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Confusion and Conflict: A Study of Atypical Responses to Nineteenth Century Federal Indian Policies by the Citizen Band Potawatomis

PETER R. HACKER

In the winter of 1869, after several hard days of travel, a cold and weary delegation of Citizen Band Potawatomis and government officials arrived in the heart of the Indian Territory. There they selected a thirty-mile-square tract of land to serve as the future site of the Citizen Band reservation. Having endured the long and laborious journey from Kansas, all were relieved that their venture met with success. A similar delegation sent the year before had not been so fortunate; after facing impassible wagon roads, "deep mud and overflowing streams," it had been forced to turn back. Within a year the Secretary of the Interior approved the Potawatomis' new claim, and tribal members eagerly prepared for removal from Kansas.¹

Unfortunately, their high spirits were soon dampened by tempestuous circumstances. The Citizen Band's unique, yet vulnerable, legal status not only exposed them to charges that they had no right to own or inhabit *any* reservation, but threatened to strip them of their tribal identity as well. They also found themselves embroiled in a bitter feud with the Absentee Shawnees, a group of Indians who had strong prior claims to the lands the Potawatomis had selected. To further complicate matters, the federal government failed to establish a dividing line between the two

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tribes and promoted conflicting allotment policies on the reservation. In response to these challenges Citizen Band members developed strategies which reflected their atypically "progressive" characteristics, and employed their highly effective, though much maligned, Business Committee, to great advantage.

The Citizen Band, which tended to embrace the more acculturated and mixed-blood elements of the Potawatomi tribe, had once been known as the Mission Band because of its predominantly Catholic constituency. Educated by Jesuits, their ancestors had married freely with the French traders of the Great Lakes area in the seventeenth and eighteenth centuries and had provided military assistance to their French allies in several engagements against the British. By partially adopting the business nature of their European contacts, the tribe prospered economically in their native area and soon became known as "progressive," a term that would be used to characterize them off and on throughout the rest of their history.²

Despite fiscal success, the Potawatomi nation had become irreparably factionalized by the late eighteenth century, and the various bands dispersed. When Andrew Jackson began to implement his removal policy in the 1830s, federal officials found it infeasible to concentrate the scattered tribe onto only one reservation west of the Mississippi. The Potawatomis were allowed, therefore, to occupy two major reservations: the more traditional and more numerous full-blood Potawatomis, or Prairie Band, settled at Council Bluffs, Iowa; the Mission Band removed to the Osage River in Kansas. This new arrangement, however, proved short-lived.

By 1846 the insatiable American appetite for fertile land again threatened the security of the Potawatomis and necessitated further removal. Both bands reluctantly agreed to be reunited at a new reservation situated along the Kansas River in Kansas. As feared, they soon discovered that years of separation had not improved their compatibility, and they refused to act as a unified body. They even settled on opposite sides of the Kansas River. The schism dividing the Potawatomis widened when the debate over Commissioner of Indian Affairs George Manypenny's Indian allotment policy reached the troubled reservation in the 1850s. The Prairie Band steadfastly opposed allotment while their kinsmen across the river accepted the concept. Extremists even entertained ideas of becoming naturalized American citizens.³

In 1861 the government negotiated a landmark treaty with both Potawatomi bands. By the terms of this document, Prairie Band members, numbering about 780 in Kansas, continued to hold their share of lands and annuities in common as always. Those who desired more individuality, by then officially recognized as the Citizen Band and numbering about 1,400, accepted land allotments and the prospect of eventual citizenship. Precedent was set almost immediately as anxious Potawatomis who were deemed "competent to manage their own affairs" received citizenship and partial payments of their individual shares of tribal assets. While citizenship seemed a good idea to these few at the time, most who accepted it soon regretted their hasty decisions. By becoming citizens, they forfeited the safeguards tribal membership had afforded them and attempted to fend for themselves, generally with little success. Although deemed competent to manage their own affairs, within six years it became obvious that the citizenship provision of the 1861 treaty had been premature.⁴

Commissioner of Indian Affairs Dennis N. Cooley admitted in 1865 that "gross carelessness (or worse)" had occurred in furnishing certificates of competency to unqualified Potawatomis. The Citizen Band, it seemed, had "cashed in" on their individual shares of tribal assets, and then squandered both time and money in the presence of whiskey peddlers, gamblers, and various other "frontier opportunists." Then, faced with unfamiliar and unpayable taxes, they ended up selling their property to speculators for far less than its true value. But instead of blaming the government's ill-conceived Indian citizenship policy for such problems, federal officials such as Potawatomi Indian Agent Luther R. Palmer philosophized that "Improvvidence is the peculiar characteristic of the real Indian. No sooner does he become possessed of money, or property that he can dispose of, than he proceeds at once to make it available . . . for present enjoyment, never seeming to reflect that his means may become exhausted until his last dollar is gone." Palmer failed to consider that a large portion of the white population would have fared no better in similar circumstances.⁵

Years later, writing from Indian Territory, George L. Young, John Anderson, Jacob Johnson, and other prominent Citizen Band members explained that they had become citizens "because the government desired us to do so, not that we understood what being a citizen meant. . . ; between the whiskey seller and

other dishonest men, we were soon stripped of all that we had received . . . and left almost in a state of destitution and intemperence." Citizenship had not fulfilled its promise to make them into a "prosperous and happy people," but had left them a "debased and unhappy one."⁶

Those Potawatomis who had accepted allotments without actually becoming citizens enjoyed one advantage over their "former" fellow tribesmen—they were still recognized as tribal Indians and could take advantage of Article VIII of the 1861 treaty. This "escape clause" sanctioned any future attempt to negotiate a removal treaty if one became necessary or desirable. The government promised to assist the Indians in selling their lands and to hold the proceeds in trust for them. The trust money would then be used to purchase a new Citizen Band reservation in the Indian Territory. In desperation members negotiated such a treaty in 1867 and selected their reservation site in the winter of 1869.⁷

Their new home was a thirty-mile-square tract in the heartland of modern Oklahoma. Located between the North and South Forks of the Canadian River, the reservation was divided nearly in half by the eastward-flowing Little River. Thousands of unassigned acres stretched to the west, and the Seminole Reservation from which the Potawatomi lands had been carved bordered them on the east.⁸ Game was plentiful, water was abundant, and patches of some of the finest agricultural and grazing land to be found in the Indian Territory lay beneath their feet. They needed only to pack their belongings in Kansas and move.

The reality of the situation, however, was not as promising as its appearance. Most Citizen Band members could not afford to move. As Citizen Band Business Committee member Joseph Bourassa explained, the "idea of civilizing my people has proved a failure." They have "spent all their headmoney, sold most of their lands, and . . . are selling their last ponies for a mere song. They even sell the last coat they have on their backs for liquor." He went on to say that "It is a frequent thing to see a son sell his father's last pony, being the only work horse of the family," and that if the Indian Department did not move them at once, "they will all become paupers and ruined forever, and will never be able to get to the Indian Territory, which is the only place for their salvation."⁹ Unfortunately, the Treaties of 1861 and 1867 had enabled the Citizen Band only to acquire a new home; the agreements did not provide federal funds for removal. It was

ironic that the dreadful poverty which made removal necessary also made it nearly impossible to carry out, and the Citizen Band population in Kansas outnumbered the Potawatomis in the Indian Territory for many years. Federal policy, furthermore, proved to be as inconsistent and unpredictable as the Candian River. Within months, the Citizen Band found its very existence threatened and the promise of stability a distant dream.

Before the Citizen Band could take legal possession of its land, Secretary of the Interior Columbus Delano pointed out an unanticipated problem. By March 3, 1871, all 1,518 Citizen Band members had become American citizens. The Department had not expected that "each and every one of said Potawatomis would avail himself of this right."¹⁰ But the lure of instant cash upon accepting citizenship had proven too great for the destitute Indians to resist. As a result, their legal status was now questionable. Did they, as citizens, still meet the legal qualifications necessary for owning and occupying land set aside for use by "Indians and freedmen?"¹¹ The original intention of the 1867 treaty had been to convey a reservation to the Citizen Band of the *Potawatomi Nation*. But since all Citizen Band members had become citizens, there was, according to Delano, no longer a *Potawatomi Nation* other than the Prairie Band which had no interest whatsoever in the territory. Delano's solution involved asking Congress to enact special legislation that would give the Citizen Band legal access to the land it had selected. But before such a solution could be employed, the availability of the reservation was questioned on different grounds.¹²

As several Citizen Band families straggled into the Territory, they settled north of the Little River on the reservation's most desirable lands. What they and the government failed to recognize, however, was that these lands were also highly prized by the Absentee Shawnees. This much traveled tribe had settled in the area in 1836 but had been compelled to seek refuge in Kansas during the Civil War. In 1867 they negotiated a treaty with the federal government to procure a permanent Absentee Shawnee reservation at the site of their antebellum settlements. Anticipating that this treaty would be ratified, they reoccupied their Indian Territory homeland without delay. But the treaty was never ratified and they received no title to the lands or their improvements. Even without clear title, it is difficult to understand how their physical presence could have been overlooked in the effort to

provide the Citizen Band with a new home. Formal treaty negotiations concerning the lands had taken place, and once heard, the strength of the Absentee Shawnee claim could not be easily ignored. They had lived there since 1836, their status as Indians was unquestionable, and the lands had been purchased by the government to settle Indians then living in Kansas upon them.¹³ Not surprisingly, the Citizen Band's welcome in the Indian Territory was less than hospitable.

On May 23, 1872, Congress passed "An Act to Provide Homes for the Citizen Band and Absentee Shawnee Indians in the Indian Territory." Although the Absentee Shawnees lacked enthusiasm for sharing the lands in question with the Potawatomis, this legislation appeared to solve two problems simultaneously: it soothed Secretary Delano's apprehensions about giving the Citizen Band title to an Indian reservation, and it confirmed the Absentee Shawnees' right to remain in their homeland.¹⁴ It did not, however, alleviate the tension between the two tribes.

The Absentee Shawnees were outraged that they would receive only half as much land as Citizen Band members under the terms of the act. According to the text of this legislation, each Citizen Band head of a family and adult over twenty-one was entitled to purchase an allotment no larger than 160 acres. Minors were entitled to no more than eighty acres. In comparison, Absentee Shawnee adults could receive only eighty acres and had to prove that they had not only been living on the reservation for three years but had also made "substantial improvements thereon." Since the Absentee Shawnees outnumbered the Citizen Band in Indian Territory by a two-to-one margin in the early 1870s, and since they had preceded the Potawatomis on the reservation, their indignation was understandable.¹⁵

Commissioner of Indian Affairs John Q. Smith, siding with the Absentee Shawnees, stated that they were "justly entitled to as large allotments of land as are given the Pottawatomies," especially since they subsisted without government annuities. The Potawatomis, in his opinion, had "squandered their substance" and "returned as Indians dependent upon the bounty of the Government." They deserved no extra benefits. According to one Indian Agent, they had done "nothing whatever to improve their condition" in Kansas, and instead of setting an example for the rest of the country's tribes, they had thwarted the government's noble experiment at turning Indians into model citizens.

Such unsympathetic views were typical of most Indian Bureau officials and help to explain why the Citizen Band was unfairly excluded from the jurisdiction of an Indian Agency until 1877, even though they desperately needed the same assistance that such agencies provided to their immediate neighbors.¹⁶

The 1872 act also failed to establish a clear boundary between the two tribes; another oversight that intensified their growing feud. Thomas Wildcat Alford, an Absentee Shawnee who had held several positions with the Indian Department throughout his life, remembered that the two tribes almost went to war after the Citizen Band settled on lands already occupied by the Absentee Shawnees. "The Pottawatomies claimed the whole tract," he recalled, "and insisted upon settling among the Shawnees. They would select a homesite and erect a cabin, then some of our people would go by night or when the family was away from home, and tear it down." As the land north of the Little River, where the Absentee Shawnees resided, was superior to that south of the divide, it was only natural that the Citizen Band also chose to settle in that region. Their reservation selection had been approved by the Department of the Interior, and nowhere was it written that they were restricted to lands south of the Little River. Their legal claim to the area was unquestionable.¹⁷

Knowing their rights, however, did not make it any easier for the Potawatomis to take allotments. It seems that by some "hook or crook" the cornerstones used to divide the reservation into forty-acre lots by the original surveyors had disappeared, making it impossible for Citizen Band allotments to be "intelligently made." Indian Agent Jacob V. Carter believed the Absentee Shawnees were the culprits. The Indian Department, which by this time was actively debating a nationwide allotment policy for all Indians, attempted to settle the Citizen Band problem quickly by instructing Carter to solicit the aid of a team of surveyors in 1883.¹⁸ But the process moved slowly; at the passage of the notorious General Allotment, or Dawes, Act in 1887, only 142 Potawatomis out of a population of 420 in the Indian Territory had actually taken allotments.¹⁹

The thrust of the Dawes Act was to raise all Indians "to a plane above that of absolute barbarism" by encouraging them to live and work as their white neighbors did. Such goals could best be accomplished, it was thought, by breaking up tribal lands and allotting them to individual Indians. Tribesmen would then be

motivated to farm—a task they had shown little interest in when land was owned in common. Although terms such as “absolute barbarism” were clearly not applicable to the Citizen Band Potawatomi, a tribe which had been among the first to accept the concept of allotment, they would not be spared from federal attempts to implement this misguided legislation.²⁰

The Dawes Act served to complicate rather than facilitate the allotment process on the Citizen Band–Absentee Shawnee reserve. Since the Citizen Band already had a valid allotment act, which act took precedence? Were Potawatomi entitled to allotments under the 1872 act? The 1887 act? Both acts? Or could they choose which act they preferred? And what about the Absentee Shawnee’s opposition to any kind of allotment until the question of a dividing line between the two tribes was settled? Would the Citizen Band be allowed to receive title to lands north of the Little River? Or were those lands to be reserved for the Absentee Shawnees? The distribution of land could not begin until these problems had been resolved.

It was during such troubled times that the Citizen Band Business Committee asserted itself most capably. Although highly-criticized (not unlike most politicians), members of the Committee such as Anthony F. Navarre and John Anderson fought diligently to secure the tribe’s best interests. These men had an unsurpassed knowledge of the laws and treaties affecting the Potawatomi because they had usually represented the tribe during the formation of such legislation. Generally well-educated, they often made the Citizen Band aware of available options that otherwise may have gone unnoticed. Such was the purpose of the Committee. While certain individual Committee members have been justifiably accused of corruption and tribal exploitation, the same can be said for many U.S. Congressmen in the Gilded Age. The fact that several Committee members were motivated by self-interest should not taint the entire body and does not preclude evidence indicating that the entire tribe profited by their victories.²¹

The success of the Citizen Band Business Committee was so impressive that the Absentee Shawnees chose to emulate the Potawatomi leaders. Ever since they had learned that under the 1872 allotment act the Citizen Band would receive twice as much land as they would, the Absentee Shawnees had determined to educate their own young men. They believed that the Potawatomi had procured a better deal because their leaders could

“read and write, and understood what was in the treaties.” As one Absentee Shawnee chief put it, “it would enable us to use the club of the white man’s wisdom against him in defense of our customs.” Clearly the “progressive” leadership of the Citizen Band was able to give the tribe some much-needed advantages in dealing with the American bureaucracy.²²

Citizen Band leaders put their legal and political knowledge to use when they recognized several glaring discrepancies between their allotment act of 1872 and the provisions of the Dawes Act. Although allotments under the Dawes Act were free of charge, Citizen Band members were entitled to greater acreage if they purchased their allotments as directed by the 1872 act. This act provided that each adult over twenty-one, including married women and single persons, could purchase up to 160 acres. The Dawes Act, on the other hand, made no provision for married women; only the heads of families could obtain title to 160 acres. Single males and females over eighteen were limited to half that amount. Finally, minors could purchase up to eighty acres under the 1872 act; the Dawes Act allotted minors only forty (except orphans, who were entitled to eight).²³

Acting Commissioner of Indian Affairs D. L. Hawkins recommended that the Dawes Act take precedence over that of 1872, even though it meant Citizen Band members would receive less land. He reasoned that since they were required to pay for lands under the 1872 act, it should not govern the quantity of free land to be allotted under the Dawes Act. Attempting to settle the boundary dispute, he cited former Commissioner of Indian Affairs Francis A. Walker, who had stated that it was the intention of the 1872 act to make allotments to the Potawatomis from lands south of the Little River, and to the Absentee Shawnees from lands north of it. This policy had been complied with prior to 1887, and Hawkins saw no need for change.²⁴

Sac and Fox Indian Agent Moses Neal agreed with Hawkins’ reasoning. In his annual report he explained that hostilities between the Citizen Band and the Absentee Shawnees had been growing steadily for years. After taking 330 allotments in 1875, all north of the Little River, the Absentee Shawnees had felt secure about their holdings. But lacking the funds to pay for their allotments they had not received certificates of title. The Potawatomis, under the impression that the Department would not approve those allotments, moved onto lands already claimed by the Absentee Shawnees. Relations between the neighbors had

reached their lowest ebb, and Neal urged the Department to confirm the Little River as the dividing line.²⁵

After hearing the opinions expressed by Hawkins, Neal, and others, Secretary of the Interior Lucius Q. C. Lamar requested President Grover Cleveland to order the distribution of land on the Citizen Band–Absentee Shawnee Reservation under the provisions of the Dawes Act. Cleveland complied on May 24, 1887, and Special Allotting Agent Neal S. Porter received his instructions on August 10 of the same year.²⁶

Porter was to make allotments as provided by the Dawes Act, and such allotments were to establish the Little River as a border between the Citizen Band and the Absentee Shawnees. Potawatomis who had already settled and made improvements north of the Little River would be allowed to retain the immediate lands they had improved, but would have to accept the remaining portion of their allotment south of the Little River.²⁷

The Citizen Band protested immediately. The government had no right, they contended, to ignore the Act of 1872. John Anderson, Chairman of the Citizen Band's Business Committee, complained bitterly that he had lived north of the Little River for six years and was entitled to more than the forty acres upon which his improvements stood.²⁸ In Washington, D.C., Citizen Band member Anthony F. Navarre contacted Secretary Lamar and declared that the Act of 1872 had given the Potawatomis the right to select allotments "anywhere" (Navarre added "anywhere," for it does not appear in the text of the original act) "within the thirty-mile-square tract in the Indian Territory." The government, he correctly asserted, had no legal grounds to restrict the Citizen Band to the region south of the Little River. The 1872 act specified that only the Absentee Shawnees must make substantial improvements on the reservation to "entitle them to a home there." It did not contain any such condition for the Citizen Band. In conclusion, Navarre, using an unexpected line of argument, emphasized that Citizen Band members were citizens, not tribal Indians, and therefore the General Allotment Act did not apply to them.²⁹

Reflecting the opinions of several Citizen Band Potawatomis still remaining in Kansas, Special Agent William Parsons of the Great Nemaha Indian Agency reported to Secretary Lamar that very few Potawatomis would go to the Indian Territory unless they could obtain allotments north of the Little River. They had

supposedly met with several Citizen Band members who had failed to eke out a living south of the river and were determined to remain in Kansas rather than subject themselves to the same conditions. Parsons urged the Department to ignore "the absurd prejudice of the Shawnees who have no legal rights on the Potawatomi Reserve," and allow the Citizen Band to select allotments north of the Little River.

Unmoved by the protests, interim Secretary of the Interior H. L. Muldrow and newly appointed Commissioner of Indian Affairs John D. C. Atkins refused to change Porter's allotting instructions. While admitting that Navarre might be correct in claiming that the Citizen Band was not a tribe, Atkins stated that the President had directed that allotments be made under the Act of 1887, and that this act "should be liberally construed for the benefit of the Indians." He also maintained that allotments to the Potawatomis must continue to be located south of the Little River. In his opinion, the government was under no further obligation to accommodate the wishes of the ungrateful Potawatomis. In Kansas, they had "wasted their substance in riotous living," and the government had graciously allowed them to move to Indian Territory. After giving them a chance to purchase allotments north of the Little River, only eleven of them had done so in fifteen years. Under the provisions of the Dawes Act, which would bestow land titles on them at no expense, Atkins concluded, "I do not see that these Indians have any cause for complaint."³¹ Atkins failed to mention that Citizen Band members had taken so few allotments under the 1872 act not necessarily because they would have to purchase them, but because the reservation lacked cornerstones and needed to be surveyed.

Undaunted, the Citizen Band continued to press its demands and steadily gained concessions. On October 21, 1889, Absentee Shawnee Chief White Turkey grudgingly accepted a proposal by Porter that allowed Citizen Band members to choose allotments on a tract containing nearly four townships in the northwest corner of the reservation. The persistent Potawatomis, however, continued to stress that they could settle anywhere they desired, "regardless of instructions or law." Relations between the two tribes continued to deteriorate throughout the next year, culminating with White Turkey's statement that the Potawatomis, who wanted "the whole earth," were nothing more than the "white scrapings of the earth."³²

It was not until John and Peter Anderson obtained the services of a capable lawyer that opinions regarding the Citizen Band's rights began to change. Upon hearing their case, Commissioner of Indian Affairs Thomas J. Morgan, finding no clause in the Dawes Act repealing former acts, recommended that the Andersons and all Citizen Band members be allowed to take allotments under the act of 1872 if they would agree to abide by its terms. Assistant Attorney General George H. Shields concurred, but also realized that former President Cleveland's action of May 24, 1887, which gave the Dawes Act precedence, was binding until revoked or modified by executive order. So, on July 11, 1890, President Benjamin Harrison granted the Potawatomis the authority to elect whether they would take allotments under the act of 1872 or 1887.³³

By September 1, 1890, 1,036 Citizen Band Potawatomis had received allotments. Agent Porter continued to confine allotments made under the act of 1887 to the area south of the Little River, but under instructions from Acting Commissioner of Indian Affairs R. V. Belt he allowed those Citizen Band members taking allotments under the act of 1872 to select their tracts from "any vacant, unimproved land anywhere within the reservation." The Citizen Band had won a substantial legal victory.³⁴

It is unfortunate that the Citizen Band had to fight so hard to solve so many problems. It is even more unfortunate that their most pressing problems resulted in great part from the irresponsible activities of the federal government. It was the government, for example, who ignored indications that several Potawatomis were not prepared for citizenship in the 1860s. The Potawatomis must of course share some of this blame, but much of the poverty and destitution suffered by the Citizen Band could have been prevented by more stringent federal control of the citizenship process. The government also had an obligation to define Citizen Band members' legal status one way or another and to protect their rights as citizens or Indians on a consistent basis. Instead, Citizen Band members were recognized as Indians when the government desired to remove them from Kansas to a reservation in the Indian Territory, as citizens when it was decided to exclude them from membership in the Sac and Fox Indian Agency, and as Indians once again when it came time to implement the Dawes Act.

The government further contributed to the disruption of tribal stability by failing to recognize the earlier presence of the Absentee Shawnees on the tract of land selected by the Citizen Band. The conflict between the two tribes would not have occurred had the Potawatomis been prevented from locating their reservation on previously occupied land, as stipulated in their removal treaty. Once their chosen site had been approved and their oversight realized, a clear-cut dividing line through the reservation should have been defined immediately. Instead, the carelessly drafted 1872 act failed to establish a clear boundary, allowed the Potawatomis twice as much land as the Absentee Shawnees, and was incompatible with the terms of the Dawes Act. The allotment procedure could have been simplified further had policy makers immediately recognized the rights of the Potawatomis to elect under which of the two acts they would take allotments. Unfortunately, the overbearing attitude of federal officials and their ever-changing allotment policy generated little more than confusion and animosity.

Such poorly conceived policies were formulated at a time when Americans still believed it was their destiny to expand westward and that their government was obliged to remove the Indian "barrier" to "progress." Policy makers often overlooked the future welfare of the Indians in their hasty attempts to accommodate American expansionists and railroad companies, and as a result, vague or conflicting clauses were carelessly included in treaties and acts. The Citizen Band was fortunate to have cognizant, aggressive, and acculturated leaders, who quickly acquired the skills needed to press their tribe's rights. Although such leaders were also shrewd and opportunistic, they proved instrumental in enabling Citizen Band members to exploit their dual legal status as Indian and citizens, instead of allowing it to exploit them. It is unfortunate that too many other tribes were not then, nor are they now, able to cope as effectively with unfair federal policies as the Citizen Band Potawatomis.

NOTES

1. Approval was granted on November 9, 1870. Kansas Reserve Agent Joel H. Morris to Central Superintendent of Indian Affairs Enoch Hoag, September 1, 1870, cited in House Executive Document (hereafter cited as HED) no. 1, pt. 4, vol. 4 (Washington, D.C.: Government Printing Office (hereafter cited

as GPO), 1871, 41st Cong., 3rd sess., 1870: 739-740; Acting Commissioner of Indian Affairs (hereafter cited as CIA) D. L. Hawkins to Secretary of Interior, May 17, 1887, Senate Executive Document (hereafter cited as SED) no. 64, vol. 1 (Washington, D.C.L: GPO, 1891), 51st Cong., 2nd sess., 1890-1891: 3; U.S. Indian Agent, Potawatomi Agency, Luther R. Palmer to Hoag, September 20, 1869, cited in HED no. 1, pt. 4 (Washington, D.C.: GPO, 1870), 41st Cong., 2nd sess., 1869: 814-815.

2. The definitive source on the early history of the Potawatomis up to 1840 is R. David Edmunds' *The Potawatomis: Keepers of the Fire*, Civilization of the American Indian Series, (Norman: University of Oklahoma Press, 1978); see also Joseph Francis Murphy's "Potawatomi Indians of the West, Origins of the Citizen Band," Ph.D. dissertation, University of Oklahoma, 1961 (published by University Microfilms International, Ann Arbor, 1986); see also James A. Clifton's *The Prairie People* (Lawrence: Regents Press of Kansas, 1977).

3. Manypenny and others believed that a removal policy could no longer be implemented in the face of a rapidly disappearing frontier. The Indians' only chance of survival lay in the hope that they would settle down and become self-sufficient farmers in the American-European fashion. Clifton, *Prairie People*, 349-351.

4. The complete text of the 1861 treaty is reproduced in Charles J. Kappler's, *Indian Affairs, Laws and Treaties*, vol. 2, (Washington, D.C.: GPO, 1904), 824-828; CIA Thomas J. Morgan to Department of Interior, April 28, 1890, cited in SED no. 112, vol. 9 (Washington, D.C.: GPO, 1890), 51st Cong., 1st sess., 1889-1890: 1-5. One hundred and ninety Potawatomis had accepted citizenship by 1867. Palmer to CIA Thomas Murphy, September 14, 1865, cited in HED no. 1, pt. 2, vol. 3 (Washington, D.C.: GPO, 1868), 40th Cong., 2nd sess., 1867: 304-305.

5. CIA Dennis N. Cooley to Secretary of Interior James Harlan, October 31, 1865, cited in HED no. 1, pt. 5, vol. 2 (Washington, D.C.: GPO, 1866), 39th Cong., 1st sess., 1865: 210-212; Peter R. Hacker, "A History of the Citizen Band Potawatomi, 1861-1890" (M.A. thesis, Texas Christian University, 1987), 26-30; U.S. Indian Agent, Potawatomi Agency, Luther R. Palmer to Thomas Murphy, September 17, 1866, cited in HED no. 1, vol. 2, 39th Cong., 2nd sess., 1866: 264.

6. John Anderson, Jacob Johnson, and others (George Young signing as Secretary of the Business Committee) to Commissioner of Indian Affairs John Q. Smith, November 6, 1876, cited in Joseph F. Murphy, *Potawatomi Indians*, 422.

7. The complete text of the 1867 treaty is reproduced in Kappler, *Indian Affairs*, vol. 2, 970-974. It should be pointed out that those who drafted the 1861 treaty had included the "escape clause" in Article VIII for the benefit of the Prairie Band, which they thought would struggle and fail in Kansas. They also believed that if the Prairie Band was not removed it would bind the Citizen Band to an "uncivilized" way of life. No one had anticipated that the Citizen Band would be the element desiring "escape." See *Annual Report of the Commissioner of Indian Affairs* (hereafter cited as RCIA) (Washington, D.C.: GPO, 1829-1908): 96-97; *Ibid.*, 1861, 12; *Ibid.*, 1862, 19; *Ibid.*, 98.

8. The Citizen Band's reservation was carved out of lands that had been ceded to the U.S. by the Seminole and Creek Indians in 1866. See "Treaty with the Seminoles, 1866," reproduced in Kappler, *Indian Affairs*, vol. 2, 911; "Treaty

with the Creeks, 1866," *ibid.*, 933.

9. Joseph Bourassa to Central Superintendent Enoch Hoag enclosed in Hoag to CIA Edward Smith, August 8, 1873, cited in Murphy, *Potawatomi Indians*, 490.

10. CIA Ely S. Parker to Secretary of Interior Columbus Delano, February 10, 1871, cited in HED no. 133, (Washington, D.C.: GPO, 1871), 41st Cong., 3rd sess., 1870-1871, 1-2; Delano to Speaker of the House of Representatives James G. Blaine, March 15, 1872, cited in HED no. 203 (Washington, D.C.: GPO, 1872), 42nd Cong., 2nd sess., 1871-1872: 3-4.

11. The government had purchased the Citizen Band reservation area from the Seminoles and Creeks with the expressed intention of settling "Indians and freedmen thereon." "Treaty with the Seminoles, 1866," in Kappler, *Indian Affairs*, 911; "Treaty with the Creeks, 1866," *ibid.*, 933.

12. Delano to Blaine, March 15, 1872, cited in HED no. 203, 3-4; Congress responded with "An Act to provide homes for the Pottawatomie and Absentee Shawnee Indians in the Indian Territory," on May 23, 1872. See Kappler, *Indian Affairs*, vol. 4 (Washington, D.C.: GPO, 1929), 946-947.

13. James H. Howard, *Shawnee!* (Athens: Ohio University Press, 1981), 20-21; B. B. Chapman, "The Potawatomie and Absentee Shawnee reservation," *The Chronicles of Oklahoma* 14 (1946), 293-385; Thomas Wildcat Alford, *Civilization, The Story of the Absentee Shawnees*, as told to Florence Drake (Norman: University of Oklahoma Press, 1936, reprint ed., 1979), 7-11, 14, 70; Muriel H. Wright, *A Guide to the Indian Tribes of Oklahoma* (Norman: University of Oklahoma Press, 1951), 241-244.

14. The complete text of "An Act to provide homes for the Pottawatomie and Absentee Shawnee Indians in the Indian Territory," on May 23, 1872, is reproduced in Kappler, *Indian Affairs*, vol. 4, 946-947.

15. *Ibid.* It was reported that the Absentee Shawnees numbered 650 in the Indian Territory. In 1875 the number was estimated at 563. For the years 1877-1879 the Sac and Fox Indian Agent claimed the Citizen Band in the Indian Territory numbered only 250. Hawkins to Secretary of Interior L. Q. C. Lamar, May 17, 1887, cited in SED no. 64; Population Statistics, *RCIA*, 1875: 612; *RCIA*, 1878: 69-70; *RCIA*, 1879: 78.

16. *RCIA*, 1876: xxv; Palmer to CIA Thomas Murphy, September 17, 1866, cited in HED no. 1, vol. 2 (Washington, D.C.: GPO, 1867), 39th Cong., 2nd sess., 1866: 263-264.

Citizen Band members did not immediately qualify for membership in the Sac and Fox Indian Agency, even though they had been granted title to an Indian reservation located just twenty miles south of agency headquarters. Government schools, furthermore, were rarely accessible to the Potawatomis, and until 1892 Citizen Band children were even denied federally subsidized tuition contracts to attend the Sacred Heart boarding school—an institution that had been built on their reservation. It seems that the government chose to recognize them as Indians only when it wanted something from them, such as their removal from Kansas, but not when they requested the same type of aid provided to other tribes. In 1877 the Potawatomis were finally admitted to the agency and, in time, they learned how to exploit their double legal status instead of allowing it to exploit them. Hacker, "A History of the Citizen Band, 1861-1890," 62-63, 82-86.

17. Alford, *Civilization*, 70.

18. U.S. Indian Agent, Sac and Fox Agency in Indian Territory, Jacob V. Carter to J. B. Hodgkin, Surveyor, Oswego, Kansas, August 28, 1883, Oklahoma Historical Society, Oklahoma City, RG 75; Letters Sent from the Sac and Fox Indian Agency in Indian Territory June 14, 1883, to January 1, 1884, Letterpress book vol. 9A, 203; Carter to John E. Thomas, Chief Engineer, Atchison and Topeka Railroad, Kansas City, Missouri, October 18, 1883, *Ibid.*, 326; Carter to H. H. Hibben, Emporia, Kansas, July 26, 1883, *Ibid.*, 129-130; Carter to B. D. Wilson, Surveyor, Pawnee, Indian Territory, July 26, 1883, *Ibid.*, 127.

19. Hawkins to Lamar, May 17, 1887, SED no. 64, 2-3. For an excellent brief history of the General Allotment Act see Arrell Morgan Gibson, "The Centennial Legacy of the General Allotment Act," *The Chronicles of Oklahoma* 65 (Fall 1987), 228-251.

20. CIA John D. C. Atkins to Lamar, September 21, 1887, cited in HED no. 1, pt. 5, vol. 2 (Washington, D.C.: GPO, 1888), 50th Cong., 1st sess., 1887: 6-7.

21. Traditionally negative accounts of the Potawatomi Business Committee can be found in H. Craig Miner and William E. Unrau's *The End of Indian Kansas* (Lawrence, Kansas: The Regents Press of Kansas, 1978), 82-91; and throughout Clifton's *Prairie People*.

22. Alford, *Civilization*, 73.

23. Indians of both tribes would receive twice as much land if they accepted grazing rather than agricultural land. In addition to the Act of 1872 and the General Allotment Act of 1887, see Hawkins to Lamar, May 17, 1887, SED no. 64; Alford, *Civilization*, 136.

24. Hawkins to Lamar, May 17, 1887, SED no. 64: 4; CIA Francis A. Walker to Delano, September 1872, cited in RCIA, 1872: 39.

25. U.S. Indian Agent, Sac and Fox Agency in Indian Territory, Moses Neal to Atkins, August 16, 1886, cited in HED no. 1, pt. 5, vol. 1 (Washington, D.C.: GPO, 1887), 49th Cong., 2nd sess., 1886: 361.

26. Lamar to President Grover Cleveland, May 23, 1887, SED no. 64, 5-6; Acting CIA A. B. Upshaw to Special Allotting Agent Neal S. Porter, August 10, 1887: *Ibid.*, 6-8.

27. Upshaw to Porter, August 10, 1887, SED no. 64: 6-8.

28. Citizen Band Potawatomi Business Committee Chairman John Anderson to Anthony F. Navarre, November 13, 1887. National Archives, Washington, D.C., Record Group 75, Special Cases no. 147, Letters Received by the Bureau of Indian Affairs.

29. Navarre to Lamar, November 28, 1887, *Ibid.* Although Navarre seemed a rather unsavory character to many of his contemporaries and has been much maligned by historians, he did contribute to the success of the Citizen Band. Extremely outspoken, he never failed to draft letters protesting policies that he felt were not in his best interest (often his interests coincided with the tribe's best interests), and evidence shows that he had some effect on the creation and implementation of policies affecting the Potawatomis. He became a master at manipulating the Citizen Band's double legal status for his own benefit, and many tribesmen followed suit. For more on Navarre, see Miner and Unrau, 84-88, 90-91, 100; and Clifton, 367-369.

30. U.S. Special Indian Agent, Great Nemaha Agency, William Parsons to Atkins, November 10, 1887, National Archives, Washington, D.C., Record Group 75, Special Cases 147, Letters Received by the Bureau of Indian Affairs.

Parsons also claimed that mixing the Citizen Band with the Absentee Shawnees “will tend naturally to elevate and advance the Shawnees.” *Ibid.*

31. Acting Secretary of Interior H. L. Muldrow to Atkins, January 4, 1888, cited in SED no. 64: 10–11; Atkins to Lamar, December 28, 1887, *ibid.*, 9–10.

32. Morgan to Secretary of Interior John W. Noble, December 5, 1889, *ibid.*, 13–14; Absentee Shawnee Chief White Turkey to Morgan, December 14, 1890, National Archives, Washington, D.C., Record Group 75, Special Cases, 147, Letters Received by the Bureau of Indian Affairs; White Turkey to Morgan, January 5, 1890, *ibid.*

33. Morgan to Noble, March 4, 1890, *ibid.*, 14–15; Assistant Attorney General George Shields to Noble, June 11, 1890, SED no. 64: 17–20, Noble to Harrison, July 10, 1890, *ibid.* President Harrison approved the request the next day on July 11. *Ibid.*

34. U.S. Indian Agent, Sac and Fox Agency in Indian Territory, Samuel Patrick to Morgan, September 1, 1890, cited in *RCIA*, 1890: 201; Acting CIA R. V. Belt to Porter, October 28, 1890, cited in SED no. 64: 20–21.