Education," Respondent to Presentation of Tom Ehrlich, Senior Scholar at the Carnegie Foundation for the Advancement of Teaching, American Association of State Colleges and Universities, Academic Affairs Summer Meeting, Snowbird, Utah
- July 7, 2003 "Chippewa Treaty Rights in Historical Perspective," Around The Archipelago 2003 Summer Guest Lecture Series, U.S. Department of Interior, National Park Service, Apostle Islands Lakeshore Visitor Center, Bayfield, WI
- June 17, 2003 "The Provost as Campus Leader: Leadership versus Management," invited Presentation, University of Wisconsin System Planning Meeting for Provosts and Vice Chancellors, Mineral Point, WI
- February 27, 2003 "The Origins and Significance of Act 31 in Wisconsin," Foundation of Education Seminar for Pre-Service Teachers," University of Wisconsin-Eau Claire
- February 8, 2003 "The First Year Experience Program at the University of Wisconsin-Eau Claire," American Association of State Universities and Colleges, *ETC*
- October 25, 2002 "Keynote Address: The Origins of Act 31," Fourth Annual Symposium on Act 31, Indigenous Ethnic Studies Program, University of Wisconsin-Platteville
- October 24, 2002 "*American Indian Policy in the Jacksonian Era*: Reflections of the Author," American Indian Studies Program Seminar, University of Wisconsin-Eau Claire
- October 18, 2002 "Understanding Treaty Rights and Tribal Sovereignty," Foundations of Education Seminar, School of Education, University of Wisconsin-Eau Claire
- September 19, 2002 "The Top Ten Challenges Facing New Chief Academic Officers," Orientation Workshop for New Provosts and Vice Chancellors," University of Wisconsin System Orientation Workshop for New Provosts/Vice Chancellors and Associate and Assistant Vice Chancellors, Madison, WI
- August 26, 2002 "Surviving and Thriving in Your First Year: Tips and Strategies for New Faculty and Instructional Academic Staff," Professional Development Program Series,

- University of Wisconsin-Eau Claire
- July 24, 2002 "How Regional Public Comprehensive Universities in the United States Respond to Citizen Needs and Priorities," National Peace Foundation and Library of Congress Program for Visiting Delegation of Russian Women Leaders, Eau Claire, WI
- May, 7, 2002 "The Role of Student-Faculty Research Collaboration in the Teaching-Learning Environment in the 21st Century," Golden Blugold Conference, University of Wisconsin-Eau Claire
- October 25, 2001 "Indians and German Immigrants on the Wisconsin Frontier," Honors Seminar on German Immigration to Wisconsin, Department of Foreign Languages, University of Wisconsin-Eau Claire
- October 18, 2001 "Teaching about Treaty Rights in Grades 4-12," Foundations of Education Seminar on Wisconsin Indian Education, University of Wisconsin-Eau Claire
- July 26, 2001 "Teaching About Wisconsin Indians," School of Education Seminar, University of Wisconsin-Eau Claire
- June 26, 2001 "Tribal Lands in Wisconsin," Wisconsin Geographic Alliance Summer Program, University of Wisconsin-Eau Claire
- March 28, 2001 "Faculty Roles and Rewards at Comprehensive Universities," Conversation on Teaching and Learning with Faculty and Staff, Network for Excellence in Teaching, University of Wisconsin-Eau Claire
- March 19, 2001 "Ojibwe Treaty Rights in Minnesota: *The Mille Lacs Case* in Historical Perspective," College of Natural Resources Seminar, University of Minnesota, Twin Cities Campus
- March 2, 2001 "Approaches to Land and Water: An Examination of Ojibwa Treaties, Cultural Ideals, and the Chippewa Flowage," Conference on Pahquahwong and the Chippewa Flowage," Lac Courte Oreilles Ojibwa College Community Library and the Institute of Museum and Library Services, Hayward, WI
- February 15, 2001 "Tribal Lands in Wisconsin," Wisconsin Geography Seminar, University of Wisconsin-Eau Claire
- January 19, 2001 Invited Presentation, "Best Retention Practices in the UW System," Conference on Recruitment and Retention of Faculty of Color, University of Wisconsin System, Madison, WI
- November 21, 2000 "Tribal Sovereignty and Treaty Making in Wisconsin," American Indian Studies Program Seminar, University of Wisconsin-Eau Claire
- Nov "Student Collaborative Research with Faculty," West Central Wisconsin Consortium Faculty Symposium on Research, Menomonie, WI
- October 19, 2000 "What K-12 Teachers Need to Know about American Indian History, Culture, Treaty Rights and Tribal Sovereignty," University of Wisconsin -Extension Native American Task Force Symposium, Eau Claire, WI
- September 25, 2000 "Keynote Address: Establishing Effective Student/Advisor Relationships," Seventh Annual Student and Advisor Reception, Activities and Program Office, University of Wisconsin-Eau Claire
- September 22, 2000 "How Diversity Strengthens Our Society," Seventeenth Annual American Ethnic Student Recognition Program, American Ethnic Coordinating Office, University of Wisconsin-Eau Claire
- August 1, 2000 "Treaty Rights in Wisconsin," School of Education Seminar, University of Wisconsin-Eau Claire
- July 20, 2000 "In Praise of Scholarship: The McNair Scholars Program," Summer 2000 Research Institute, Hobbs Observatory, Fall Creek, WI
- May 31, 2000 "Lighting the Seventh Fire: The Recovery of Lost Traditions and the Reaffirmation of Treaty Rights by the Ojibwes of the Great Lakes Region," History Department

- March 2, 2000 Seminar on Ojibwe History, University of Wisconsin-Eau Claire
- March 2, 2000 "The Legacy of the Ojibwe Treaties," two presentation to all classes at Lakeland Union High School, Minocqua, WI (one thousand students)
- March 2, 2000 "Strategies for Teaching Ojibwe History," Presentation to social studies teachers at Lakeland Union High School, Minocqua, WI
- February 23, 2000 "The Future of Teaching at Comprehensive Universities," Conversation on Teaching and Learning with Faculty and Staff, Network for Excellence in Teaching, University of Wisconsin-Eau Claire
- February 23, 2000 "Thoughts on Diversity," Dedication of the Equality Resource Center, University of Wisconsin-Eau Claire, Sponsored by the University of Wisconsin-Eau Claire Student Senate
- February 17, 2000 "Promoting Partnerships between Businesses and Educational Institutions," Greater Eau Claire Area Chamber of Commerce, Leadership Program, Eau Claire, WI
- November 18, 1999 "Indians and Immigrants on the Wisconsin Frontier," Seminar on German Immigration to Wisconsin, Foreign Languages Department, University of Wisconsin-Eau Claire
- September 29, 1999 "The Reserved Treaty Rights of the Anishinaabeg of the Great Lakes Region," Symposium on Great Lakes Anishinaabeg History, Culture, and Contemporary Issues, University of Wisconsin-Eau Claire
- June 22, 1999 "Wisconsin Indian Treaties and Tribal Sovereignty," Wisconsin Alliance Summer Institute for Teachers, University of Wisconsin-Eau Claire, Eau Claire, WI
- April 27, 1999 "Excellence in Instruction: Research Collaboration and the Classroom," Second Annual Wisconsin Academic Excellence Scholars Program, University of Wisconsin-Eau Claire
- April 8, 1999 "From the Voigt Case to the Mille Lacs Decision: Ojibwe Treaty Rights in the Federal Courts," WOJB FM, one hour taped program, Hayward, WI
- April 8, 1999 Chair, "Panel on Wisconsin Legislative Act 31 and the K-12 Public School Curricula," Wisconsin Indian Education Association Annual Conference, Lac Courte Oreilles Ojibwa Community College, Hayward, WI
- March 4, 1999 "Indian Treaty Rights in Wisconsin," Geography of Wisconsin Class, University of Wisconsin-Eau Claire
- March 1, 1999 "The Impact of Western Expansion on Wisconsin's Native Americans," Foreign Language Department Seminar on American Culture and Institutions for International Students, University of Wisconsin-Eau Claire
- February 23, 1999 "Ethnocide in the School House: Efforts to Destroy Wisconsin Indian Cultures through Government-Supported Education Programs," University Honors Program Seminar, University of Wisconsin-Eau Claire
- December 8, 1998 "The Federal Indian Relocation and Termination Policies as Themes in Native American Literature," Arts and Sciences Outreach Seminar on Ojibwe Literature, University of Wisconsin-Extension Educational Teleconference Network
- November 19, 1998 "Indians and Immigrants on the Wisconsin Frontier," Honors Seminar on German Immigration to Wisconsin, Foreign Languages Department, University of Wisconsin-Eau Claire
- November 10, 1998 "History of Native American Indian Education," Delta Kappa Gamma, Alpha Chi Chapter, Chippewa Falls, WI
- October 22, 1998 "The Legacy of U.S. Indian Policy," Oneida Nation History Conference, Norbert Hill Center, Oneida Nation Reservation, Oneida Nation of Wisconsin
- September 10, 1998 "The Ojibwe Treaties in Historical Perspective," Wiikondiwin ("Feasting Our Treaties") Conference, Madeline Island, WI, sponsored by the Great Lakes Indian Fish and Wildlife Commission, Odanah, WI, and the Kabapikotawangag Resource Council, Lake of the Woods, Canada.

- June 22, 1998 "Wisconsin Indians," Wisconsin Alliance Summer Institute for Teachers, University of Wisconsin-Eau Claire, Eau Claire, WI
- March 23, 1998 "Indian Cultures in Northwestern Wisconsin: Statehood and Survival," L. E. Phillips Memorial Public Library, Wisconsin Humanities Council, and the Wisconsin Sesquicentennial Commission, Eau Claire, WI
- March 14, 1998 "Wisconsin Indian Treaty Rights and Tribal Sovereignty in Historical Perspective," National Society of Colonial Dames XVII Century, Wisconsin State Society and Wisconsin Humanities Council, Milwaukee, WI
- August 9, 1997 "Rights, Privileges and Responsibilities, or, 'It is easier than any of us believes to live ten miles from Dachau!'," Commencement Address, University of Wisconsin-Eau Claire
- August 5, 1997 "Conversation with Larry Meiller," Wisconsin Public Radio, WHWC, 88.3 FM (hour live presentation and call-in program)
- June 16-19, 1997 Coordinator, American Indian Studies Summer Institute, Eau Claire, WI, Co-sponsored by Wisconsin Department of Public Instruction, Ho-Chunk Nation Department of Education, University of Wisconsin-Extension, University of Wisconsin-Eau Claire Assistance Center Consortium-Region VI (CC-VI); CC-VI Field office at United Tribes Technical College and Multicultural Information Center, University of Wisconsin System
- May 22, 1997 "Keynote Address: Wisconsin Indian Treaties and Tribal Sovereignty Today," 6th Annual State of Wisconsin Division of Vocational Rehabilitation Multi-Cultural Conference, Lac Courte Oreilles Ojibwa Community College, Hayward, WI
- May 20, 1997 "American Indian Studies," Great Lakes Inter-Tribal Council, Inc., Lac Courte Oreilles Ojibwa Community College, Hayward, WI
- May 13, 1997 "Indian Treaties and Land Claims in Historical Perspective," Geography Seminar, University of Wisconsin-Eau Claire
- April 30, 1997 "Indian Treaties and Tribal Sovereignty," Rod and Gun Club of the University of Wisconsin-Eau Claire, Sponsored by the Wisconsin Humanities Council, Eau Claire, WI
- April 10, 1997 "Indian Treaties and Tribal Sovereignty," International Right of Way Association, Wisconsin Chapter 17, Sponsored by the Wisconsin Humanities Council, Rice Lake, WI
- April 5, 1997 "Being Indian in Wisconsin," Friends of the Library, Tomah, WI, Co-sponsored by Wisconsin Humanities Council
- March 14, 1997 "Act 31 and the Teaching of American Indian History, Culture, and Tribal Sovereignty," Workshop on Race and Ethnicity in the Classroom, Co-sponsored by the Institute on Race and Ethnicity, University of Wisconsin System, the Wisconsin Department of Public Instruction, and the Wisconsin Council for the Social Studies, Madison, WI
- February 11, 1997 "Chippewa Treaties in Historical Perspective," History Seminar, University of Wisconsin Eau Claire, Eau Claire, WI
- January 29, 1997 "Teaching about the History, Culture, and Tribal Sovereignty of Federally Recognized Indian Tribes," School Improvement Institute, University of Wisconsin-Stout, Menominee, WI
- January 9, 1997 "Indian Treaties and Tribal Sovereignty in Historical Perspective for Middle School Educators," Middle School Principals Conference, CESA 11, Turtle Lake, WI
- December 12, 1996 Workshop on Indian Treaties and Tribal Sovereignty, Eau Claire, WI, Co-sponsored by Wisconsin Department of Public Instruction and University of Wisconsin-Extension

- December 3, 1996 Workshop on Indian Treaties and Tribal Sovereignty, Eau Claire, WI, Co-sponsored by Wisconsin Department of Public Instruction and University of Wisconsin-Extension
- October 30, 1996 Workshop on Indian Treaties and Tribal Sovereignty, Milwaukee, WI, Co-sponsored by Wisconsin Department of Public Instruction and University of Wisconsin-Extension
- October 29, 1996 Workshop on Indian Treaties and Tribal Sovereignty, Green Bay, WI, Co-sponsored by Wisconsin Department of Public Instruction and University of Wisconsin-Extension
- October 24, 1996 Workshop on Indian Treaties and Tribal Sovereignty, Wisconsin Education Association Council Statewide Teachers' Convention, Madison, WI
- October 7, 1996 "Being Indian in Wisconsin," Pepin County Historical Society, Durand, WI, Co-sponsored by Wisconsin Humanities Council
- August 1, 1996 "Being Indian in Wisconsin," The Patricia Nash Knode Memorial Lecture on Great Lakes History, Madeline Island Historical Museum, Co-sponsored by the State Historical Society of Wisconsin and the Wisconsin Humanities Council
- April 23, 1996 Workshop on Indian Treaties and Tribal Sovereignty, Eau Claire, WI, Co-sponsored by Wisconsin Department of Public Instruction and University of Wisconsin-Extension
- April 17, 1996 Workshop on Indian Treaties and Tribal Sovereignty, Green Bay, WI, Co-sponsored by Wisconsin Department of Public Instruction and University of Wisconsin-Extension
- April 16, 1996 Workshop on Indian Treaties and Tribal Sovereignty, Milwaukee, WI, Co-sponsored by Wisconsin Department of Public Instruction and University of Wisconsin-Extension
- March 21, 1996 "Indian Treaties and Tribal Sovereignty," Institute for Learning in Retirement, Menominee, WI Sponsored by the Wisconsin Humanities Council
- February 20, 1996 "Being Indian in Wisconsin: The Resilience of Wisconsin's Tribal Societies," Honors Program Seminar, University of Wisconsin-Eau Claire
- December 5, 1995 "The Reserved Treaty Rights of the Wisconsin Ojibwas," Lac Courte Oreilles Ojibwa Community College, Hayward, WI, So-sponsored by the Wisconsin Humanities Council
- November 9, 1995 Commentator, "White Southerners, Indian Removal, and Race: The Intersection of Policy and Ideology," Annual Meeting of the Southern Historical Association, New Orleans, LA
- November 2, 1995 "Strategies for Meeting the Requirements of Act 31: Wisconsin Indian History, Culture, and Treaty Rights," 1995 Wisconsin Department of Public Instruction Statewide Equity and Multicultural Conference, Milwaukee, WI
- September 8, 1995 "Chippewa -U.S. Relations," WI Chapter, American Association of University Women, First Baptist Church, Eau Claire, WI
- June 23, 1995 "Being Indian in Wisconsin," Co-sponsored by Washburn County Genealogical Society, Washburn County Historical Society, and the Wisconsin Humanities Council, Shell Lake, WI
- June 22, 1995 "Chippewa Treaty Rights," Co-sponsored by the Madeline Island Historical Museum, State Historical Society of Wisconsin, and the Wisconsin Humanities Council, La Pointe, WI
- May 6, 1995 "19th Century Indian Treaties and Twentieth Century Issues," Washburn County Genealogical Society and Historical Museum and the Wisconsin Humanities Council, Shell Lake, WI
- March 31, 1995 "Being Indian in Wisconsin," State Superintendent's Affirmative Action Advisory Committee Seminar on Cultural Diversity, Co-sponsored by Wisconsin

- Humanities Council and the Wisconsin Academy of Sciences, Arts and Letters,
Wisconsin Center for the Book, Madison, WI
- November 18, 1994 "Resources for Teachers about Wisconsin Native Americans, Past and Present,"
Diversity in Education Conference, South Central Wisconsin In-service
Consortium, Wisconsin Dells, WI
- November 17, 1994 "Wisconsin Indian Treaty Rights and Tribal Sovereignty in Historical Perspective,"
State Historical Museum of Wisconsin, Madison, WI
- November 8, 1994 "Strategies for Meeting the Requirements of Act 31: Chippewa Culture and Treaty
Rights," 1994 Wisconsin Department of Public Instruction Statewide Equity and
Multicultural Convention, Stevens Point, WI
- October 12, 1994 "Wisconsin Indian Treaty Rights—Whose Land is it?" Humanities Day, University
of Wisconsin, Barron County Center, Rice Lake, WI
- June 17, 1994 "Five Hundred Years of Ojibwa History and Culture," Lac Courte Oreilles Ojibwa
Community College, Hayward, WI
- April 26, 1994 "The Indians of Wisconsin," Wisconsin Humanities Council Speakers Bureau,
Barron Public Schools, Barron, WI
- April 21, 1994 "Chippewa Treaty Rights," Native American Awareness Week, Native American
Student Association, University of Wisconsin-Eau Claire
- April 14, 1994 "Faculty and Undergraduate Student Research Collaboration: Integrating Research
into Instruction," Eighth Annual National Conference on Undergraduate
Research, Kalamazoo, MI
- March 12, 1994 "Indian Treaties and Tribal Sovereignty in Historical Perspective," Wisconsin
Humanities Council Speakers Bureau, Boyceville Public Library, Boyceville, WI
- November 19, 1993 "Indian Nations within Wisconsin: Treaties and Tribal Sovereignty from Territorial
Days to the Present," 25th Anniversary Lecture Series on Cultural Diversity,
University of Wisconsin-Parkside in cooperation with the Wisconsin Humanities
Council, Kenosha, WI
- November 19, 1993 "Indian Treaty Rights in Wisconsin," half-hour live interview, Radio Station
WGTD, 91.1 FM, Kenosha, WI
- November 13, 1993 "Native American Culture in the K-12 Curriculum," Instruction and Professional
Development Conference, Coulee Region United Educators, LaCrosse, WI
- November 6, 1993 "Tribal Government and Tribal Sovereignty: The Legacies of the Treaty Era," Lac
Courte Oreilles Ojibwa Tribal Constitutional Revision Committee Forum, Co-
sponsored by the Wisconsin Humanities Council, a two and a half hour
presentation broadcast live over WOJB, 88.9 FM, Hayward, WI
- October 9, 1993 "Indian Treaties and Tribal Sovereignty in Wisconsin," Chippewa Valley Museum
Lecture Series on Ojibwa History, Eau Claire, WI
- September 30, 1993 "Indian Treaties and Tribal Sovereignty in Wisconsin," Menominee Tribal Library
Community Forum, Menominee Indian Tribe, Keshena, WI, Sponsored by the
Wisconsin Humanities Committee
- September 14, 1993 "The Continuing Struggle for Survival: Indians in the Twentieth Century America,"
Honors program Seminar, University of Wisconsin-Eau Claire
- September 1, 1993 "'In the Appearance of Impossibilities, There is Still Hope': Leaders of the Early
Cherokee Republic, Their Motivations, and Strategies for National Survival,"
Cherokee History Symposium, The Cherokee Nation, Tahlequah, OK
- August 5, 1993 "Integrating American Indian Issues into the K through 12 Curriculum," University
of Wisconsin-Madison School of Education Workshop, Lac du Flambeau
Chippewa Indian Reservation, WI
- April 30, 1993 "Teaching about Indian Treaties and Tribal Sovereignty in Grades 4-12," American
Indian Studies Workshop, Cooperative Educational Service Agency No. 6,
Oshkosh, WI

- April 20, 1993 "Chippewa Treaty Rights," American Indian Studies Program, Native American Awareness Week Seminar, University of Wisconsin-Eau Claire
- March 31, 1993 "The Nations Within: Indian Tribes in Wisconsin," Wisconsin Indianhead Federated Libraries Council, Eau Claire, WI
- March 25, 1993 "Wisconsin Indian Treaties and Tribal Sovereignty in Historical Perspective," Menominee Public Library and the Wisconsin Humanities Committee, Menominee, WI
- February 10, 1993 "Keynote Address: Teaching Wisconsin Indian Treaties and Tribal Sovereignty in Grades 4 through 12," Wisconsin Department of Public Instruction State Conference on American Indian Studies, Stevens Point, WI
- February 10, 1993 "Key Issues Relating to Indian Treaties and Tribal Sovereignty for High School Teachers," Preconference Workshop, Wisconsin Department of Public Instruction State Conference on American Indian Studies, Stevens Point, WI
- January 26, 1993 "The Chippewa Treaties: Legal and Moral Issues Confronting Wisconsin Today," Phi Delta Kappa and Wisconsin Humanities Committee, Rice Lake, WI
- November 9, 1992 "Wisconsin Indian Treaties and Tribal Sovereignty," 1992 State of Wisconsin Multicultural Youth Conference, Milwaukee, WI
- October 23, 1992 "Teaching Indian History: A Full Day Workshop for K-12 Teachers," Whitefish Bay Schools, Whitefish Bay, WI
- October 21, 1992 "Chippewa Treaty Rights in Historical Perspective," PLATO Institute, University of Wisconsin-Madison
- September 26, 1992 "After the Treaties: The Survival, Adaptation, and Rebirth of Wisconsin's Chippewa Indians," Minnetrista Council for Great Lakes Native American Studies Conference, Tulsa, OK
- September 17, 1992 "Reserved Rights of the Chippewas," Friends of the Library, Adams, WI and the Wisconsin Humanities Committee, Adams, WI
- September 8, 1992 "Chippewa Treaty Rights in Historical Perspective," American Association of University Women, Eau Claire, WI Chapter
- August 26, 1992 "The Role of the Graduate/Research Dean in Supporting Reform in General Education and the Redefinition of the Baccalaureate Degree," University Symposium, Office of Academic Affairs, University of Wisconsin-Eau Claire
- August 20, 1992 Keynote Address: "Wisconsin Indian Treaties and Tribal Sovereignty for K-12 Educators," Building Bridges Workshop II for Wisconsin School Superintendents and Principals, Co-sponsored by Honor Our Neighbors Origins and Rights, Inc., Wisconsin Indian Education Association, and the Wisconsin Department of Public Instruction, Wauwatosa, WI
- April 18, 1992 "Indian Treaties and Tribal Sovereignty; Implications for Today," Noon Exchange Club, Eau Claire, WI
- August 10, 1992 "Teaching About Wisconsin Indian Treaties and Tribal Sovereignty in Grades K-12," American Indian Language and Cultural Education Board of the Governor of Wisconsin, Lac du Flambeau Reservation, WI
- August 5, 1992 "Integrating Indian History, Cultural, and Tribal Sovereignty into the K-12 Curriculum," Wisconsin Education Association Council, Annual Leadership Conference, Ripon College, Ripon, WI
- May 20, 1992 "Respecting Indian Treaties and Understanding Tribal Sovereignty," Bayfield Parent Teachers Organization and the Wisconsin Humanities Committee, Bayfield, WI
- April 29, 1992 "Chippewa Treaty Rights," American Indian Studies Program Committee Speakers Series, University of Wisconsin-Eau Claire
- April 25, 1992 "Chippewa Treaty Rights in Historical Perspective," Keynote Speech, Awards Banquet, Annual Conference of the Wisconsin Academy of Sciences, Arts, and Letters, Eau Claire, WI

- April 11, 1992 "Chippewa Treaty Rights: An Historical Perspective for Educators," Keynote Address, Workshop on Teaching About Wisconsin Native Americans, Wisconsin Department of Public Instruction, and the University of Wisconsin-LaCrosse, West Salem, WI
- April 10, 1992 "Chippewa Treaty Rights Today," WNFL Talk Radio, Green Bay, WI (half-hour live interview)
- April 3, 1992 "Classroom Activities on Chippewa Treaty Rights for K-12 Teachers," Workshop on Implementing American Indian Education in the Elementary and Secondary Classrooms, Cooperative Educational Service Agency No. 6, Oshkosh, WI
- March 27, 1992 "Researching Chippewa Treaty Rights," Conference on Strategies for the Future, Wisconsin Educational Media Association, Eau Claire, WI
- March 25, 1992 "New Directions in Teaching about Indian Treaties, Tribal Sovereignty, and Treaty Rights," Kappa Chapter Sigma State, Delta Kappa Gamma, Chippewa Falls, WI
- March 7, 1992 Commentator, "Resurgence and Affirmation of Tribal Identity and Culture, WWII to the Present," Chippewa Valley Museum Lecture Series on Wisconsin Indians and the U.S. Government, Co-sponsored by the University of Wisconsin-Extension and the Wisconsin Humanities Committee, Eau Claire, WI
- February 22, 1992 Commentator, "Forced Acculturation: Reservations and Boarding Schools," Chippewa Valley Museum Lecture Series on Wisconsin Indians and the U.S. Government, Co-sponsored by the university of Wisconsin-Extension and the Wisconsin Humanities Committee, Eau Claire, WI
- February 18, 1992 "Teaching about Indian History and Treaty Rights to K-12 Students," Thorpe Public Schools, Thorpe, WI
- February 8, 1992 "Indian Treaties and Reserved Rights, 1789-1871," Chippewa Valley Museum Lecture Series on Wisconsin Indians and the U.S. Government, Co-sponsored by the University of Wisconsin-Extension and the Wisconsin Humanities Committee, Eau Claire, WI
- January 25, 1992 Commentator, "Wisconsin Indian Cultures," Chippewa Valley Museum Lecture Series on Wisconsin Indians and the U.S. Government, Co-sponsored by the University of Wisconsin-Extension and the Wisconsin Humanities Committee, Eau Claire, WI
- January 13, 1992 "Workshop on Chippewa Treaty Rights for K-12 Educators," Wisconsin Department of Public Instruction, 1992 State Conference on Strategies for Implementing American Indian Studies in Grades K-12, Stevens Point, WI
- January 13, 1992 "Classroom Activities on Chippewa Treaty Rights: The Authors' Perspective," Wisconsin Department of Public Instruction, 1992 State Conference on Strategies for Implementing American Indian Studies in Grades K-12, Stevens Point, WI
- December 7, 1991 "Teaching About Indian Sovereignty and Treaty Rights in Grades K-12," Paths to Understanding Workshop, Mount Senario College, Ladysmith, WI
- December 7, 1991 "State Wrongs and Indian Rights: Indian Off-Reservation Fishing, Hunting, and Gathering in Wisconsin, 1837-1991," Paths to Understanding Workshop, Mount Senario College, Ladysmith, WI
- November 26, 1991 "What K-12 Students Need to Know about Indian Treaties and Tribal Sovereignty," School District of Amery, WI
- November 20, 1991 "Indian Sovereignty and Treaty Rights," Wisconsin Indian Issues Workshop, Department of Curriculum and Instruction, University of Wisconsin-Eau Claire and the University of Wisconsin-Extension, Live hour and a half broadcast over the Wisconsin Educational Teleconference Network (ETN)
- November 13, 1991 "Some Problems in Teaching Indian Studies," Wisconsin Indian Issues Workshop, Department of Curriculum and Instruction, University of Wisconsin-Eau Claire

- and the University of Wisconsin-Extension, Live hour and a half broadcast over the Wisconsin Educational Teleconference Network (ETN)
- November 9, 1991 "‘Tell Those Gray Haired Men What They Should Know’: The Hayward Indian Congress of 1934," State Historical Society of Wisconsin and University of Wisconsin System American Indian History and Culture National Conference, Green Bay, WI
- October 4, 1991 "Chippewa Treaty Rights," National Native American News, Taped Live Telephone Interview
- September 26, 1991 "The State of Wisconsin’s Campaign to Restrict Chippewa Treaty Rights, 1983-1991: Constitutional and Moral Implications," Co-sponsored by the Douglas County Committee of Understanding and the University of Wisconsin-Superior American Indian Student Organization, Superior, WI (portions televised on Superior, WI and Duluth, MN network television stations)
- August 29, 1991 "Strategies for Promoting Cultural Diversity in the Curriculum," Shorewood School District, Shorewood, WI
- August 29, 1991 "How to Teach Chippewa Treaty Rights at the Elementary, Middle, and High School Levels," Shorewood School District, Shorewood, WI
- August 12, 1991 "Curriculum Writing on Indian History, Culture, and Tribal Sovereignty," Curriculum Planning and Development Committee, Eau Claire Area Schools, Eau Claire, WI
- August 8, 1991 Keynote Address: "Legal, Moral, and Pedagogical Reasons for Supporting the Implementation of the Chippewa Treaty Rights Curriculum in Your Schools," Building Bridges Workshop of Wisconsin School Superintendents and Principals, Co-sponsored by Honor Our Neighbors Origins and Rights, Inc., Wisconsin Cooperative Education Service Agencies 10 and 11, Wisconsin Indian Education Association, and the University of Wisconsin-Eau Claire Outreach Office, Eau Claire, WI
- July 9, 1991 "The Rights of Indians in Contemporary America," Summer Institute for Danish Teachers, University of Wisconsin –Eau Claire
- July 8, 1991 "The Evolution of the Chippewa Treaty Rights Controversy in Wisconsin," School of Education Summer Workshop for Educators, University of Wisconsin-Eau Claire
- July 5, 1991 "Teaching about Chippewa Treaty Rights in Grades K-12," American Indian History and Culture Advisory Committee, Wisconsin Department of Public Instruction, Green Bay, WI
- June 19, 1991 Panelist, Western Wisconsin Regional Public Hearing, White House Conference on the Status and Direction of Indian Education, Eau Claire, WI
- June 17, 1991 "Chippewa Treaty Rights After the Final Judgment in the Voigt Case," Nemakogan Chapter of Honor Our Neighbors and Rights (HONOR, Inc.), Spooner, WI
- June 17, 1991 "Teaching about Chippewa Treaty Rights in Grades K-12," American Indian Language and Culture Education Board of Wisconsin, Summer Meeting, Red Cliff Reservation, WI
- June 15, 1991 "Chippewa Treaty Rights in Historical Perspective," Alumni Weekend, University of Wisconsin-Eau Claire
- June 14, 1991 "Chippewa Treaty Rights," live broadcast, WOJR Radio, Eagle River, WI
- May 17, 1991 "American Indian Legislation and Treaty Rights in Wisconsin: jump Starting Your Curriculum," Compact for Educational Opportunity Educators Workshop, Milwaukee, WI
- May 17, 1991 "Designing a Teacher’s Guide on Chippewa Treaty Rights for Grades K-12,," Department of Public Instruction, American Indian History and Culture Program, Milwaukee, WI

- May 2, 1991 "Treaty Rights," Radio Station WEAQ, 790 AM, Eau Claire, WI (half-hour broadcast)
- April 27, 1991 "Chippewa Treaty Rights: The Reserved Rights of Wisconsin's Chippewa Indians in Historical Perspective," 1991 Annual Conference of the Wisconsin Academy of Sciences, Arts, and Letters, Superior, WI
- April 20, 1991 "Chippewa Reserved Treaty Rights," Eau Claire Education Pow-Wow, School of Education, University of Wisconsin-Eau Claire
- April 19, 1991 "Tension at the Boat Landings," Wisconsin Week, Channels 28/31, WHWC-TV, Statewide Live PBS Broadcast, Menomonie, WI
- April 16, 1991 "Chippewa Spearfishing: The Historical, Legal, and Moral Implications of Chippewa Reserved Treaty Rights," Mortar Board, Kappa Delta Phi, and Phi Kappa Phi Honor Societies, Honors Week Program, University of Wisconsin-Eau Claire
- April 12, 1991 "Indian Treaties and Natural Resources," Workshop on Wisconsin Indian History, Culture, and Sovereignty for K-12 Educators, Co-sponsored by Wisconsin Cooperative Education Service Agency 10, the University of Wisconsin-Eau Claire Outreach Office, and the University of Wisconsin-Extension Office, Eau Claire, WI
- April 9, 1991 "The Ojibwa People of Wisconsin," Chippewa Valley Archaeological Society, Eau Claire, WI
- April 9, 1991 "The Spearfishing Controversy," Channel 13, WEAU TV, Eau Claire, WI (live interview)
- April 8, 1991 "Preparing Wisconsin Teachers to Teach About American Indian History, Culture and Treaty Rights: What Needs to be Done and How it Can be Accomplished," Testimony before the American Indian Language and Culture Education Board of the Governor of the State of Wisconsin, Eau Claire, WI (taped for rebroadcast by radio stations)
- April 7, 1991 "The Indians of the Chippewa Valley Region," Chippewa Valley Archaeological Society, Eau Claire, WI
- April 3, 1991 "Chippewa Spear Fishing Rights," Live Interview, Channel 13, WEAU TV Eau Claire, WI
- April 3, 1991 "Indian Treaty Rights Today," Student Affairs Employees Professional Development Program, University of Wisconsin-Eau Claire
- March 26, 1991 "The Chippewa Treaty Rights Controversy in Wisconsin: Origins, Issues, and Prospects," Eau Claire Area League of Women Voters, Eau Claire, WI
- March 21, 1991 "The Reserved Rights of Wisconsin's Chippewa Indians," Chippewa Valley Museum Forum, Eau Claire, WI
- March 21, 1991 "The Chippewa Treaties," Channel 13, WKBT News, Cable Television, Eau Claire, WI (live interview)
- March 19, 1991 "Indian Treaty Rights," Radio Station WOJB, 88.9 FM, Hayward, WI (Half-hour live interview)
- March 14, 1991 "Fact versus Fiction: Indian Treaty Rights and the Management of Natural Resources in Northern Wisconsin," Eau Claire-Seymour Lions Club, Eau Claire, WI
- March 8-9, 1991 "The impact of Federal and State Indian Policies on the Indians of Wisconsin," Wisconsin Department of Public Instruction American Indian History, Culture, and Tribal Sovereignty Conference for Educators, Wausau, WI
- February 12, 1991 "Designing a Chippewa Treaty Rights Curriculum," Wisconsin Public Radio, 88.3 FM, Eau Claire, WI (live interview via a telephone hookup from a Wisconsin Department of Public Instruction Committee Meeting in Madison)

- January 25, 1991 "A Look at the Indians in Wisconsin's Past, Present, and Future," In-Service Program for North High School Teachers, Eau Claire, WI
- January 9, 1991 "Organizing for the Design and Development of a Chippewa Treaty Rights Curriculum for Grades K-12," Testimony before Wisconsin Cooperative Educational Service Agency10 Curriculum Coordinators, Eau Claire, WI
- December 14, 1990 "Chippewa Treaty Rights," WEAQ, 790 AM, Eau Claire, WI
- December 3, 1990 "Socio-Economic Factors in the Chippewa Treaty Rights Controversy," Department of Sociology Lecture, University of Wisconsin-Eau Claire
- December 1, 1990 "What Wisconsin Teachers Need to Know about Indian Treaties," Wisconsin Education Association Minority Affairs Leadership Conference, Racine, WI
- November 30, 1990 "Treaty Rights," Golden Kiwanis, Eau Claire, WI
- October 4, 1990 "Treaty Rights and Mineral Rights in Northern Wisconsin," American Society of Civil Engineers, Eau Claire, WI
- September 27, 1990 "Teaching About Indian Treaties and Treaty Rights," Arrowhead League of Schools, Eau Claire, WI
- September 27, 1990 "Treaty Rights of the Lake Superior Chippewa Indians in Historical Perspective," Arrowhead League of Schools, Eau Claire, WI
- August 29, 1990 Group Facilitator, "Enhancing the Research Environment," Symposium on Ensuring Creative Academic Community in the 1990's, Office of Academic Affairs, University of Wisconsin-Eau Claire
- June 16, 1990 "Wisconsin's Indian Peoples and Their Treaty Rights," Alumni Weekend, University of Wisconsin-Eau Claire
- June 1, 1990 "More than 'Idle Pageantry': Chippewa Treaty Rights in Wisconsin," Annual Assembly, Northwest Synod of Wisconsin, Evangelical Lutheran Church in America, Menomonie, WI
- May 4, 1990 "Enhancing the Learning Environment at the University of Wisconsin-Eau Claire through Faculty Development," University of Wisconsin System Undergraduate Teaching Improvement Faculty Development Day Workshop, University of Wisconsin-Madison
- May 2, 1990 "Racism in the North: The White Backlash to Chippewa Spearfishing," WEAQ, 790 AM, Eau Claire, WI (half-hour broadcast)
- April 24, 1990 "Federal Indian Policy: Rhetoric Versus Reality," University Honors Program Invited Lecture, University of Wisconsin-Eau Claire
- April 19, 1990 "Historical Background to the Racial Tensions in Northern Wisconsin," Ecumenical Religious Center, Eau Claire, WI
- April 12, 1990 "The Role of the Media in the Clash Over Treaty Rights in Northern Wisconsin," Department of Journalism Lecture, University of Wisconsin-Eau Claire
- April 3, 1990 "Chippewa Treaty Rights in Historical Perspective," Public Access Television, Channel 8, Eau Claire, WI (two-hour broadcast)
- March 4, 1990 "The Nation Within: Chippewa Indian Sovereignty and Treaty Rights in Wisconsin," First Congregational United Church of Christ, Eau Claire, WI
- February 11, 1990 "Chippewa Treaty Rights in Historical Perspective," Osseo Evangelical Lutheran Church, Osseo, WI
- January 21, 1990 "Treaty Rights," Radio Station, WEAQ, 790 AM, Eau Claire, WI (half-hour broadcast)
- January 12, 1990 "Chippewa Treaty Rights and the Management of Wisconsin's National Resources, 1837-1990," Public Affairs Council of Eau Claire County, WI
- December 7, 1989 "The Significance of the 'Timber Treaty' of 1837 and the 'Copper Treaty' of 1842 to Indian-White Relations in Contemporary Wisconsin," Wisconsin Society of Professional Engineers, Eau Claire, WI

- November 27, 1989 "The Research Administrator's Responsibilities for Regulatory Compliance in R & D Grants and Contracts," Pre-Conference Workshop for Graduate Deans, 29th Annual Meeting of the Council of Graduate Schools, Washington, DC
- November 20, 1989 "Wisconsin's Indian Peoples and Indian Treaty Rights," In-Service Institute for K-12 Teachers, Menomonie Public Schools, Menomonie, WI
- November 16, 1989 "The Relevance of Nineteenth Century Chippewa Land Cessions to Twentieth Century Indian-White Relations," Wisconsin Society of Real Estate Appraisers, Chippewa Falls, WI
- November 9, 1989 "Press Coverage of Chippewa Treaty Rights: An Historical Perspective," Western Wisconsin Press Club, Eau Claire, WI
- October 5, 1989 "Promoting Cultural Diversity at the University of Wisconsin-Eau Claire," University of Wisconsin System Board of Regents
- October 3, 1989 "Chippewa Treaty Rights: Practical Applications of Historical Research on Nineteenth Century History," University of Wisconsin-Eau Claire/University of Wisconsin-Stout Sigma Xi Club
- May 20, 1989 "Social Responsibilities and the Quest for the American Dream," Commencement Address, University of Wisconsin-Eau Claire
- April 29, 1989 "Chippewa Treaty Rights: Myth and Reality," Radio Station, WOJB, 88.9 FM, Hayward, WI (two-hour live presentation and call-in program)
- March 13, 1989 "Three Centuries of Indian-White Contact," Social Work Seminar, University of Wisconsin-Eau Claire
- March 6, 1989 "Research Involving Human Subjects: Some Tips for Educators," Library and Media Education Seminar, School of Education, University of Wisconsin-Eau Claire
- February 24, 1989 "Federal Indian Policy in Wisconsin," Hayward Public Schools In-Service Program on Teaching in a Cultural Setting, Hayward, WI
- December 12, 1988 "Promoting Faculty and Undergraduate Research Collaboration," Research/Numeric Database Workshop, University of Wisconsin-Stout and the University of Wisconsin System Undergraduate Teaching Improvement Program
- November 28, 1988 "The Graduate Dean's Responsibilities in Research Administration and in Fostering Research," Annual Pre-Meeting Workshop, 28th Annual Meeting of the Council of Graduate Schools, Colorado Springs, CO
- October 14, 1988 "Federal Indian Policy and Internal Conflict as Factors in Removal," Cherokee Studies Conference, Western Carolina University, Cullowhee, NC
- October 11, 1988 "The Indians of Wisconsin," St. Olaf School, Eau Claire, WI
- October 10, 1988 "The Cherokee Removal," Graduate History Research Forum, Department of History, University of Wisconsin-Eau Claire
- October 8, 1988 "The Cherokee Trail of Tears: A Sesquicentennial Perspective," Georgia Historical Society, Chattsworth, GA
- October 3, 1988 Panelist, "Curriculum Issues: Teaching in Grades K-12 About the Indians of Wisconsin," Wisconsin Indian Education Conference
- June 22, 1988 "American Indians and the High School Curriculum," Foundations of Education Seminar, University of Wisconsin-Eau Claire
- May 18, 1988 "Chippewa Treaty Rights," Lions Club, Eau Claire, WI
- May 12, 1988 Moderator, Panel on the History of Indians in the State of Wisconsin, University of Wisconsin System Conference on American Indians in Wisconsin, Green Bay, WI
- May 4, 1988 "Indians as Ecologists," Chippewa Valley Sierra Club, Eau Claire, WI
- April 23, 1988 "Indians and Historians," Phi Alpha Theta Honors Day Assembly, University of Wisconsin-Eau Claire
- March 17, 1988 "Assessment," Technical Instructor Institute, University of Wisconsin-Extension, Eau Claire, WI

- February 18, 1988 "Indian History and Indian Treaty Rights," Presentation to Wisconsin History Classes, Memorial High School, Eau Claire, WI
- November 1, 1987 "Indian Treaties" Background and Prospects in Northern Wisconsin," Unitarian-Universalist Fellowship, Eau Claire, WI
- August 25, 1987 Moderator, "Trends in Research and Information Technology," Information Technology Symposium, Office of Academic Affairs, University of Wisconsin-Eau Claire
- July 12, 1987 "Promoting Research and Faculty Development at Masters-Only Universities," Council of Graduate Schools in the U.S., Summer Workshop for Graduate Deans, Madison, WI
- July 1, 1987 Convener, "The Need for College Community Security Standards," 16th National Assembly of the American Association of University Administrators, Toronto, Canada
- May 15, 1987 "The United States Constitution and the Cherokees, 1787-1987," Conference on the Cherokee Indians, Dalton Junior College and the Georgia Endowment for the Humanities, Dalton, GA
- May 14, 1987 "Constitutional and Legal Aspects of Cherokee Removal," Conference on the Cherokee Indians, Kennesaw College and the Georgia Endowment for the Humanities, Marietta, GA
- April 8, 1987 Moderator, "Taking Teaching Seriously: Major Issues in Undergraduate Education," Faculty Forum, University of Wisconsin-Eau Claire
- March 26, 1987 "Assessment and Instructional Strategies," Technical Instructor Institute, University of Wisconsin-Extension, Eau Claire, WI
- November 7, 1986 "Indian Religious Beliefs Before White Contact," Temple Shalom Synagogue, Eau Claire, WI
- November 4, 1986 "The Promotion of Research and Faculty Development: Barriers, Incentives, Strategies and Outcomes," 28th Annual Meeting of the National Council of University Research Administrators, Washington, DC
- October 17, 1986 "Research and Faculty Development Programs at Small State Universities," Graduate School Staff Workshop, University of Wisconsin-Whitewater
- October 2, 1986 "The Acculturation of New Faculty," 20th Anniversary Conference of the Williams Midwest Region of the National Association of Academic Affairs Administrators, Minneapolis, MN
- April 5, 1986 "Rhetoric Versus Reality: The Indian Policy of Andrew Jackson," Cherokee Removal Conference, Western Carolina University, Cullowee, NC and the Museum of the Cherokee Indian, Cherokee, NC
- September 11, 1986 "Incorporating Indian Topics into the History and Government Curricula of Wisconsin's Public Schools," American Indian Language and Culture Education Board of Wisconsin, Fall Meeting, Madison, WI
- June 17, 1985 "Investing in Our Faculty: Faculty Exchange and Faculty Vitality," Council of Independent Colleges Faculty Regional Institute on Dignity and Meaning in the Teaching Profession, St. Paul, MN
- March 29, 1985 "The Cherokee Spiritual System," Seminar on American Indian Philosophy and Religion, Mount Senario College, Ladysmith, WI
- March 20, 1985 "Graduate School Opportunities in Special Education," Seminar on Professional Practices in Special Education, Department of Special Education, University of Wisconsin-Eau Claire
- February 15, 1985 "Educational Opportunities for Native Americans From High School to Graduate and Professional Schools," Great Lakes Inter-Tribal Council (Ojibway, Oneida, Potawatomi, Stockbridge-Munsee and Winnebago), Regional Tribal Assembly, Eau Claire, WI

- January 31, 1985 "The Recommendations of the Lac Courte Oreilles Lake Superior Ojibway Ad-Hoc Commission on Racism," WEAU TV Channel 13, Eau Claire, WI (ten minute live interview)
- January 31, 1985 "The Status of American Indians in Wisconsin Today," Ecumenical Religious Center, Eau Claire, WI
- January 14, 1985 "Correcting the Textbooks: Stereotypes of American Indians in Wisconsin History Textbooks," American Indian Language and Culture Education Board of Wisconsin, Winter Meeting, Eau Claire, WI
- October 3, 1984 "Educational Opportunities for Native Americans," Radio Station WOJB, 88.9 FM, Hayward, WI (half-hour live interview)
- June 8, 1984 "Jews and Judaism in Twentieth Century America," Human Relations Seminar, Department of Foundations of Education, University of Wisconsin-Eau Claire
- June 6, 1984 "Recent Trends in Graduate Education," Thirteenth Annual Conference on Current Trends and Practices in Teaching Reading," Department of Elementary Education, University of Wisconsin-Eau Claire
- March 28, 1984 "Graduate Education Today," Second Annual Symposium, Phi Delta Kappa International, University of Wisconsin-Eau Claire
- March 22, 1984 "Planning, Questioning, and Evaluating," Technical Instructor Institute, University of Wisconsin-Extension, Eau Claire, WI
- February 23, 1984 "Survival Tactics in Graduate School: Tips for Foreign Students," Center for International Education, University of Wisconsin-Eau Claire
- February 20, 1984 "Financing Graduate Study," Department of Special Education Seminar, University of Wisconsin-Eau Claire
- February 7, 1984 "Graduate Programs in Special Education," Teacher Consultation Workshop, Department of Special Education, University of Wisconsin-Eau Claire
- January 12, 1984 "American Indian Policy in the Old Northwest," Community Regional Studies Discussion Group, University of Wisconsin-Eau Claire
- January 17, 1984 "Special Needs of Masters-Only Universities," Budget Hearings, University of Wisconsin-System Administration, Madison, WI
- October 25, 1983 "The Cherokee Belief System," Department of Philosophy and Religious Studies Seminar, University of Wisconsin-Eau Claire
- April 24, 1983 "Cherokee Spirituality, Protestant Evangelism, and the Trail of Tears," Cherokee Studies Conference, Western Carolina University, Cullowee, NC
- March 26, 1983 "Cherokees in Transition: From Traditionalism to Protestant Evangelism," West Tennessee Library Association, Union University, Jackson, TN
- March 24, 1983 "The Indians of Early America," Seminar for Ninth Grade Enrichment Studies, Sharon High School, Sharon, TN
- March 7, 1983 "The Female Wage Labor Force Before the Civil War," The Professional Secretaries Club, The University of Tennessee at Martin
- February 23, 1983 "Indian-Black Relations in the Antebellum South," History Department Seminar, Lane College, Jackson, TN
- February 22, 1983 "Indian Policy From Washington to Reagan," Office of International Programs Seminar for Japanese Students, The University of Tennessee at Martin
- February 6, 1983 "The Cherokee Belief System," High School Fellowship, Trinity Presbyterian Church, Martin, TN
- January 17, 1983 "Cherokee Spirituality Under Attack: The Protestant Crusade to 'Civilize' the Cherokees," Obion County Historical Society, Union City, TN
- November 4, 1982 "Andrew Jackson and the Removal of the Five Civilized Tribes," History Department Seminar for High School Scholars, Memphis State University, Memphis, TN

November 4, 1982	"Federal Relations with Southern Indians After Removal: The Mississippi Choctaws, 1833-1919," 48 th Annual Meeting of the Southern Historical Association, Memphis, TN
September 20, 1982	"The Cherokee Belief System," Obion County Historical Society, Union City, TN
September 16, 1982	"Uprooted Tennesseans: The Removal of the Cherokee Indians," Lions Club, Martin, TN
September 16, 1982	"Tennessee's Indian Peoples," School of Humanities Lecture, Union University, Jackson, TN
September 16, 1982	"Indian-Black Relations in the South," School of Humanities Lecture, Union University, Jackson, TN
August 17, 1982	"Teaching about Native Americans," In-Service Workshop for Grades 7-12 Social Studies Teachers, Weakley County Public School System, Weakley County, TN
July 27, 1982	"American Indian Policy, 1789-1982," International Programs Seminar for Foreign Students, The University of Tennessee at Martin
June 15, 1982	"Tennessee's Indian Peoples: From White Contact to Removal," Tennessee's Institute for Excellence, Governor's Summer Program for Tennessee High School Honor Students, The University of Tennessee at Martin
June 14, 1982	"Tennessee's Indian Peoples: Their Origins, Culture, and Early History," Tennessee's Institute for Excellence, Governor's Summer Program for Tennessee High School Honor Students, The University of Tennessee at Martin
May 5, 1982	"Andrew Jackson and the Presidency," WLJT TV, Channel 11, Lexington, TN (half-hour interview)
April 29, 1982	"Indian-White Relations in Historical Perspective," International Programs Seminar for Foreign Students, The University of Tennessee at Martin
April 22, 1982	"Native Culture and Society in Early Tennessee," Rotary Club, Paris, TN
March 18, 1982	"Indians and Missionaries: Culture Conflict on the Tennessee Frontier," 50 th Anniversary Meeting of the Tennessee State Assembly of the Daughters of the American Colonists, Martin, TN
February 24, 1982	"Graduate Education: Prospects and Opportunities in the 1980's," School of Agriculture Symposium, The University of Tennessee at Martin
February 12, 1982	"The Religious Beliefs and Ceremonies of Tennessee's Indian Peoples," The Jewish Center, Union City, TN
February 11, 1982	"The Trail of Tears," Assembly of American History Classes, Gibson County High School, Trenton, TN
January 31, 1982	"Native North American Spirituality of the Eastern Wood-lands," Presbyterian Youth Fellowship, Trinity Presbyterian Church, Martin, TN
January 7, 1982	"The Removal of the Southern Indians," Department of History Seminar on Frontier History: The Atlantic to the Mississippi, The University of Tennessee at Martin
November 20, 1981	"The Indians of Early America and The First Thanksgiving," Assembly of Kindergarten and First Grade Student, Martin Primary School, Martin, TN
November 5, 1981	"The Ideology of Nineteenth Century Feminism," Department of History Seminar on History of Women, The University of Tennessee at Martin
October 27, 1981	"Historical Research Methodology," School of Home Economics Graduate Research Seminar, The University of Tennessee at Martin
October 1, 1981	"Indian Lifestyles," Museum and Archives Indian Culture Program for Eighth Grade Social Studies Students, The University of Tennessee at Martin
September 10, 1981	"The Cherokee Indians; Their Culture and History," Assembly of Fourth Grade Social Studies Classes, Martin Elementary School, Martin, TN
April 11, 1981	"Native Americans in American History: In-Service Workshop for Grades 7-12 Social Studies Teachers," Weakley County Public School System, Weakley County, TN

- April 12, 1981 "Tennessee's Indian Peoples," Friends of the Library, Martin Public Library, Martin, TN
- February 9, 1981 "Federal Indian Policy," Seminar on the Gilded Age and the Progressive Era, 1877-1917, Freed-Hardeman College, Henderson, TN
- January 29, 1981 "Family History," Local History Seminar, Department of History, University of Tennessee at Martin
- November 17, 1980 "The American Indians," Assembly of Third Grade Social Studies Classes, Martin Elementary School, Martin, TN
- October 29, 1980 "Tips for Grant Writers," In-Service Workshop for Department of Physical Education and Health, University of Tennessee at Martin
- October 16, 1980 Chairman, "Nineteenth Century Indian-White Relations," Annual Meeting of the Western History Association, Kansas City, MO
- October 7, 1980 Moderator, "The Reemergence of the Mississippi Band of Choctaws," 1980 Chancellor's Symposium on Southern History: The Indian Experience in the Southeast, An Examination of the Impact of Public Policy on the History, Culture, and Heritage of Native Americans of the Southeast, The University of Mississippi
- October 6, 1980 Chairman, "The Formulation and Implementation of Indian Policy in the Nineteenth Century," 1980 Chancellor's Symposium on Southern History: The Indian Experience in the Southeast, An Examination of the Impact of Public Policy on the History, Culture and Heritage of Native Americans of the Southeast, The University of Mississippi
- May 31, 1980 "The Jackson Purchase Treaty of 1818 in Historical Perspective," Jackson Purchase Historical Society, Mayfield, KY
- May 9, 1980 "Cherokee Religious Beliefs," Jewish Center, Union City, TN
- April 9, 1980 Commentator, "Conflicting Themes in the Cherokee Concept of Citizenship," Seventy-Second Annual Meeting of the Organization of American Historians, San Francisco, CA
- March 6, 1980 "The American Indians in Historical Perspective," Spring Study in America 1980, Special Program for Japanese Students, International Programs, The University of Tennessee at Martin
- February 29, 1980 "Rhetoric Versus Reality: The Indian Removal Policy of Andrew Jackson," Sesquicentennial Symposium on the American Indian and the Jacksonian Era: The Impact of Removal, Middle Tennessee State University, Murfreesboro, TN
- February 22, 1980 "Native American Religion in Tennessee," Jewish Center, Union City, TN
- February 12, 1980 "Tennessee's Indian Peoples," Faculty Women's Club, The University of Tennessee at Martin
- January 15, 1980 "The Protection of Human Subjects in Research," Home Economics Research Seminar, The University of Tennessee at Martin
- January 14, 1980 "American Ethnic Groups in Perspective," School of Education Seminar in Teaching Social Studies in Grades 7-12, The University of Tennessee at Martin
- January 9, 1980 "Acculturation under Duress: 'Educating' the Indian," School of Education Graduate History of Education Seminar, The University of Tennessee at Martin
- November 19, 1979 "Your Family in History," Weakley County Genealogical Society, Martin, TN
- October 12, 1979 "The Prehistoric and Historic Indians of Henry County," Teacher Corps Colloquium for Seventh Grade History, Paris, TN
- October 3, 1979 "Sequoyah: The Cherokee Cadmus," Fine Arts Club, Martin, TN
- May 8, 1979 "Tennessee's Indian Tragedy," Kiwanis Club, Paris, TN
- May 1, 1979 "The Chickasaw Indians of West Tennessee and Kentucky," Kiwanis Club, Dyersburg, TN
- April 7, 1979 "The Indian Policy of Andrew Jackson," Phi Alpha Theta Regional Conference, Saint Olaf College, Northfield, MN

March 6, 1979	"The American Indian," Spring Study in America '79, Special Program for Japanese Students, International Programs, The University of Tennessee at Martin
February 16, 1979	"Jewish Contributions to American Life," Jewish Center, Union City, TN
January 15, 1979	"The Indian Heritage of West Tennessee," Obion County Historical Society, Union City, TN
November 11, 1978	"Remini's Jackson: Jackson and the Indians," Southern Historical Association, St. Louis, MO
November 1, 1978	"Andrew Jackson and the Trail of Tears," Fine Arts Club, Martin, TN
October 12, 1978	Commentator, "Indian Traders on the Middle Border," Western History Association, Hot Springs, AR
September 30, 1978	"Ethnic History Through Cartoons, 1850-1920," Fourth Annual History Teachers' Seminar and Social Studies Update, The University of Tennessee at Martin
September 28, 1978	"The Chickasaws: Spartans of the South," Sharon Civic Club, Sharon, TN
September 13, 1978	"Native American Militancy," Contemporary Issues Class, Dresden High School, Dresden, TN
September 9, 1978	"The Indians of West Tennessee," Isaac Dawson Chapter of the Daughters of the American Revolution, Martin, TN
August 11, 1978	"Tennessee's Indians," Kiwanis Club, Martin, TN
July 21, 1978	"The Indians of the Tennessee Region," Rotary Club, Union City, TN
July 18, 1978	"The Indian Heritage of West Tennessee," Rotary Club, Dresden, TN
April 26, 1978	"Women in Nineteenth Century America: The Cult of True Womanhood," Women in History Seminar, The University of Tennessee at Martin
April 26, 1978	"Tennessee's Indian Tragedy," Senior Citizens Association, Obion County, TN
March 28, 1978	"Andrew Jackson and the Removal of the Five Civilized Tribes," Kiwanis Club, Mayfield, KY
March 9, 1978	"The Cherokee Indians," International Programs Institute for Japanese Students, The University of Tennessee at Martin
February 20, 1978	Moderator, "Research and Its Influence Upon Graduate and Professional Education," Conference of Southern Graduate Schools, San Antonio, TX
February 7, 1978	"Andrew Jackson and Indian Removal," Rotary Club, Fulton, KY
February 4, 1978	"Ethnic History: Some Lesson Plan Models for Teaching American Indian History," Third Annual History Teachers' Seminar, The University of Tennessee at Martin
February 3, 1978	"Indian Religious Beliefs," The Jewish Center, Union City, TN
January 3, 1978	"Tennessee's Indian Tragedy," The Pilot Club, Dresden, TN
November 5, 1977	"Indian History in the Colonial Era on the Western Rivers," Tennessee Valley Authority Between the Rivers History Weekend, Paris Landing State Park, Paris, TN
October 22, 1977	Panelist, "Getting Our Idea Funded," Western Kentucky Research and Development Conference, Bowling Green, KY
October 21, 1977	Panelist, "The Potential of the Regional University in Conducting Research or Other Funded Projects," Western Kentucky Research and Development Conference, Bowling Green, KY
March 7, 1977	"American Indians in the Colonial and Revolutionary Eras," Daughters of the American Revolution, Martin, TN
February 5, 1977	"Teaching the History of Minorities: Issues and Problems," Second Annual History Teachers Seminar, The University of Tennessee at Martin
January 18, 1977	"Research and Grant Opportunities at a Small State University," Sigma Xi Lecture Series, The University of Tennessee at Martin
November 10, 1976	"The Indians of East Tennessee in Historical Perspective," Tennessee History Seminar, The University of Tennessee at Martin

October 5, 1976	"The Indians of Northwest Tennessee," Daughters of the American Colonists, Union City, TN
September 20, 1976	"Inquiry Methods for Ethnic Studies," In-Service Institute for West Tennessee Teachers, School of Education, The University of Tennessee at Martin
August 14, 1976	"Black-Americans and the Revolution," Black Homecoming, Martin, TN
August 9-12, 1976	"The American People: Ethnic Diversity in the USA," Institute for Japanese Students, The University of Tennessee at Martin
May 26, 1976	"Andrew Jackson: Hero or Villain?" Kiwanis Club, Martin, TN
May 20, 1976	"Contributions of Little Known Americans in the Revolutionary Era," Obion County-Union City Teachers Association
April 29, 1976	"Indians in the Antebellum South," Rotary Club, Martin, TN
April 29, 1976	"The Southern Indians in the American Revolution," American Bicentennial History Lecture Series, The University of Tennessee at Martin
March 23, 1976	"Andrew Jackson and American Indian Policy," Open Forum, The University of Tennessee at Martin
March 12, 1976	Chairman, "Session on Jacksonian America," Missouri Valley History Conference, Omaha, NE
February 21, 1976	"The Patriot Chiefs: American Indian Leaders," First Annual History Teachers Seminar, The University of Tennessee at Martin
November 22, 1975	"The Chickasaws in Tennessee," Betwixt the Rivers History Weekend, Environmental Education Sections, Tennessee Valley Authority, Land Between the Lakes, Goldon Pond, KY
September 23, 1975	"Andrew Jackson and Indian Removal," Carroll County Historical Society, McKenzie, TN
June 26, 1975	"Nationalism, Romanticism, and 'Civilizing' the American Indians," School of Education Graduate Colloquium, The University of Tennessee at Martin
May 8, 1975	Respondent to Professor Roland E. Duncan's paper on "modernization in Peru," Fourth Annual History Round-table, The University of Tennessee at Martin
May 3, 1975	"Minorities of the River," Rivers Workshop: Crafts and Culture, Land Between the Lakes and the University of Tennessee at Martin
April 30, 1975	"Indian Policy in the Jacksonian Era: The Old Northwest as a Test Case," Great Lakes Historical Conference, Grand Rapids, MI
February 11, 1975	"Black Politics in America: From Accommodation to Black Power," Black History Colloquium, The University of Tennessee at Martin
December 7, 1994	"The Indians of West Tennessee: Past and Present," West Tennessee Historical Society Conference
November 5, 1974	"Indians and Other Minorities in Tennessee," History Department Lecture Series, The University of Tennessee at Knoxville
May 22, 1974	"The Distorted Image: Stereotypes of American Ethnic Groups in High School Textbooks," School of Education Seminar, The University of Tennessee at Martin
May 15, 1974	"Indian Acculturation," Sociology Seminar, The University of Tennessee at Martin
March 30, 1974	"Andrew Jackson, Indian Removal, and American Writers," West Tennessee Library Association Annual Meeting
October 18, 1973	"Indians of West Tennessee," Women's Seminar Series, University Center, The University of Tennessee at Martin
October 9, 1973	"Native American Family Systems," Interdisciplinary Honors Studies Program, The University of Tennessee at Martin
May 14-17, 1973	Coordinator and Moderator, History Roundtable "American Indians," The University of Tennessee at Martin
January 25, 1973	"Race in American History," Pacer Special Projects Program, The University of Tennessee at Martin

October 17, 1972	"Proposals for Political Reform," Political Science Roundtable, The University of Tennessee at Martin
October 16, 1972	"Police and Minority Groups: A National Perspective," Law Enforcement-Community Relations Program, The University of Tennessee at Martin
August 22, 1972	"Teaching About Minority Groups in the Secondary School," West Tennessee In-Service Training Conference for Nine Counties
August 17, 1972	"American Indians Today: Reservations Life," Lions International, Martin, TN
May 15, 1972	"Civil War Revisionism," Civil War Roundtable, The University of Tennessee at Martin
February 1, 1972	"The Search for Indian-American Identity," Pacer Special Projects Program, The University of Tennessee at Martin
April 15, 1971	"Current Trends in American Ethnic History," Liberal Arts Colloquium, The University of Tennessee at Martin

WORKSHOPS AND SPECIAL PROGRAMS ATTENDED:

September 17, 2003	Synergy 2003: Conference on Positioning for Economic Growth, University of Wisconsin-Stout, Menominee, WI
August 21, 2002	Forum on Enhancing Student Learning (John N. Gardner, Executive Director, Policy Center on the First Year of College), University of Wisconsin-Eau Claire
August 1, 2002	Pre-Conference Workshop on The First Year Experience (John N. Gardner, Executive Director, Policy Center on the First Year of College), AASCU Academic Affairs Summer Conference, Monterey, CA
August 2, 2002	Workshop on the Art and Practice of Developing Deans as Leaders, AASCU Academic Affairs Summer Conference, Monterey, CA
August 2, 2002	The Challenge to Leadership in Our Time (Leon E. Panetta, Former White House Chief of Staff and Director, of the Panetta Institute), AASCU Academic Affairs Summer Conference, Monterey, CA
November 26-27, 2001	Wisconsin Economic Summit II, University of Wisconsin System, Milwaukee, WI
November 7, 2001	Women Exploring the Terrain of Leadership: Mentoring and Beyond, Wisconsin Women in Higher Education, University of Wisconsin-Eau Claire
August 21, 2001	Forum on the Liberal Arts (Dr. Irena Makarushka, Fellow, American Association of Colleges and Universities), University of Wisconsin-Eau Claire
August 4, 2001	Workshop on Development and Fund Raising Chief Academic Officers, American Association of State Colleges and Universities, Otter Rock, Oregon
August 4, 2001	Workshop on Critical Issues in Teacher Education for Chief Academic Officers, American Association of State Colleges and Universities, Otter Rock, Oregon
August 3, 2001	Workshop on Legal Issues for Chief Academic Officers, American Association of State Colleges and Universities, Otter Rock, Oregon
August 2, 2001	Workshop on Technology and Teaching for Chief Academic Officers, American Association of State Colleges and Universities, Otter Rock, Oregon
May 24-25, 2001	Workshop on Enrollment Management Analysis and Best Practices in Enrollment Management (Peter Bryant, Senior Vice President, Noel-Levitz Co., Iowa City, IA), Eau Claire, WI
May 2, 2001	Computer Science Department Industry Advisory Council, University of Wisconsin-Eau Claire
January 18-19, 2001	Conference on Recruitment and Retention of Faculty of Color, University of Wisconsin System, Madison, WI

December 21, 2000	Securing Venture Capital for Economic Development (AAVIN Venture Capital, Cedar Rapids, IA), Eau Claire Area Industrial Development Corporation, Eau Claire, WI
December 11, 2000	High Technology Incubation: Strategies for the New Economy (Frank Giunta, Connaissance International, Oakland, CA), Chippewa Valley Technical College, Eau Claire, WI
November 28-29, 2000	Wisconsin Economic Summit, University of Wisconsin System, Milwaukee, WI
November 21, 2000	Forum on Attracting Venture Capital for Regional Economic Development (AAVIN Venture Capital, Cedar Rapids, IA), Eau Claire Area Industrial Development Corporation, Eau Claire, WI
November 8, 2000	Educators' Forum, Business/Education Committee, Eau Claire Area Chamber of Commerce, Eau Claire, WI
September 28-29, 2000	Instructional Technology Summit, University of Wisconsin System, Wisconsin Dells, WI
September 14, 2000	Leadership 2000 Seminar on Stepping Ahead of the Future: Connecting Communities and People, (Bob Treadway, Treadway and Associates, Inc., Littleton, CO), Sponsored by Momentum Chippewa Valley, Eau Claire, WI
August 15, 2000	Workshop on Meeting with the Media: Leadership Skills for the New Millennium, Chippewa Valley Technical College, Eau Claire, WI
May 17, 2000	Workshop on Implications for PI34 for Teacher Preparation and Re-Licensing, Department of Curriculum and Instruction, School of Education., University of Wisconsin-Eau Claire
February 14, 2000	Workshop on Strategic Planning, Academic Affairs Resource Center, American Association of State Colleges and Universities, Sand Diego, California
February 13, 2000	Workshop on Technology, Academic Affairs Resource Center, American Association of State Colleges and Universities, Sand Diego, California
November 11, 1999	Creating the Future: Taking Action, Third Annual Continuing Education Extension Professional Development Conference, University of Wisconsin Extension, Stevens Point, WI
November 4, 1999	National Academic Advising Association Teleconference on Academic Advising and Campus Collaboration to Foster Retention, Eau Claire, WI
August 24-25, 1999	Instructional Technology Summit, University of Wisconsin System, Stevens Point, WI
April 19, 1999	Symposium on Wisconsin Act 31: Indian Treaties and Tribal Sovereignty, University of Wisconsin System Institute on Race and Ethnicity and the Wisconsin Department of Public Instruction, University of Wisconsin College-Fond du Lac
November 12, 1998	Student Senate Academic Advising Forum (Eric Kasper, Director, Student Senate Academic Affairs Commission), University of Wisconsin-Eau Claire
October 22, 1998	Oneida History Conference, Oneida Indian Reservation, Oneida, Wisconsin, by invitation
September 29, 1998	Forum on Business, Industry, and Education Partnerships in the Chippewa Valley for Lt. Governor Scott McCallum, Cooperative Educational Service Agency (CESA) 10, Chippewa Fall, WI
September 24, 1998	The Status of Nursing Informatics (Karen S. Martin, RN, MSN, FAAN, Health Care Consultant, Martin Associates), School of Nursing Lecture, University of Wisconsin-Eau Claire
April 3, 1998	Annual Voice Symposium for the Professional and Performing Voice, University of Wisconsin Extension, Eau Claire, WI
March 3, 1998	Seminar on Alcohol Abuse Addiction Among Native American Women, (Dr. Christina T. Lowery, Department of Social Work, University of Wisconsin-

- Milwaukee), Visiting Minority Scholars in Residence Program, Co-Sponsored by the School of Nursing, the American Indian Studies Program, and the Department of Social Work, University of Wisconsin-Eau Claire
- October 27, 1997 Workshop on Federal Agency and Foundation Funding Opportunities in Nursing (Dr. Jeanette Lancaster, University of Virginia), Annual Meeting of the American Association of Colleges of Nursing, Washington, DC
- October 27, 1997 Legislative Advocacy Workshop (Melinda Farris, Pres., Capitol Resources, Washington, DC), Annual Meeting of the American Association of Colleges of Nursing, Washington, DC
- October 26, 1997 Forum on Accreditation (Dr. Linda Amos, University of Utah), Annual Meeting of the American Association of Colleges of Nursing, Washington, DC
- October 26, 1997 Forum on Essentials of Clinical Resources to Meet Academic Nursing Mission (Dr. Barbara Durand, Arizona State University), Annual Meeting of the American Association of Colleges of Nursing, Washington, DC
- September 29, 1997 Teleconference on Accreditation Issues, Academic Health Center Television Network Conference
- March 14, 1997 Workshop on Race and Ethnicity in the Classroom: A Sharing of Teaching Ideas and Methods, Co-Sponsored by the Institute on Race and Ethnicity, University of Wisconsin Department of Public Instruction and Wisconsin Council for the Social Sciences, Madison, WI
- February 7-9, 1997 Academic Leadership Institute (by invitation upon nomination of Provost and Vice Chancellor Marjorie Smelstor, University of Wisconsin-Eau Claire), American Association of State Colleges and Universities, Savannah, GA
- April 18-20, 1996 Indian Nursing 2000: Future Directions, 6th Annual Indian Nursing Education Conference, Co-sponsored by University of Wisconsin-Eau Claire and the Lac Courte Oreilles Ojibwa Community College, Eau Claire, WI
- March 22, 1996 Workshop on Assessment in Higher Education (Dr. Reid Johnson, Director, Office of Institutional Effectiveness, Planning and Assessment, Francis Marion University, Florence, SC), Office of Academic Affairs, University of Wisconsin-Eau Claire
- March 25, 1995 Cultural Development Workshop: "How Indian is America?" (Dr. Rayna Green, Director American Indian Program, National Museum of American History, Smithsonian Institution), Network for Enhancement for Teaching, University of Wisconsin-Eau Claire
- October 20-22, 1994 Closing the Gap: 12th Annual Workshop on Microcomputer Technology in Special Education and Rehabilitation, Minneapolis, MN
- October 12, 1994 Workshop on Reforming the Undergraduate Major (Dr. William Green, Dean of Undergraduate Studies, University of Rochester), Network for Enhancement for Teaching, University of Wisconsin-Eau Claire
- October 25, 1993 Workshop on Working with Indian Youth (Dr. Damian Vraniak, American Indian Combined Assessment and Treatment Planning Team, University of Wisconsin-Madison Department Psychiatry and Mental Health Research), Human Development Center, University of Wisconsin-Eau Claire
- August 26, 1992 Symposium on General Education & Specialization: Integration or Fragmentation (Dr. Leon Botstein, President and Professor of History and Music History, Bard College, Annandale-on-Hudson in New York and President of Simon's Rock College of Bard, Great Barrington, MA), Office of Academic Affairs, University of Wisconsin-Eau Claire
- May 14, 1992 Workshop on Legal Issues for Graduate Deans (Mr. John Tallman, Senior Counsel, University of Wisconsin System), Semi-Annual meeting of the University of Wisconsin System Graduate Deans, Eau Claire, WI

- August 27, 1991 Symposium on Challenging our Definitions of Undergraduate Education (Dr. Norman F. Cantor, New York University and Dr. Paul P. Brownlee, President, Association of American Colleges), Office of Academic Affairs, University of Wisconsin-Eau Claire
- November 12, 1990 Workshop on Math and Science Anxiety and Avoidance (Dr. Sheila Tobias, University of Arizona-Tucson and University of California-San Diego), University of Wisconsin-Eau Claire and University of Wisconsin-Stout Sigma Xi Chapter, Eau Claire
- November 5, 1990 Workshop on the University and Media Relations: The Leadership Advantage in Media Interviews, Aronson Ward Inc., St. Paul, MN
- October 7-9, 1990 Forum on Sovereignty: Divergent Views-Tribal State, and Federal Governments, Co-sponsored by the Wisconsin Indian Resource Council, Wisconsin Supreme Court, and University of Wisconsin-Stevens Point
- August 28-29, 1990 Symposium on Ensuring a Creative Academic Community in the 1990's (Dr. Joseph F. Kaufman, Professor Emeritus at the University of Wisconsin-Madison and Dr. L. Knefelkamp, Senior Associate for the American Association of Higher Education), Office of Academic Affairs, University of Wisconsin-Eau Claire
- April 19, 1990 Workshop on Reinterpreting American Indian History and Culture: A New Museum for the Next 500 Years (Dr. Rayna Green, Director, American Indian Program, Smithsonian Institution), Chippewa Valley Museum and the Wisconsin Humanities Council, Eau Claire, WI
- April 19, 1990 Workshop on Teaching American Indian History (Dr. Rayna Green, Director, American Indian Program, Smithsonian Institution), University of Wisconsin-Eau Claire Faculty Development and Curriculum Improvement Program
- November 29, 1989 Workshop on Master of Liberal Studies Programs, 28th Annual Meeting of the Council of Graduate Schools, Colorado Springs, CO
- November 13, 1989 Hypermedia Workshop, Academic Computing Services and Computer Science Department, University of Wisconsin-Eau Claire
- August 30, 1989 Symposium on Cultural Diversification (Dr. Sara Melendez, Vice-Provost, University of Bridgeport), Office of Academic Affairs, University of Wisconsin-Eau Claire
- April 28, 1989 Workshop on the Theory and Practice of Collaborative Research (Dr. Mary Wierenga, School of Nursing, University of Wisconsin-Milwaukee), Fourth Annual Research Day, UW-Eau Claire School of Nursing and Sigma Theta Tau
- April 21-21, 1989 Workshop on Minority Student Perspectives on Economics, Politics, Education, Community, and Spirituality (Dr. Sara Melendez, University of Bridgeport), Sixth Annual American Minority Student Leadership Conference, University of Wisconsin System, Eau Claire, WI
- November 29, 1988 Workshop on Master of Liberal Studies Programs, 28th Annual Meeting of the Council of Graduate Schools, Colorado Springs, CO
- October 13, 1988 National Symposium on the Conceptual, Psychological, Social, Political, and Historical Aspects of Non-Violence, University of Wisconsin-Eau Claire
- October 11, 1988 Conference on Diversity Across the Campus, Office of Academic Affairs, University of Wisconsin-Eau Claire
- July 13-14, 1988 Undergraduate Research: Its Funding, Operation and Role in Faculty Recruiting, Second National Conference of the Council on Undergraduate Research, Carleton College, Northfield, MN
- June 26, 1988 Workshop on Economic Impact Studies and Models (Dr. Suzanne Morriss, Director of Budget Planning at Governors State University and Dr. J. Michael Erwin, Assistant Director of Corporate Relations at Eastern Michigan University),

- Seventeenth National Assembly, American Association of University Administrators, Chicago, IL
- May 12, 1988 University of Wisconsin System Conference on American Indians in the State of Wisconsin, University of Wisconsin-Green Bay
- April 25, 1988 Asian American Students in Higher Education (Dr. Ronald Takakki, Chair, Ethnic Studies Program at University of California-Berkeley), Educational Opportunity Program, University of Wisconsin-Eau Claire
- April 6, 1988 Workshop on Student Services for Graduate Students, Forty-Fourth Annual Meeting of the Midwestern Association of Graduate Schools, Chicago, IL
- March 6-8, 1988 Workshop for Self-Study Coordinators and Self-Study Institute, Commission on Institutions of Higher Education, North Central Association of Colleges and Schools, Chicago, IL
- February 29, 1988 Workshop on Indian Contributions to American Democracy (Tom Porter, Mohawk Bear Clan Spiritual Leader), American Ethnic Coordinating Office, University of Wisconsin-Eau Claire
- December 16, 1987 Workshop on Recent Political Issues in Indian Education (Rick St. Germaine, School of Graduate Studies, University of California at Berkeley), American Ethnic Speaker Series, University of Wisconsin-Eau Claire
- October 5, 1987 Workshop on History of Indian in Wisconsin, Wisconsin Indian Education Association, Eau Claire, WI
- August 25, 1987 Workshop on Information Technology (James Johnson, Vice President of Computing, University of Houston), Information Technology Symposium, Office of Academic Affairs, University of Wisconsin-Eau Claire
- July 14, 1987 Workshop on Graduate School Data Bases and Information Systems, Council of Graduate Schools in the United States, Summer Workshop for Graduate Deans, Madison, WI
- June 28, 1987 Workshop on Literary Texts, Humanistic Values and the Work of University Administrators (Sanford Lottor, Director, Humanities and the Professions Program, Brandeis University) Sixteenth National Assembly, American Association of University Administrators, Toronto, Canada
- April 20, 1987 Workshop on Minority Recruitment and Retention, University of Wisconsin System Administration, Eau Claire, WI
- April 12-14, 1987 "Self-Study Institute," Commission on Institutions of Higher Education, North Central Association of Colleges and Schools, Chicago, IL
- April 1, 1987 Workshop on Federal Support of University Research in the Decade Ahead, Forty-Third Annual Meeting of the Midwestern Association of Graduate Schools, Chicago, IL
- April 1, 1987 Workshop on Private Dollars for Research, Forty-Third Annual Meeting of the Midwestern Association of Graduate Schools, Chicago, IL
- March 27, 1987 Workshop on the Instructional Uses of Computers, Science Forum, University of Wisconsin-Eau Claire
- March 26, 1987 Workshop on Recruiting Minority Faculty and Students (Dr. Barbara Shade, Chair, Division of Education, University of Wisconsin-Parkside), University of Wisconsin-Eau Claire, Equal Opportunity Program Workshop
- February 20, 1987 Workshop on Preparation of Grants in the Humanities (Dr. Karen Fugeli, National Endowment for the Humanities), Office of Undergraduate Research, University of Wisconsin-Eau Claire
- February 7, 1987 Visual Communication Workshop, Media Development Center, University of Wisconsin-Eau Claire
- November 5, 1986 Sponsored Programs Information Network Workshop, Research Foundation of the State University of New York, Washington, DC

October 10, 1986	Workshop on New Technologies in Education, Annual Meeting of the Northwestern Wisconsin Education Association, Eau Claire, WI
October 3, 1986	Workshop on Telecommunications and Higher Education (Arthur M. Harkins, Director of the Graduate Program in Anticipatory Anthropology and Education at the University of Minnesota), Professional Development Program, University of Wisconsin-Eau Claire
October 2, 1986	Workshop on Approaches to Serving Adult Learners, 20 th Annual Conference of the Midwest Region of the National Association of Academic Affairs Administrators, Minneapolis, MN
Sept-Nov, 1986	Financial Management Course, Chippewa Valley Technical College, Eau Claire, WI
July 24-26, 1986	Oneida Nation History Conference, Green Bay, WI
May 7, 1986	Workshop on Biotechnology License Agreements (W. Dennis Drehkoff, Attorney, Law Firm of Tilton, Fullon, Lungmus and Chestnut), Annual Meeting of Region IV, National Council of University Research Administrators, Chicago, IL
May 7, 1986	Workshop on Federal and Industrial Contracts (Martin Rachmeler, Director, Research Services Admin., Northwestern University), Annual Meeting of Region IV, National Council of University Research Administrators, Chicago, IL
May 7, 1986	Workshop on Negotiating Skills and Federal Procurements (H.S. Duke Leahey, Director, Research Contract and Licensing Admin., Washington University), Annual Meeting of Region IV, National Council of University Research Administrators, Chicago, IL
May 1, 1986	Seminar on Corporate Education (Dr. Nancy S. Nash, Director of Personnel and Planning, University of Wisconsin-Superior), University of Wisconsin System Graduate Deans and Directors Spring Conference, Superior, WI
April 3, 1986	Forum on Graduate Education in Universities with Teaching as a Primary Heritage (President Kenneth Shaw, University of Wisconsin System), University of Wisconsin-Stout, Menomonie, WI
March 4, 1986	Workshop on Identifying the Challenges of the Future for K-12 and Higher Education, (Dr. Ruth Love, Former Superintendent of the Chicago Public Schools), University of Wisconsin-Eau Claire
December 18, 1985	Workshop on Marketing Analysis of MBA Program, School of Business Administration, University of Wisconsin-Eau Claire
December 4, 1985	Workshop on Legal Issues of Concern to Department and Division Chairs (Associate Counsel John Tallman, University of Wisconsin System, Madison) University of Wisconsin-Eau Claire
November 8, 1985	Workshop on Business Ethics: "Perceptions/Reality," Ninth Annual Business Ethics Seminar, University of Wisconsin-Eau Claire School of Business and the Cooperative Campus Ministry
Oct 10, 1985-May 8, 1986	Leadership Eau Claire Program, Greater Eau Claire Area Chamber of Commerce, Eau Claire, WI
June 13-14, 1985	Workshop on Chairing the Academic Department for Deans, Division and Department Chairs, Leadership Development Institute, American Council on Education, Eau Claire, WI
March 18-19, 1985	National Conference on the Undergraduate Experience: From Taking Courses to Taking Charge, American Association for Higher Education, Chicago, IL
March 17, 1985	Workshop on the AAHE Faculty Opportunities Audit: Stimulating Creative Thinking about Professional Growth, American Association for Higher Education Pre-Conference Workshop, Chicago, IL

February 14, 1985	Workshop on the Final Report of the Presidential Commission on Indian Reservation Economics, Great Lakes Inter-Tribal Council (Ojibwa, Oneida, Potawatomi, Stockbridge-Munsee and Winnebago), Eau Claire, WI
October 25, 1984	Workshop on Federal Grant Opportunities in Nursing (Dr. Kathleen Coen Buckwalter, University of Iowa), School of Nursing, University of Wisconsin-Eau Claire
September 20, 1984	Workshop on Perspectives on Telecommunication Systems, University of Wisconsin-Stevens Point
May 22, 1984	Symposium on Community Education Partnerships, Co-sponsored by the University of Wisconsin-Eau Claire Foundation, the Greater Eau Claire Area Chamber of Commerce, and the Association for High Potential Children of Eau Claire, WI
May 15-17, 1984	National Orientation Conference for the National Faculty Exchange, La Mansion del Rio, San Antonio, TX
April 25-26, 1984	Workshop for Federal Relations Administrators, University of Wisconsin System, Extramural Support Information Center, Madison, WI
April 1, 1984	Workshop on Research Issues at Masters Institutions, 40 th Annual Meeting of the Midwestern Association of Graduate Schools, Chicago, IL
April 1, 1984	Workshop on Innovative Graduate Programs, 40 th Annual Meeting of the Midwestern Association of Graduate Schools, Chicago, IL
April 1, 1984	Workshop on Program Evaluation at Masters Institutions, 40 th Annual Meeting of the Midwestern Association of Graduate Schools, Chicago, IL
March 28, 1984	Forum on "Project Synthesis": Problems in Science Education (Dr. Robert E. Yager, Director, Science Education Center, University of Iowa), University of Wisconsin-Eau Claire
March 23, 1984	Interinstitutional Exchange Program, Exchange Directors from St. Cloud University, University of Northern Iowa, and University of Wisconsin-Eau Claire, Minnesota Higher Education Commission, Minneapolis, MN
November 14, 1983	Intensive Career Exploration Program for Minorities (Dr. Stanley King, Twin Cities Opportunity Industrial Center), American Ethnic Coordinating Center, University of Wisconsin-Eau Claire
February 7, 1983	Workshop on Computers for Office Managers, Digital Equipment Corporation, Office of Institutional Research, the University of Tennessee at Martin
November 30, 1982	Workshop on Guidelines for University Research, 22 nd Annual Meeting of the Council of Graduate Schools in the United States, Colorado Springs, CO
November 30, 1982	Workshop on Recruiting Graduate Students, 22 nd Annual Meeting of the Council of Graduate Schools in the United States, Colorado Springs, CO
September 14, 1982	Workshop on the Fulbright Program for Campus Liaison Officers, Council for International Exchange of Scholars, International House, Chicago, IL
September 7, 1982	Workshop on Patent and Copyright Laws and Procedures, University of Tennessee System, Office of Academic Affairs and Research, Knoxville, TN
August 30-31, 1982	What is Quality—Different Perspectives, Workshop for University of Tennessee at Martin Administrators, Paris Landing State Park, Paris Landing, TN
June 3, 1982	Workshop for Academic Administrators on Undergraduate Student Advising, (Dr. Raymond Ledford and Dr. Marilyn Jody of the Counseling, Advising, and Placement Center of Western Carolina University), Student Learning Center, The University of Tennessee at Martin
May 17, 1982	Workshop on Computer-Based Instruction (Dr. Bonnie Anderson Seiler, Associate Director, Office of Computer-Based Instruction, University of Delaware), Office of Academic Affairs, The University of Tennessee at Martin
April 4, 1982	Workshop on Graduate Student On-Campus Employment and Organization,

	38 th Annual Meeting of the Midwestern Association of Graduate Schools, Chicago, IL
April 4, 1982	Workshop on Graduate Recruitment, 38 th Annual Meeting of the Midwestern Association of Graduate Schools, Chicago, IL
April 4, 1982	Workshop on Quality Control for Graduate Programs, 38 th Annual Meeting of the Midwestern Association of Graduate Schools, Chicago, IL
April 4, 1982	Workshop on Graduate School Operations and Assessment, 38 th Annual Meeting of the Midwestern Association of Graduate Schools, Chicago, IL
February 24, 1982	Seminar on Careers in Agriculture, School of Agriculture, The University of Tennessee at Martin
February 16, 1982	Workshop on the Recruitment, Admission, and Retention of Black Students in Higher Education, (Dr. Bob Clayton, Talladega College), Office of Academic Affairs, The University of Tennessee at Martin
February 10, 1982	Workshop on Academic-Commercial Relationships in the Life Sciences, College of Arts and Sciences, the University of Tennessee, Knoxville
January 22, 1982	Workshop on Academic Advising (Dr. Wesley Habley of The University of Wisconsin at Eau Claire), Office of Academic Affairs, The University of Tennessee at Martin
November 18-19, 1981	Problem Solving Clinics for Improvements in Academic Planning, Fiscal Stability, and Student Services, University Associates, Inc. and Consortium of Four-Year Colleges and Universities in the U.S. Department of Education Strengthening Developing Institutions Program, Kentucky State University, Frankfort, KY
November 9-10, 1981	U.S. Department of Education Workshop on Institutional Aid Programs, Chicago, IL
October 16, 1981	Workshop on Individual Development Planning for Faculty (Dr. R. Judson Carlberg of Gordon College, Wenham, MA), Faculty Development Program, The University of Tennessee at Martin
October 15, 1981	Workshop on the Role of Deans and Department Chairmen in Faculty Development Through Individual Development Planning (Dr. R. Judson Carlberg of Gordon College, Wenham, MA), Faculty Development Program, The University of Tennessee at Martin
Sept – Dec, 1981	Computer Workshop, Agricultural Economics Division, School of Agriculture, University of Tennessee at Martin
July 12-17, 1981	14 th Annual Workshop for Graduate Deans, Council of Graduate Schools in the United States, Big Sky, MT
May 23, 1981	Visions and Revisions: Writing and Editing Workshop, Northwest Tennessee Humanities Council, Martin, TN
May 13-15, 1981	Grantsmanship Training Program for Improving Funding Skills, The National Grant Development Institute and St. Louis University, Des Plaines, IL
March 22, 1981	Workshop on Recruiting Graduate Students, Council for Advancement and Support of Education in Cooperation with the Council of Graduate Schools in the U.S., Philadelphia, PA
January 30, 1981	Workshop on Decision Making, Higher Education Management Institute of the American Council on Education, The University of Tennessee at Martin
January 6, 1981	Workshop on Current Federal Issues Relating to Higher Education, University of Tennessee System, Nashville, TN
December 14-17, 1980	Workshop on Administrative Concerns and Group Facilitation in HEMI Modules, Higher Education Management Institute of the American Council on Education, Olive Branch, MS
December 3-5, 1980	Perspectives on the 1980's, 20 th Annual Meeting of the Council of Graduate Schools in the United States, Las Vegas, NV

December 2, 1980	Workshop on Graduate Admissions, Practices and Procedures, 20 th Annual Meeting of the Council of Graduate Schools in the United States, Las Vegas, NV
December 2, 1980	Workshop on Academic Program Review, Evaluation and Development, 20 th Annual Meeting of the Council of Graduate Schools in the United States, Las Vegas, NV
November 20, 1980	Workshop on State Government and the University, 22 nd Annual Meeting of the National Council of University Research Administrators, Washington, DC
November 19, 1980	Research Administration Training Session, 22 nd Annual Meeting of the National Council of University Research Administrators, Washington, DC
October 29, 1980	Federal Research Opportunities and Regulations, In-Service Workshop for Department of Physical Education and Health, University of Tennessee at Martin
October 1, 1980	Workshop on Setting Goals and Objectives, Higher Education Management Institute of the American Council on Education, The University of Tennessee at Martin
September 18, 1980	Workshop on Protection of Human Subjects in Research, In-Service Training Program, The University of Tennessee at Martin
July 19, 1980	Issues of the Early Republic: How Our Textbooks Measure Up, Second Annual Conference on the History of the Early Republic, University of Illinois, Urbana, IL
June 6, 1980	Workshop on Promoting the Humanities, Tennessee Committee for the Humanities, Bethel College, McKenzie, TN
January 15-22, 1980	Computer Awareness Workshop, Instructional Improvement Program, The University of Tennessee at Martin
December 4, 1979	Workshop on U.S. Office of Education Graduate and Professional Opportunities Program, 19 th Annual Meeting of the Council of Graduate Schools in the United States, Orlando, FL
November 7, 1979	Workshop on Stimulating Faculty Interest in Securing Sponsored Support, National Council of University Research Administrators, Washington, DC
November 7, 1979	Workshop on Continuing Institutional Responsibilities for Human Subjects in Research, Biosafety, and Laboratory Animal Welfare, National Council of University Administrators, Washington, DC
September 14, 1979	Workshop on D.H.E.W. Guidelines for Human Subjects Protection, University of Tennessee Center for Health Sciences, Memphis, TN
July 18-20, 1979	Model-NETICS Management Training Program for University of Tennessee System Administrators, Part 2, Main Event Management Corporation, Educational Division, Sacramento, CA
June 25-27, 1979	Model-NETICS Management Training Program for University of Tennessee System Administrators, Part 1, Main Even Management Corporation, Educational Division, Sacramento, CA
June 8, 1979	Workshop on Recruitment, Enrollment, and Retention of Disadvantaged Students, University of Tennessee System Health Program Policy Council
May 14, 1979	Grant Writing Workshop, Bureau for Educational Research and Services, The University of Tennessee at Knoxville
April 17, 1979	Workshop on Evaluating Graduate Admissions Policies and Procedures, 65 th Annual Meeting of the American Association of Collegiate Registrars and Admissions Officers, Chicago, IL
December 18, 1978	Educational Management Development and Training program, Higher Education Management Institute of the American Council on Education, The University of Tennessee at Martin
April 9, 1978	Mini-Workshop on the Changing Composition and Objectives of the Graduate Student Population, Midwestern Association of Graduate Schools, Chicago, IL

March 8, 1978	Seminar on Successful Approaches to Proposal Writing and Obtaining Grants, Professional Services Institute of Boulder, CO
November 16-19, 1977	Graduate Management Admission Council MBA Forum, Chicago, IL
November 9, 1977	Fundamentals of Research Administration Training Session, National Council of University Research Administrators, Washington, DC
July 1, 1977	Federal Task Force Workshop on Title III, Washington, DC
March 27, 1977	Midwestern Association of Graduate Schools Mini-Workshops for New Graduate Deans, Chicago, IL
March 3, 1977	Plenary Session on Accreditation, American Association of Colleges for Teacher Education, Chicago, IL
July 10-15, 1977	Workshop for New Graduate Deans, Council of Graduate Schools in the U.S., Knoxville, TN
January 7, 1977	In-Service Training Session on Foundations and Grantsmanship, The University of Tennessee at Martin
November 17, 1976	Workshop on the Preliminary Results of the NSF Research Management Improvement Program, National Council of University Research Administrators, Washington, DC
June 15-16, 1972	National Conference on the History of Indian-White Relations, National Archives and Records Service, Washington, DC
November 19-20, 1970	National Conference on Research in the Administration of Public Policy, the National Archives and Records Service, Washington, DC

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS, 1971-Present:

American Association for Higher Education
 American Association of Colleges for Teacher Education (Institutional Representative)
 American Association of University Administrators
 American Association of University Professors
 American Historical Association
 American Society for Ethnohistory
 Conference of Southern Graduate Schools
 Council for Advancement and Support of Education
 Council of Graduate Schools
 Council on Undergraduate Research
 Midwestern Association of Graduate Schools
 Minnesota Historical Society
 Minnetrista Council for Great Lakes Native American Studies
 National Association of Interdisciplinary Ethnic Studies (Charter Member)
 National Council of University Research Administrators
 National Museum of the American Indian, Smithsonian Institution (Charter Member)
 Native American Rights Fund
 Northwest Tennessee Humanities Council
 Organization of American Historians (Life Member)
 Professional and Organizational Development Network
 Society for American Indian Studies and Research
 Society for College and University Planning
 Society for Historians of the Early American Republic
 Society of Research Administrators
 Southern Anthropological Association

Southern Poverty Law Center
 State Historical Society of Wisconsin
 Teacher Education Council of State Colleges and Universities
 Tennessee Conference of Graduate Schools (Charter Member)
 Tennessee Historical Association
 Tennessee History Conference
 Western History Association
 Wisconsin Academy of Sciences, Arts and Letters
 Wisconsin Association of Colleges of Teacher Education

UNIVERSITY SERVICE:

University of Wisconsin-Eau Claire, 1983 to Present

Advisor	Fulbright Program
Chair	Academic Staff Professional Development Program Committee
Chair	Ad Hoc Administrative Committee on Student Travel
Chair	Ad Hoc Committee on Support Mechanisms for Graduate Education
Chair	American Indian Studies Program Committee
Chair	Chancellor's Work Group on the Formation of the School of Human Sciences and Services
Chair	College of Professional Studies Faculty Committee
Chair	College of Professional Studies Leadership Team
Chair	Education Dean's Council
Chair	Enrollment Planning Committee
Chair	Faculty Development and Curriculum Improvement Committee
Chair	Faculty Sabbatical Leave Program Screening Committee
Chair	Graduate Council
Chair	Human Development Center Advisory Committee
Chair	Human Sciences and Services Dean's Council
Chair	Institutional Review Board for the Protection Human Subjects
Chair	New Faculty/Academic Staff Orientation and Mentoring Committee
Chair	North Central Association Accreditation Steering Committee
Chair	Nursing Dean's Council
Chair	School of Human Sciences and Services Advisory Council
Chair	School of Human Sciences and Services Personnel Advisory Committee
Chair	Search and Screen Committee for Vice Chancellor (1985-86 and 1989-90) and for Assistant Dean for University Research (1991-92)
Chair	Title III Grant Steering Committee
Chair	Undergraduate Teaching Improvement Grant Program Screening Committee
Chair	University Faculty Mentor Program Screening Committee
Chair	University Research and Creative Activity Council
Chair	University Summer Extramural Grant Development Program Screening Committee
Chair	University Time Reassignment Incentive Program Screening Committee
Chair	Vice Chancellor's Working Group on Program/Departmental Review
Chair	Vice Chancellor's Working Group on Faculty Development Long Range Planning
Co-Chair	Chancellor's Task Force on Nursing and Health Services for the 21 st Century
Coordinator	Graduate Teaching Internship Orientation Program
Coordinator	Interinstitutional Exchange Program
Coordinator	National Faculty Exchange Program
Coordinator	Temporary Interchange Agreements for Unclassified Staff
Member	Academic Publications Board
Member	Ad Hoc Administrative Committee on Computing Affairs

Member	Administrative Staff Advisory Committee
Member	Advisory Committee on Foreign Student Policies
Member	Affirmative Action Review Board
Member	American Indian Studies Program Committee
Member	Audit and Review Committee for the Development Office
Member	Chancellor's Circle, University of Wisconsin-Eau Claire Foundation
Member	Commission on the Status of Minorities
Member	Day of Pride Planning Committee for Recognition of Minority High School Students
Member	Dean's Circle, University of Wisconsin-Eau Claire Foundation
Member	Enrollment Management 21 Task Force
Member	Faculty Selection Advisory Committee for Study Abroad Programs
Member	Faculty Senate Long-Range Planning Subcommittee on Programs
Member	Faculty Senate Planning Committee
Member	Faculty Senate Planning Committee Subcommittee on Academic and Support Programs
Member	Fulbright-Hays Committee
Member	Fundraising Campaign Advisory Team (35M campaign)
Member	Human Development Center Advisory Committee
Member	Library and Archives Committee
Member	Morse 2000 Advisory Committee (Assistive Technology)
Member	President's Club, University of Wisconsin-Eau Claire Foundation
Member	School of Education Academic Policies Committee
Member	School of Human Sciences and Services Academic Policies and Curriculum Committee
Member	Search and Screen Committee for Chancellor (1983-84 and 1997-98)
Member	Self-Study Planning Team for American Assembly of College Schools of Business Accreditation of MBA Degree Program
Member	University Assessment Committee
Member	University Faculty Nominating Committee
Member	University Image Study Committee
Member	University Senate Ad Hoc Committee on Grants

University of Tennessee at Martin, 1971-1983

Advisor	Alpha Phi Omega Service Fraternity
Advisor	Fulbright Senior Scholar Program/Council for International Exchange of Scholars
Advisor	Undeclared Arts and Science Majors
Chair	Academic Senate Graduate Committee
Chair	Departmental History-Education Endorsements Committee
Chair	Departmental Promotion and Tenure Committee
Chair	Departmental Research Committee
Chair	Graduate Council
Chair	Graduate Recruitment Task Force
Chair	Institutional Review Board for the Protection of Human Subjects
Chair	Title III Task Force
Chair	University Bookstore Committee
Chair	University Promotion and Tenure Committee
Chair	University Research Committee
Coordinator	History Department/Community College Articulation Activities
Coordinator	History Department Program for Visiting High School Students
Coordinator	History Department Faculty Seminars
Coordinator	History Department Roundtable Program Committee
Coordinator	Tennessee General Assembly's State Science, Engineering, and Technology Project

Editor	History Department Newsletter
Member	Advisory Committee for Northwest Tennessee Humanities Grant
Member	Council of Academic Deans and Directors
Member	Graduate Admissions and Retention Committee
Member	Graduate Advising and Registration Committee
Member	Graduate Faculty Review Committee
Member	Graduate Program Review Committee
Member	Graduate Recruitment Committee
Member	History Department Curriculum Committee
Member	History Department Student Relations Committee
Member	Honors Day Committee
Member	Legislative Intern Selection Committee
Member	Phi Kappa Phi Scholarship Committee
Member	President's Club
Member	Program Development Committee for Social Studies Education
Member	Search Committees (<i>System level</i> -Associate Vice President for Research; <i>University level</i> -Chancellor, Vice Chancellor for Academic Affairs, Associate Vice Chancellor for Student Affairs and Director of Minority Activities, Dean of Arts and Sciences, Dean of Education, Ed. S. Coordinator, Director of Museum and Archives, Minority Trainee Director, and Chair of History and Political Science Department)
Member	Southern Association of Graduate Education Task Force (Standard Ten)
Member	Standard Ten Self-Study Committee on Graduate Education
Member	Student Technology Fee Workgroup
Member	University Administrative Cabinet
Member	University Admission, Retention, and Advanced Standing Committee
Member	University Calendar Committee
Member	University Center Policy Planning Committee
Member	University Energy Task Force
Member	University Five Hundred Club
Member	University General Education Requirements Committee
Member	University Human Relations Committee
Member	University Instruction Committee
Member	University Museum and Archives Grants and Development Committee
Member	University Race Relation Committee
Member	University Research Committee
President	Martin Chapter, American Association of University Professors
Senator	Academic Senate

COMMUNITY SERVICE:

Wisconsin, 1983 to Present

Member	Planning Committee, Chippewa Valley Charter Technology School, Eau Claire, WI
Member	Planning Committee, Chippewa valley Charter Health Occupations Academy, Eau Claire, WI
Member	Speakers Bureau of the Wisconsin Humanities Council
Block Chair	Easter Seal Neighbor-to-Neighbor Campaign
Consultant	Landmarks Commission Project, University of Wisconsin-Eau Claire and the City of Eau Claire
Member	Friends of the Public Library, Eau Claire, WI
Member	Ad Hoc Commission on Racism of the Lac Courte Oreilles Lake Superior Ojibwa Tribal Governing Board, co-sponsored by Lac Courte Oreilles Ojibwa Community College, the

Office of the Governor of the State of Wisconsin, and the Wisconsin Indian Resource Council

Member	Annual Biblical Seminar Planning Committee (Co-sponsored by the Department of Philosophy and Religious Studies of the University of Wisconsin-Eau Claire, the Cooperative Campus Ministry, Temple Shalom, and the Greater Eau Claire Area Clergy Associates)
Member	Eau Claire Area Association for High-Potential Children, Inc.
Member	Greater Eau Claire Area Chamber of Commerce (Leadership Eau Claire)
Member	Parent-Teacher Organization, Manz Elementary School, Eau Claire, WI
Member	Parent-Teacher Organization, South Junior High School, Eau Claire, WI
Member	Parent-Teacher Organization, Memorial High School, Eau Claire, WI
Member	Board of Directors, Chippewa Valley Museum, Eau Claire, WI
Member	Board of Directors, Cray Academy, Chippewa Falls, WI

Tennessee, 1971-1983

Member	Friends of the Public Library, Martin, TN
Member	Subcommittee on Federal Grants and Contracts, Martin Industrial Development Board, Martin, TN
Member	Parent-Teacher Organization, Weakley County, TN