Louisiana Purchases: The US-Indian Treaty System in the Missouri River Valley

By

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Professor Mark Peterson, Chair
Professor Brian DeLay
Professor Carolyn Merchant

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Abstract

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"Louisiana Purchases" challenges the common reduction of the US-Indian treaty system to a cycle of conquest, spinning vaguely in the background of national narratives, by calling attention to a remarkable fact dug out of a century of federal budgets: between 1790 and 1890, about 12 cents of every dollar spent by the federal government went into the conquest of Indian country. Simply put, Indian dispossession by treaty was one of the most expensive and complex functions assumed by the young United States. This dissertation follows the money to the antebellum period, when civil expenditures on the Indian treaty system peaked, to recover the story of the St. Louis Superintendency, an arm of the Indian Office whose operations transformed the Missouri River Valley in the early decades of the nineteenth century. The project traces the history of the St. Louis Superintendency from the Louisiana Purchase of 1803 through the era of Indian removal in the mid-1840s.

The St. Louis Superintendency was the largest and longest lived of thirty-five Indian superintendencies that blanketed US territories between the 1780s and 1870s. Erected to implement trade and treaty relations across a shifting Indian boundary, these organizations managed clusters of agencies, regulated trade, negotiated cessions, distributed annuities, kept accounts, and mediated between Indians, agents, and squatters. In short, they stewarded territorial expansion on the ground, and at unprecedented rates. Since the onset of North American colonization, Indians lost 98% of their land in what is now the continental United States. About 70% of those losses happened in the ninety years after the Revolution, filtered through superintendencies whose operations have escaped scrutiny because historians have approached Indian treaties as a political anomaly.

As the first sustained study of an Indian superintendency, "Louisiana Purchases" argues that federally administered Indian dispossession was instrumental to the formation of the United States, not just its tragic consequence. Created in the wake of the Louisiana Purchase, the St. Louis Superintendency ushered millions of acres of Indian Country into the public domain before closing. By combining archival work with spatial analysis in GIS, this dissertation tracks how the pace, location, and interpretation of treaty provisions structured a shifting landscape of settler colonial opportunity, at a time when the emigrant

population in the Missouri River Valley exploded by more than 5,000%. The results show that the dual trajectories of indigenous dispossession and settler expansion did not simply run parallel, they spiraled together.

"Louisiana Purchases" advances recent scholarship on settler colonialism and the early national state by excavating a story that has been hidden in plain sight. Given the St. Louis Superintendency's obscurity, most readers will be surprised to learn of its role in a series of textbook events tracked in the dissertation's chapters. After reassessing the long-term price of the Louisiana Purchase to account for the acquisition of Indian title, these chapters follow the legal incorporation of the Louisiana Territory into the United States, the Lewis and Clark expedition, the Missouri Compromise, and Indian Removal. All of these events involved and were shaped by imperatives of Indian relations in general and the operations of the St. Louis Superintendency in particular. This dissertation excavates these connections to show that American expansion into the Missouri River Valley in the early American republic would not have looked the same without the actions of the St. Louis Superintendency.

For Doro

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This project would not have been possible without the mentorship I've received at the History Department at UC Berkeley. My committee—Mark Peterson, Brian DeLay, and Carolyn Merchant—is a microcosm of Berkeley's much-deserved reputation for collegiality and rigor. They challenged me to take chances, follow up on barely-formed ideas, and chase stories through the archives wherever they led. I couldn't have imagined a more inspirational, brilliant, or helpful steward through graduate school than Mark, my advisor. With a seemingly bottomless well of encouragement, useful references, and good-natured pushback, Mark has been central to helping me learn to think about the past and embrace new methods for its investigation. At every turn, Brian has challenged me to think bigger about the kinds of contributions this study can offer. The chapters that passed through his dissertation reading group were so much better for it; I only regret they weren't all run through that ringer. Carolyn is the personification of a generous reader, one I can only hope to emulate. In direct and indirect ways, this project has also benefited from the guidance of Tom Laqueur, David Henkin, Mark Brilliant, and Robin Einhorn.

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As I wrote, I received feedback at a number of venues. The Front Range Early American Consortium hosted my first conference paper from this project. I'm grateful for the questions I received, especially from Peter Wood and Ben Irvin. That lively experience iterated at meetings of the American Historical Association, the American Society for Ethnohistory, and the Pacific Coast Branch of the American Historical Association. The Association of American Geographers twice welcomed this historian, and the Bay Area Early America Seminar tolerated a very GIS-centric presentation that elicited questions about politics from Justin DuRivage and Jack Rakove that helped direct the argument in Chapter 4. Both Jessica Roney and Rachel Herrmann provided a close reading of that chapter after their conference, "On Edge: New Frontiers in Atlantic

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That article, which comprises Chapter 1, appeared in the *Journal of American History* through the good graces of the Louis Pelzer Memorial Award Committee, editor Ed Linenthal, and copy editor Kevin Marsh, who improved on it greatly. Andrew Kahn and John Swansburg at *Slate* magazine made it possible to put out a shorter, popular version. And Billy Smith graciously accepted the associated data into *The Magazine of Early American Datasets* on very short notice. My advisors let me work on that material longer than anyone should ever work on a dissertation chapter, and I can only thank them for their extraordinary patience.

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When I wasn't reading, researching, or writing in the past few years, time with friends and family kept me sane. Happy hours with Alberto Garcia, Chris Bovbjerg, Zoe Griffith, Giuliana Perrone, Eric Johnson, and Lauren Chiarulli were always great fun. Elliot Blair not only helped me learn GIS, he served as the best man at my wedding. Many good times were had with the seek-the-peak crew that turned into the skip-the-hike-and-go-straight-to-the-barbeque crew. The group ebbed and flowed with the university community, which is wonderful because new people are always coming, and terrible because new friends are always leaving. There are too many to name, so I'll leave it at that. The only downside to living in Berkeley has been the distance it put between family on the east coast and abroad. Visits from Tommy and Amber were welcome respites. Thanks to Cori and Chris for putting me up in New York, and to Mom and Walter, Jimmy and JP for the holidays in Florida. No one visited more often or from further away than Dieter and Maria Unger, who always gave unflinching support.

Last but not least, there's Doro. No one has suffered more selflessly through the writing of this dissertation. When we lived together in Berlin, she encouraged me to follow my passion for history back to the United States. She stuck it out with me for more than a year while we lived on near-opposite sides of the globe. Then she left her home country to join me in Berkeley, and did me the unbelievable honor of marrying me. As I traveled to archives, put together presentations, assembled applications, and wrote these pages, she started a new career, built a network of friends, and became the primary breadwinner of our household. She's kept me on track when things have looked bleak and forced me to take breaks when they looked even bleaker. What's been joyful in our lives is due to her, most of all the birth of our daughter Eleanor, whose arrival made completing this project all the more difficult and that much more worthwhile. For all that she's done, the dedication of this dissertation is a small gesture of gratitude.

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Introduction

Between 1791 and 1890, as much as 12 cents of every dollar spent by the federal government of the young United States of America went into the conquest of Indian country.[1] These expenditures underwrote a massive land transfer. Hundreds of cessions extinguished Indian title at a rate that dwarfed preceding centuries of North American colonization. That Indians relinquished territory through numerous treaties is well-known, but the scope of the treaty system is not. This dissertation is about that system and how it shaped the United States. The project tracks the extension of the treaty system into the Missouri River Valley in the four decades after the Louisiana Purchase. It argues that federally administered Indian dispossession was instrumental to the formation of the United States, not merely its tragic consequence.

The general contours of the story of US territorial growth have cycled through a series of motifs since historians began talking about them in the late nineteenth century. Introduced as an epic of national expansion, it eventually morphed into a tragic tale of conquest and, most recently, into an ordeal of settler colonialism.[2] No matter the form, its start and end are as predictable as its two diverging paths. Indians had land and autonomy and they lost both. Those losses became the gains of newcomers whose once small and weak nation became vast and strong.[3] There is much to these broad strokes, and much they gloss over. Their sharp contrast overshadows an underlying complement. The dual trajectories of land loss and land gain did not simply run parallel, they spiraled together.

That twinned path remains difficult to see because historians have approached Indian treaties as a "political anomaly" and cataloged their effects in terms of the "making of American Indian history."[4] Yet for nearly ninety years, from the 1780s to the

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[1] This figure comes from a combination of historical statistics issued with the 1890 census's *Report on Indians Taxed and Not Taxed in the United States (Except Alaska) at the Eleventh Census* (Washington DC, 1894), 641-643 and in *Historical Statistics of the United States, 1789-1945: A Supplement to the Statistical Abstract of the United States* (Washington DC), 309-311. I say as much because a low estimate would be about 8 cents, with the difference coming from the exclusion of the cost of building military installations.

[2] There are too many works that touch on this topic to list fully. Those that have shaped this reading include Walter Hixon, *American Settler Colonialism: A History* (New York, 2013); Bill Hubbard, Jr., *American boundaries: the nation, the states, the rectangular survey* (Chicago, 2009); Walter Nugent, *Habits of Empire: A History of American Expansionism* (New York, 2008); Mark S. Joy, *American expansionism, 1783-1860: a manifest destiny?* (New York, 2003); Gregory H. Nobles, *American frontiers: cultural encounters and continental conquest* (New York, 1997); D.W. Meinig, *The Shaping of America: Geographical Perspective on 500 Years of History. Vol. 2: Continental America, 1800-1867* (New Haven, 1993); Ray Allen Billington, *Westward Expansion: A History of the American Frontier* (Albuquerque, 1949); Edmund J. Carptenter, *The American advance: a study in territorial expansion* (New York, 1903); Samuel L. Parrish, "American expansion as an historical evolution," Paper read before the American social science association, at Saratoga, September 6, 1899.

[3] For recent works on this theme, see Paul VanDevelder, *Savages and scoundrels the untold story of America's road to empire through Indian Territory* (New Haven, 2009); Stuart Banner, *How the Indians Lost their Land: Law and Power on the Frontier* (Cambridge, MA, 2005); Paula Mitchell Marks, *In a barren land: American Indian dispossession and survival* (New York, 1998).

[4] I am referring here to the arguments signaled in the subtitles of the two modern syntheses of the US-Indian treaty system: Francis Paul Prucha, *American Indian Treaties: The History of a Political Anomaly* (Berkeley, 1997); Colin Calloway, *Pen and Ink Witchcraft: Treaties and Treaty Making in American Indian History* (New York, 2013). For a guide to recent scholarship conceptualized around the idea of the

1870s, Indian treaties were a political regularity amidst the tumultuous rise and fall of the first American Republic between the Revolution and Reconstruction. To a larger degree than historians have allowed, the making of American Indian History through landed dispossession *was* the making American History. Those 12 cents can help explain how, as they speak to recent developments in studies of Native American history, settler colonialism, and the history of the early American state.

Thanks to several decades of scholarship in Native American history, historians now know a great deal about how indigenous peoples endured dispossession: how they navigated the pressures of colonization, adapted to its impositions, devised strategies of cultural and economic survival, and coopted its tools, like law, to improve their lives. This scholarship has opened up a rich line of inquiry that has demonstrated—to paraphrase a recent essay collection—why you can't understand US history without American Indians.[5] This growing literature has found a "playing off" system bending the fates of European empires in the eighteenth century, "native grounds" reshaping North America, and the United States grasping at landscapes transformed by independent Indians in the nineteenth century.[6] But it has been comparatively muted on how increasingly dependent indigenous communities affected US territorial development as the treaty system swallowed their land and converted it into settlers' private property. The United States invested large sums to colonize Indians who would emerge in "unexpected places" precisely because Indian peoples refused to vanish.[7]

The military, not surprisingly, consumed the lion's share of the resources expended for the takeover of Indian lands in the century after the adoption of the Constitution. Depending on the method of tabulation, anywhere from one half to two thirds went to army operations, supplies, logistics, and installations that enabled numerous and sometimes genocidal uses of force.[8] More frequently, however, the mass of military costs were used to project rather than exert force, providing a backdrop of intimidation for a conquest by treaty that dominated US-Indian relations in the nineteenth century. Often promoted at the time as an enlightened alternative to extermination but consistently sold as an economical one, treaties structured the non-military—or civil costs—of Indian Affairs. Such costs have a reputation for being practically immaterial,

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first American Republic, see Andrew Shankman, ed., *The World of the Revolutionary American Republic: Land, Labor, and the Conflict for a Continent* (New York, 2014), xvi.

[5] Susan Sleeper-Smith, Juliana Barr, Jean M. O'Brien, Nancy Shoemaker, Scott Manning Stevens, eds., *Why You Can't Teach United States History without American Indians* (Chapel Hill, NC, 2015).

[6] There are many works in this vein. The ones I allude to directly include, Daniel K. Richter, *The Ordeal of the Longhouse: The People of the Iroquois League in the Era of European Colonization* (Chapel Hill, 1992); Kathleen DuVal, *Native Ground: Indians and Colonists in the Heart of the Continent* (Philadelphia, 2006); Pekka Hämäläinen, *The Comanche Empire* (New Haven, 2008); Brian DeLay, *War of a Thousand Deserts: Indian Raids and the U.S.-Mexican War* (New Haven, 2008). For more recent contributions, see Michael McDonnell, *Masters of Empire: Great Lakes Indians and the Making of America* (New York, 2015); Robert Michael Morrissey, *Empire by Collaboration Indians, Colonists, and Governments in Colonial Illinois Country* (Philadelphia, 2015); James D. Rice, "Bacon's Rebellion in Indian Country," *Journal of American History* 101, no. 3 (2014): 726-750.

[7] Philip J. Deloria, *Indians in Unexpected Place*

[8] On American genocide, see Benjamin Madley, "Reexamining the American Genocide Debate: Meaning, Historiography, and New Methods," *The American Historical Review* 120, no. 1 (February 2015): 98-139; Jeffrey Ostler, "An Indigenous Consciousness of Genocide in the. Ohio Valley and Lower Great Lakes, 1750s–1810," *William and Mary Quarterly* 72, no. 4 (Oct. 2015): 587-622.

the baubles offered by one hand while the other holds a bayonet.[9] Records of federal spending say otherwise. Civil expenditures on Indian relations amounted to about 4 cents of every dollar that left the US treasury prior to 1890.[10] The money went toward a variety of activities that transferred title, created reservations, and demanded cultural change. Given the undeniable population and power imbalance between indigenous and settler communities, conquest can seem predetermed. The United States' heavy investment suggests the course and speed of conquest was far from automatic or inevitable, and that the treaty system it fed was more than a cycle of dispossession whirring in the background of American history.

That can be difficult to see against the backdrop of an ascendant paradigm of settler colonialism. The work of theorists like Patrick Wolfe and Lorenzo Veracini have helped Americanists understand US expansion as an iteration of a global phenomenon aimed at converting indigenous homelands into settler property, as well as the ways these encounters forged a colonial present.[11] At the same time, settler colonial studies too often conceptualize demography as destiny as they reframe the celebrated pioneers of days past as avaricious hordes of squatters lighting out for distant parts of the globe and dragging new governments behind them.[12] Demographic change was essential to the practical expansion of the United States, but it was not destiny. While some squatters invaded Indian lands, many more were reactive, responding to a shifting landscape of opportunity conditioned by the costly operations of the Indian treaty system.

This project suggests that historians can better understand how Indian land loss and settler land gain together transformed the United States by revisiting the stage on which they interacted. As a result, both indigenous polities and settler communities receive less attention in these pages than the institutional apparatus that ensnared Indian homelands and funneled them into the US public domain. By taking a fresh look at the administration of Indian affairs, this dissertation contributes to a wave of scholarship on the early American state. This line of research forms part of an ongoing response to Theda Skocpol's now-famous call to put "the state back in," which has recently moved past questions about whether to describe the state as weak or strong in order to focus on questions about what the state actually did.[13] By focusing on Indian affairs in the

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[9] See, for instance, Ronald Wright, *Stolen Continents: The Americas Through Indian Eyes Since 1492* (New York, 1992).

[10] Op cit. note 1.

[11] Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (London, 2010); Patrick Wolfe, "Settler colonialism and the elimination of the native," *Journal of Genocide Research* 8, no. 4 (2006): 387-409. Also see Mikal Brotnov Eckstrom and Margaret D. Jacobs, "Teaching American History as Settler Colonialism," in Smith, Barr, O'Brien, Shoemaker, Stevens, eds., *Why You Can't Teach United States History without American Indians*, 259-272.

[12] Walter L. Hixson, *American Settler Colonialism*; James Belich, *Replenishing the Earth: The Settler Revolution and the Rise of the Anglo-World, 1783-1939* (New York, 2009); James C. Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900* (Kingston, Ontario, 2006); Wolfe, "Settler colonialism and the elimination of the native." For a similar critique of the vision of "land-hungry mobs" in recent literature, see Gregory Evans Dowd, "Indigenous Peoples without the Republic," *Journal of American History* 104, no. 1 (June 2017): 19-41, qt. 41.

[13] Theda Skocpol, "Bringing the State Back In: Strategies of Analysis in Current Research," in Peter B. Evans, Dietrich Rueschemeyer, and Theda Skocpol eds., *Bringing the State Back In* (New York, 1985), 3-37; William J. Novak, "The Myth of the 'Weak' American State," *American Historical Review* 113, no. 3 (2008), 752–72. For recent works that emphasize state actions over the "metaphysical question of what the state *is*," see James T. Sparrow, William Novak, and Stephen W. Sawyer, ed., "Introduction," in

antebellum American West, this dissertation adds to our understanding of state actions in the early American republic, but it does more than simply lob a new case atop a heap of recent studies.[14] By combining archival work with analysis in GIS, this project uncovers a major institution that has been hidden in plain sight, one that not only contributes new insight into how North American colonization unfolded, but gestures toward a new geography for narrating US expansion.

The most conventional rendition of US territorial growth recounts the assembly of a continental nation in leaps that bound over Indian country. Frederick Jackson Turner—who else?—offered one of its clearest formulations from a lectern, but not at his famous 1893 address. He delivered it over many years as a course called "History of the West."[15] The outline that survives at the Huntington Library reveals a class with a strange gap. In the first lecture, Turner presented figures and maps from the 1890 census, and told students they would learn how this large and populous nation came about. In the next he jumped back to the seventeenth century. As the semester proceeded, he galloped forward through the imperial contests of the eighteenth century and the American Revolution. But he never made it back to 1890. His last lecture ended in Paris in 1803, with Robert Livingston and James Monroe negotiating the Louisiana Purchase. The sentiment behind this arrangement—that flooding settlers made national expansion a foregone conclusion—has been remarkably resilient. It appears in geographical studies of the United States where Indians appear only to be shoved out of the way, in histories of territorial expansion that organize chapters around imperial acquisitions and make Indian land loss filler, and histories of the Louisiana Purchase that frame the conquest of Indian country as an afterthought to a $15 million bargain.[16]

Boundaries of the State in US History (Chicago, 2015), 5; Gautham Rao, "The Early American State 'In Action': The Federal Marine Hospitals, 1789-1860," in Sparrow, Novak, and Sawyer, ed., *Boundaries of the State in US History*, 21-56; Paul A. Kramer, "Power and Connection: Imperial Histories of the United States and the World," *American Historical Review* 116, no. 5 (Dec. 2011): 1348-1391, esp. 1349.

[14] Studies of the early American state have blossomed in recent years. Works focusing on the antebellum period include, Gautham Rao, *National Duties: Custom Houses and the Making of the American State* (Chicago, 2016); Max M. Edling, *A Hercules in the Cradle: War, Money, and the American State, 1783-1867* (Chicago, 2014); Paul Frymer, "A Rush and a Push and the Land Is Ours": Territorial Expansion, Land Policy, and U.S. State Formation," *Perspectives on Politics* 12, no. 1 (March 2014): 119-144; John Lauritz Larson, *Internal Improvement: National Public Works and the Promise of Popular Government* (Chapel Hill, 2001); Ronald P. Formisano, "State Development in the Early Republic: Substance and Structure, 1790–1840," in *Contesting Democracy: Substance and Structure in American Political History*, ed. Byron E. Shafer and Anthony J. Badger (Lawrence, KS, 2001), 7–36; Richard R. John, "Governmental Institutions as Agents of Change: Rethinking American Political Development in the Early Republic, 1787–1835," *Studies in American Political Development* 11 (Fall 1997): 347-380. Works pertaining to Indian affairs have concentrated on the late nineteenth century, see C. Joseph Genetin-Pilawa, *Crooked Paths to Allotment: The Fight Over Federal Indian Policy after the Civil War* (Chapel Hill, 2012); Cathleen D. Cahill, *Federal Fathers and Mothers: The United States Indian Service, 1869-1933* (Chapel Hill, 2011). For a synthesis of the older literature on Indian affairs administration, emphasizing it as a form of "big government," see Stephen J. Rockwell, *Indian Affairs and the Administrative State in the Nineteenth Century* (New York, 2010).

[15] Frederick Jackson Turner, "History of the West" [1909?], TU Vol. VI, "Collection of Syllabuses," Frederick Jackson Turner Collection, 1862-1963, Huntington Library, San Marino, California.

[16] D.W. Meinig, *The Shaping of America: Continental America*; Walter Nugent, *Habits of Empire*; Jon Kukla, *A Wilderness So Immense: The Louisiana Purchase and the Destiny of America* (New York, 2003).

Just as Turner taught his students, teachers still tell theirs about that extraordinary deal.[17] The Louisiana Purchase's reputation as one of the greatest real estate coups in world history has survived a paring from textbooks that once explained how, from 1803 to 1867, the United States acquired a North American dominion from France, England, Spain, Mexico, and Russia for $53 million in non-military expenditures.[18] The point was that these acquisitions deserved attention and analysis because they were cheap and easy, which, also somehow seemed to be the rationale for ignoring Indian cessions. But the logic that made the price of the Louisiana Territory common knowledge is more than contradictory, it also harbored a questionable assumption that what came cheap and easy had greater significance than what was costly and difficult. Even more problematic, is that this formulation simply got the facts wrong. The evidence was never hidden, it was just deeper in the reports published with the census of 1890 than Turner told his students to go, and even past where recent historians, attuned to the role of the federal government in the colonization of the west, have tread. Between 1803 and 1867 the non-military expenditures linked to the collapse of the Indian territory added up to $108 million, more than double the civil expenditures on expanding US territory through imperial acquisitions of dominion.[19] If that statistic has eluded mention by specialists and canonization in textbooks, it is because the history of territorial growth into Indian country that coincided with a boom in civil expenditures on Indian relations has not received its due.

That boom appears in Fig. 0.1, cresting in the antebellum period, a time of intense Indian cessions, removals, relocations, and migrations. But as the graph also makes clear, the civil costs of Indian dispossession did not start or end in these years. By 1934, when the abrogation of allotment stanched the flow of title transfers, total appropriations had surpassed $1.2 billion. By then the annual portion of the federal budget funneled into Indian affairs had fallen to 0.5%. Not surprisingly, this proportion was highest when the Indian treaty system was in full swing. At its peak in the 1830s, civil expenditures through the Indian Office reached 19.5% of the federal budget, and an astonishing 44.5% of all non-military spending.[20]

Perhaps the most startling thing about these figures is that they have gone unreported. Narratives of US national expansion simply have not provided the context to account for them, in part because they have prioritized acquisitions of dominion over efforts to gain control over and occupy space. Yet these figures suggest that the roving end of the playing off system in the early nineteenth century marked not an end of a colonial era, but a transition between colonial periods. And colonialism in nineteenth century America—as a force of both subjugation and social reproduction—was no less

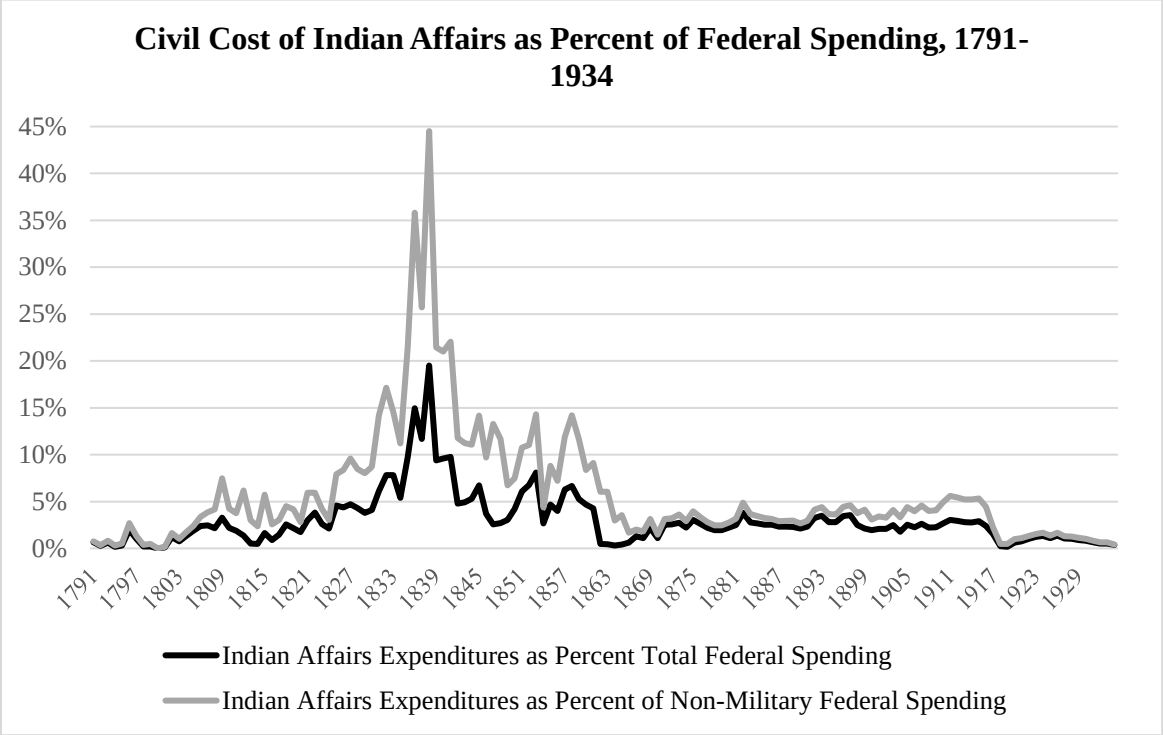
[17] It was actually $23,213,567.73 if you count reimbursements Americans received under the treaty ($3,747,268.98) and interest on the bonds ($8,221,320.50) used to convey the principal ($11,250,000.00), and subtract the commission paid on the purchase of the bonds ($5,021.75). Bernard DeVoto misleading dubbed these numbers the "cost of finality." See Bernard DeVoto, *The Course of Empire* (New York, 1952), 397.

[18] For a useful reflection on the ubiquity of this formulation in the early twentieth century, see: Cohen, "How We Bought the United States," *Collier's* 117 (January 19, 1946), p. 62

[19] It was actually $108,353,545. This was 1.8% of federal expenditures (remove the military costs of the Civil War and it more than doubles to 3.8%). Op. cit. note 1.

[20] Op cit. note 1.

Fig. 0.1: Civil Cost of Indian Affairs as Percent of Federal Spending, 1791-1934



complex or transformative than what came before.[21] In fact, it ramped up considerably as the United States joined the "powers of the earth," becoming articulated through the young nation's emerging governing structures.[22] The antebellum boom in Indian affairs expenditures is an artifact of that acceleration, and it cannot be explained away by the smaller size of the federal government prior to the Civil War. To the contrary, that condition highlights precisely the question taken up here: If *more* of what the United States did at a time when it was doing *less* was funneling resources into the colonization of the Indian country, what should the history of antebellum state formation look like?

This dissertation argues it looked a lot less like Livingston and Monroe's singular negotiations in Paris than the world framed by the operations of an almost entirely forgotten organization called the St. Louis Superintendency.

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[21] Calls to study US colonialism in the nineteenth century and their connection to what came before have appeared often in recent years. See, Joyce E. Chaplin, "Expansion and Exceptionalism in Early American History," *Journal of American History* 89, no. 4 (March 2003): 1431–1455; Jack P. Greene, "Colonial History and National History: Reflections on a Continuing Problem," *The William and Mary Quarterly* 64, no. 2 (2007): 235-50; Trevor Burnard, "Empire Matters? The Historiography of Imperialism in Early America, 1492–1830," *History of European Ideas* 33, no. 1 (2007): 87–107; François Furstenberg, "The Significance of the Trans-Appalachian Frontier in Atlantic History," *American Historical Review* 113, no. 3 (2008): 647-677; Paul A. Kramer, "Power and Connection: Imperial Histories of the United States in the World"; David Prior, "After the Revolution: An Alternative Future for Atlantic History," *History Compass* 12, no. 3 (March 2014): 300–309; Adam Rothman, "The Paracolonial Republic and War of 1812," in Jean-Marc Serme, ed. *1812 in the Americas* (Cambridge, UK, 2015), 1-11.

[22] Eliga H. Gould, *Among the Powers of the Earth: The American Revolution and the Making of a New World Empire* (Cambridge, MA, 2012). Gould's title comes from the Declaration of Independence.

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Who has even heard of the St. Louis Superintendency? Not most Americans. Not most historians, not even most historians of the United States, and certainly not me when I began researching US-Indian relations. This is for a very good reason. There are no articles or books about it. Even without a robust secondary literature, scholars of the American West have, like me, surely come across it in biographies, footnotes, and sources.[23] The St. Louis Superintendency was a regional arm of what became the Indian Office. It existed for decades, overseeing large numbers of agents, interpreters, and subcontractors as it supported the negotiation and administration of Indian treaty relations in the Missouri River Valley. But perhaps the best way to start to explain the St. Louis Superintendency is by acknowledging that it was not alone.

Between the 1780s and the 1870s, the federal government opened and closed regional Indian superintendencies across the continental United States. They generally appointed territorial governors the *ex officio* superintendent for a given territory, but also created independent offices to administer regions that included states with significant Indian populations. Their organization was pyramidal in structure, with field agents at the base. The agents and subagents, who were in charge of interpreters and various other employees at their agencies, reported to the superintendent, who reported to the War Department until 1824, when the Indian Office was created within the department. In 1849, the Indian Office moved to the newly formed Interior Department, and the superintendencies went, too.[24]

These superintendencies managed treaty relations that transformed territorial jurisdictions across the continent. As regional subunits of the Indian Office, they oversaw shifting webs of agencies as they brokered relations between indigenous communities and multiplying settler populations. They facilitated the diplomatic and colonial relationships articulated through the treaty system; they received, transmitted, and adapted policy directives; they collected, organized, and disseminated information; they hired and paid personnel; and they distributed goods and annuity payments to Indian nations as their land holdings were reduced then allotted. Initially modelled on an administrative structure pioneered by British authorities in the mid-eighteenth century, they became far more elaborate as an American institution in the nineteenth century. It was not a coincidence that their existence tracked with the most concentrated burst of settler colonial expansion in North America in the last five hundred years.[25]

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[23] The most detailed work on the St. Louis Superintendency appears in biographies of William Clark, who was the longtime superintendent (1813-1838). Among these Jay H. Buckley's study of Clark's life as an Indian diplomat is the most useful. Jay H. Buckley, *William Clark: Indian Diplomat* (Norman, OK, 2008). Also see: Peter J. Kastor, *William Clark's World: Describing America in an Age of Unknowns* (New Haven, 2011); Landon Y. Jones, *William Clark and the Shaping of the West* (New York, 2004); Jerome O. Steffen, *William Clark: Jeffersonian Man on the Frontier* (Norman, OK, 1977).

[24] Edward E. Hill, *The Office of Indian Affairs, 1824-1880: Historical Sketches* (New York, 1974), 1-4; David J. Wishart, *An Unspeakable Sadness: The Dispossession of the Nebraska Indians* (Lincoln, NE, 1994), 55-56.

[25] On the unparalleled rate of the growth and spread of the US population in the early republic, see: Herbert S. Klein, *A Population History of the United States* (New York, 2004), 61-94.

Thirty-five Indian superintendencies appeared and disappeared between 1786 and 1878, when all agencies were ordered to report directly to the Indian Office.[26] They proliferated in response to the more logistically complex relationships that accompanied the rise and fall of the formal US-Indian treaty system, which defined the almost yearly moving Indian boundary line. Of course, some were denser with agencies and responsibilities than others. Some lasted just a few years, others decades. Their jurisdictions shifted and moved with the creation of territorial governments and the opening and closing of agencies, and they worked with the military supporting their operations, often in vexed partnerships. They occasionally overlapped and frequently hived off from each other. Like the agencies and subagencies they managed, their closure or relocation occurred when indigenous groups in a particular region had been either confined to reservations, relocated, or otherwise deemed non-threatening to incoming settlers whose interests they ultimately served.[27] As a form of colonial administration, they brought Indians, government agents, and settlers together as they partitioned opportunities resulting from those encounters. If the Indian treaty system gave the United States a "license for empire," as Dorothy V. Jones has argued, Indian superintendencies paved roads into Indian country.[28]

They also produced records, lots of them, though frequent use has not made superintendencies familiar. Historians have written *through* rather than *about* Indian superintendencies. They have used their voluminous records to compose biographical treatments of prominent government agents, Indian leaders, and traders, compile accounts of diplomacy and conflicts within their jurisdictions, and examine national policies that flowed into them.[29] Since the mid-twentieth century, ethnohistorians have scoured these records, too, putting their findings to good use tracing the histories of individual Indian nations. Most recently, they have been mined to characterize power relations on North American borderlands.[30] The Western Superintendency, the Oregon Superintendency, the

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[26] Hill, *The Office of Indian Affairs, 1824-1880.*

[27] William Howard Roche, "Territorial Governors as ex-officio Superintendent of Indian Affairs and the decline of American Indian relations," MA thesis, University of Montana, 1991.

[28] Dorothy V. Jones, *License for Empire: Colonialism by Treaty in Early America* (Chicago, 1982).

[29] Even detailed studies explicitly of Indian affairs administration, which have generally adopted a policy-based approach, will often mention various superintendencies but provide little analysis of them. See Rockwell, *Indian Affairs and the Administrative State in the Nineteenth Century*; Francis Paul Prucha, *The Great Father: The United States Government and the American Indians* (2 vols.; Lincoln, NE, 1984); George Dewey Harmon, *Sixty Years of Indian Affairs: Political, Economic, and Diplomatic* (Chapel Hill, NC, 1941); J.P. Kinney, *A Continent Lost—A Civilization Won: Indian Land Tenure in America* (Baltimore, 1937).

[30] For an example of the liminal visibility of the superintendency system in the most influential work fitting this mold consider the epilogue of Richard White's pathbreaking *The Middle Ground*. In a moment from 1824 that captures the middle ground's demise, Charles C. Trowbridge sits with Tenskwatawa to gather information with a "standard list of questions sent to Indian superintendents across the country," after which he "forwarded the questionnaire to Washington, where its data were sorted and compiled." Left unsaid is that Trowbridge sent these documents *from* the Michigan Superintendency, whose records list him as a translator employed as a subagent from 1824 to 1825, paid $480 for "various missions to the Indian Country." See: Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (New York, 1991), 520, 523; "A list of the names of all persons employed in the Indian Department at Detroit, under the Superintendency of Lewis Cass, Governor of the Territory of Michigan & Superintendent of Indian Affairs therein between September 1, 1824 and September 1, 1825," RG 75, M234, Roll 419.

St. Louis Superintendency and others are phrases scattered across footnotes in an enormous volume of scholarship. They just never reach the titles.[31] To list a heap of publications that draw on their records, mention them in passing, or even zoom in on one of their agencies, would only belabor a point made just as clearly by a Google search for "Journal of American History Indian Superintendency." The results do not point to an article in this leading journal; they deliver its style sheet (Fig. 0.2).[32]

Fig. 0.2: St. Louis Superintendency in Journal of American History Style Sheet

79.	M. Martin to Lewis Cass, Nov. 27, 1832, St. Louis Superintendency, Letters Received, Records of the Office of Indian Affairs, RG 75 (National Archives, Washington, D.C.).
79.	Martin to Cass, Nov. 27, 1832, St. Louis Superintendency, Letters Received, Records of the Office of Indian Affairs.

Nearly forty years after NARA accessioned remaining Indian superintendency records from the Bureau of Indian Affairs, an archivist published a guide providing short descriptions of the superintendencies, agencies, and subagencies charged with attempting "to preserve or restore peace and often to induce the Indians to cede their land and move to areas less threatened by White encroachment."[33] He hoped his compilation would encourage research into a history made increasingly accessible, in theory at least, on 962 reels of microfilm. Forty years later, his "brief sketches" remain their most detailed chronicle.

Because Indian superintendencies were diffused across American borderlands for almost a century, and have become invisible in the stories told about them, reconstructing the history of the Indian superintendency system presents a problem of scale that only begins with the federal records. As extensive as they are, NARA records contain significant gaps. Partly this is due to unrecorded activities or documents lost or destroyed. But superintendents, agents, and interpreters also kept official and unofficial papers, which occasionally survived and became accessible at historical societies and manuscript libraries. This is what happened to thirty-four volumes of materials at the Kansas State Historical Society known as the William Clark Papers—after the superintendent who preserved them—but could be more accurately called the Records of the St. Louis Superintendency.[34]

Just as important, superintendencies concentrated interactions by people who carried remnants and recollections beyond their confines. Official papers recorded indigenous voices, albeit filtered and predominantly those of men engaged in diplomacy.

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[31] For two exception that prove the rule, see a pair of MA theses: Charles Edwin Garretson, "A History of the Washington Superintendency of Indian Affairs, 1853-1865," MA thesis, University of Washington, 1962; William Howard Roche, "Territorial Governors as ex-officio Superintendent of Indian Affairs and the decline of American Indian relations," MA thesis, University of Montana, 1991.
[32] "*Journal of American History* Style Sheet," http://www.journalofamericanhistory.org/submit/stylesheet.html, accessed August 31, 2015.
[33] Hill, *The Office of Indian Affairs, 1824-1880*, "Foreward," 1.
[34] William Clark Papers, Kansas Historical Society, Topeka, Kansas.

Those voices also emerge from stories passed on and told years or decades later by descendants who kept their own records according to their own protocols. Emigrants likewise made pleas and complaints that appear in superintendency logs, but they also wrote about their experiences in journals and sometimes recounted personal recollections for publication. Still others—traders, travelers, naturalists, and artists—whose economic or intellectual interests brought them to borderland regions often found themselves reliant on the local infrastructure of Indian relations, and inadvertently documented its activities in stories, research findings, or sketches.

Perhaps the most prominent documentary legacy of the superintendency system lies in the contents of the Ratified Indian Treaty file stowed away in Washington DC, in the lines of ink that legally transferred a continent. Evidence of the actions that gave those lines meaning, however, is scattered. Sometimes the connections can be downright opaque, like a field map from a set of treaty negotiations spearheaded by a superintendent after the War of 1812 that one military cartographer in Washington had a tough time identifying. In a moment of good-humored frustration, he jotted on the back "no date—no seal—no meridians, and like a french watch—no maker's name."[35] Other links are hidden in plain sight, like a cession line from that mystery map that also happens to appear on Lewis and Clark's route map, published to acclaim in 1814.[36] Still others give no hints at all until approached with the right questions. Ask how a portrait of an Omaha chief named Big Elk became the frontispiece of Samuel George Morton's *Crania Americana* (1839) and an infamous contribution to race science filled with images of dead Indians reveals its connection to a living world of Indian diplomacy facilitated through the superintendency system.[37]

Then there are the accounts. A large amount of both the official and unofficial papers of Indian affairs consists of neat lists and scraps of paper that capture capital in transit: employees and their pay; receipts for deliveries and reimbursements; descriptions of the value of property lost in conflicts between settlers and Indians; registers of annuities or goods distributed or owed; costs for treaty negotiations or diplomatic travel; and much more. If historians have written through superintendency papers, they have apparently scanned past these recalcitrant records of resources funneled into US-Indian treaty relations.

With all of this documentary diffusion, to propose to write a complete history of the Indian superintendency system would be picking an unwinnable fight with time. It has to be scaled down. Fortunately, the logic guiding the organization of the system itself suggests a strategy. Indian superintendencies may have been a national phenomenon, but they were regional formations, and it is within that more limited scope that their function can be most clearly contextualized, their operations reasonably followed, and their effects appreciated. Consequently, this study focuses on one important and illuminating

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[35]"Sketch of the country included between the Illinois River, from Fort Clark, & St. Louis on the east, Prairie du Chien on the North, the Kansas and Missouri Rivers on the South and the Ioway towns on the Grand River by the Missouri on the West" [ca. September 1815] CMF 140, Cartographic and Architectural Records, National Archives, College Park, Maryland.

[36] Nicholas Biddle, *History of the Expedition Under the Command of Captains Lewis and Clark* (2 vols.; Philadelphia, 1814), inset map.

[37] Samuel George Morton, C*rania Americana; or, A Comparative View of the Skulls of Various Aboriginal Nations of North and South America: To which is Prefixed An Essay on the Varieties of the Human Species* (Philadelphia, 1839), frontispiece.

supertintendency, the one gestured at by the JAH style sheet, mentioned in passing through its connection with William Clark, and responsible for arranging Big Elk's costly journey to Washington. Follow the money, and the St. Louis Superintendency can be found managing Indian relations at the chronological and geographical heart of the wider superintendency system. It cannot tell their whole story, but it offers a way in, at a place and time where the pace, placement, and interpretation of Indian cessions reverberated into the state settling around them.

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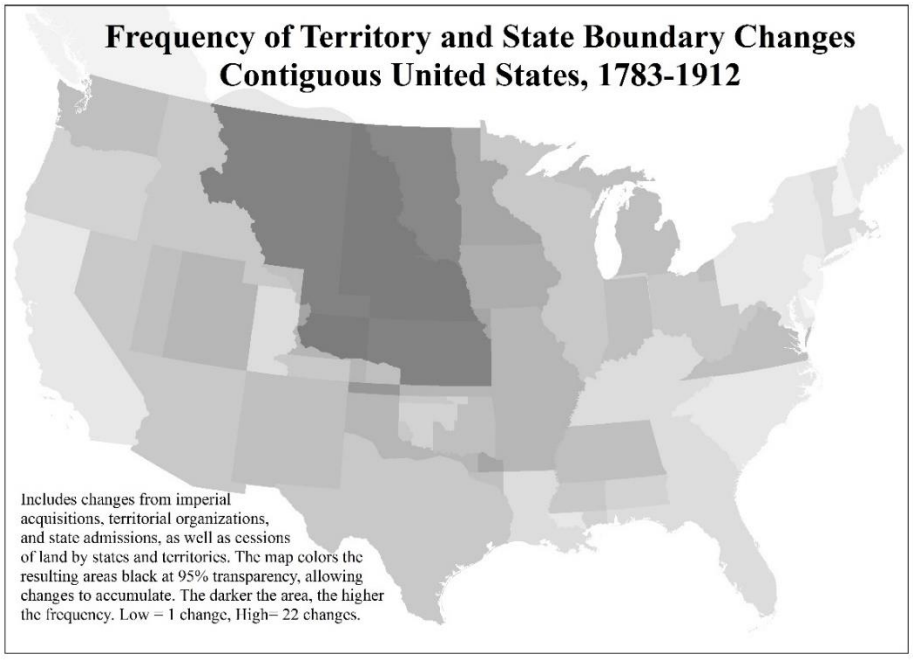
The Missouri River Valley experienced an unusually turbulent ordeal of state formation. A rough imprint of that process manifests in the frequency of political boundary changes that framed its occupation. Fig. 0.3 illustrates this by tracking US territories and states as they were organized, altered, and admitted, and allowing all the changes to accumulate on the map.

But illuminating boundary changes does not explain them. The intensity of territorialization in the Missouri River Valley reaches back to the Louisiana Purchase, whose form, ubiquitous in scholarship on the growth of the United States, bleeds through Fig. 0.3 almost like an apparition. The reason Upper Louisiana in particular shows through is not because it appears any more frequently than the Mexican Cession, the joint occupation of Oregon, or the Gadsen Purchase. Instead it darkens as portions of it were reconstituted: as the Louisiana Territory, as the Missouri Territory, as parts of the Michigan, Iowa, Minnesota, Dakota, Colorado, and Wyoming territories. Most of all, Fig. 0.3 captures boundary changes linked to the slow contraction of "Unorganized Territory," a euphemism for what was known to Americans at the time as Indian Country. At one point or another, nearly all of it was the concern of the St. Louis Superintendency.

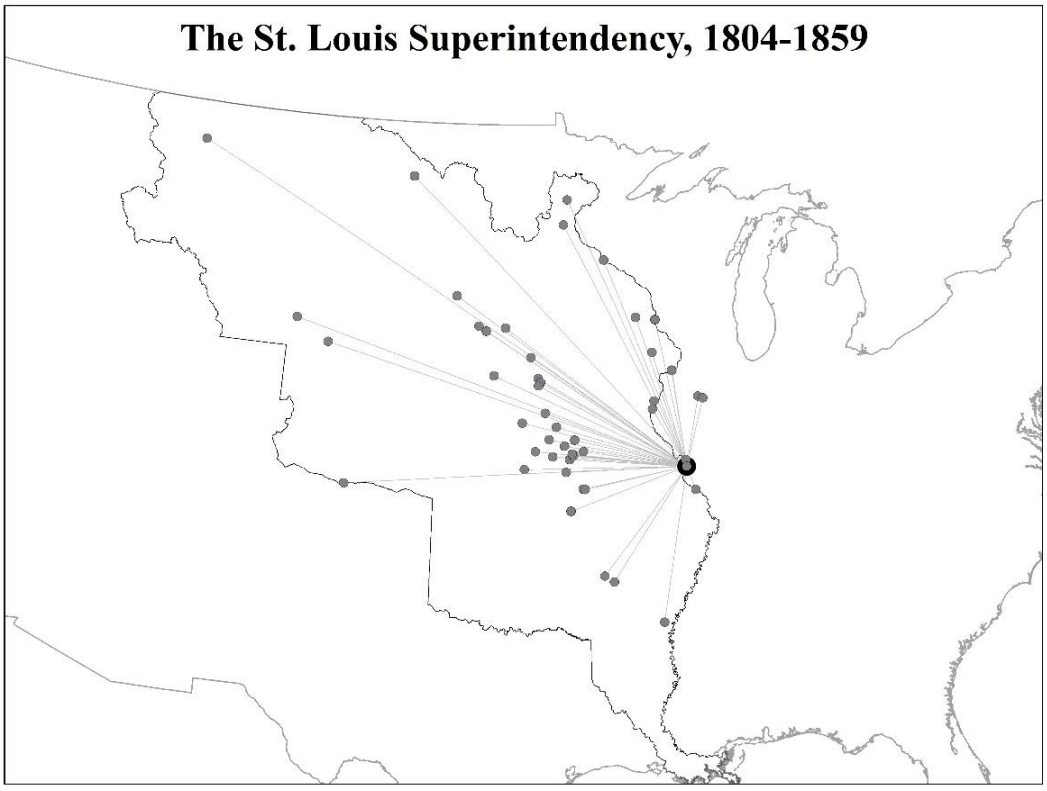
Fig. 0.3: Frequency of Territory and State Boundary Changes, 1783-1912



Named for the location of its anchor of operations, the St. Louis Superintendency actually existed according to several designations. From 1804 to 1812, it was technically known as the Louisiana Superintendency (after the territory organized from the portion of the Louisiana Purchase north of the modern state of Louisiana). When the Louisiana Territory became the Missouri Territory, it became the Missouri Superintendency (1813-1821), though documents indicate it was already being referred to as the St. Louis Superintendency. After Missouri's statehood, the need to maintain Indian relations in the region resulted in the formal naming of the St. Louis Supertintendency (1822-1851). Its name changed a final time in 1851, to the Central Superintendency (1851-1859), though its base of operations remained in St. Louis for eight more years.

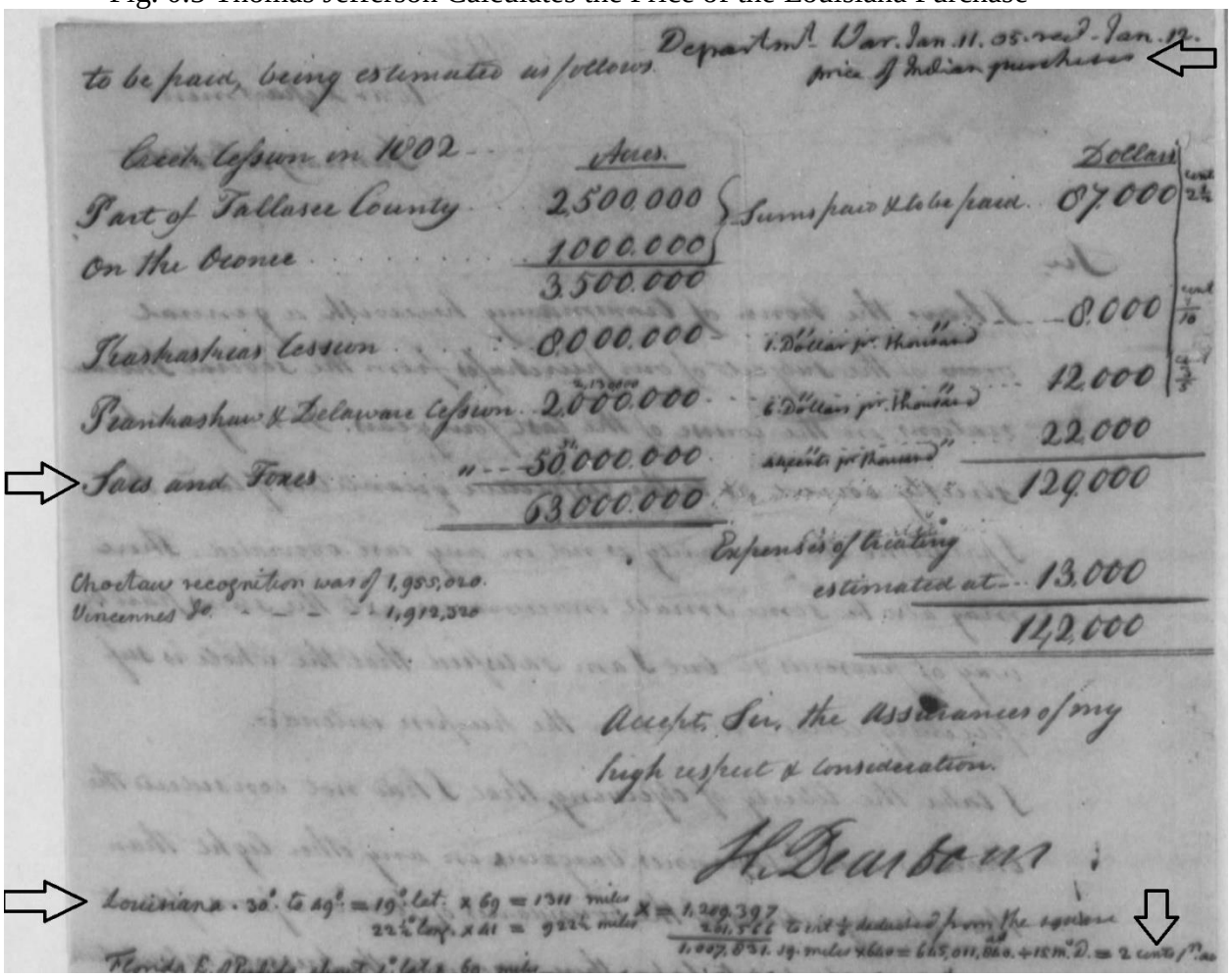
It came into existence to extend federal authority into the Indian-occupied portion of the Louisiana Purchase, whose outline appears below (Fig. 0.4), along with the complete footprint of the St. Louis Superintendency, mapped for the first time. During its tenure it counted 57 agencies, subagencies, and factories within its jurisdiction. They were not all active simultaneously. On average, each lasted a little under ten years, and for less than six in the same location. Fig. 0.4 shows all the Indian agencies sites that ever existed within the St. Louis Superintendency. And it suggests that their principle area of concern hovered around the core of the Missouri River in the modern states of Missouri, Kansas, and Nebraska. Although unfamiliar, their history provides a far more illuminating vantage from which to understand how this region of nations became a national region than the chunking addition of the Louisiana Territory to the dominion of the United States.

Fig. 0.4: Indian Agencies of the St. Louis Superintendency, 1804-1859



The St. Louis Superintendency quietly transformed in 1859 when its headquarters moved to St. Joseph, just across the border from Kansas Territory. The move, only about 300 miles after 55 years, bracketed a profound transformation. In the period studied here, this superintendency oversaw the transfer of over 180 million acres of Indian land into the public domain, while the non-indigenous population within its jurisdiction exploded by more than 5,000% percent. It was the longest-lasting Indian superintendency, responsible for more treaties than any other, and geographically at the core of the broader collection of superintendencies that blanketed the nineteenth century West.[38] Because of its life-span and geographic setting, the St. Louis Superintendency's work transected major developments in US-Indian relations across this period, from the factory system to allotment. And it did all this at the height of federal spending on extinguishing Indian title, when the US devoted significantly more resources to the reduction of the Indian estate than to expanding its dominion.

Fig. 0.5 Thomas Jefferson Calculates the Price of the Louisiana Purchase



Henry Dearborn to Thomas Jefferson, Jan. 12, 1805, Thomas Jefferson Papers, Library of Congress. Jefferson doodled a calculation of the per acre price of Louisiana on this list of "price of Indian purchases," including the first in the Louisiana Territory from the "Sacs and Foxes."

[38] Only the Michigan Supeintendency lasted as long. See Hill, *The Office of Indian Affairs*, 94-96.

These expenditures were better appreciated at the time than they are today. In 1805, Thomas Jefferson attempted to calculate the per acre cost of the recent Louisiana Purchase, jotting it down on a letter docketed "price of Indian purchases" and listing recent treaties, including 50,000 acres from the Sac and Fox, the first cession in the recently formed Louisiana Territory (Fig. 0.5). In 1809, a budget proposal from the territory was turned down because it requested four times as much for Indian affairs as for the entire costs of the territorial government. Like Jefferson, occasional treasury reports on the costs of public lands listed imperial and Indian acquisitions together. When Senator Thomas Hart Benton published his memoirs of government service, he recalled how "frightful extravagance has broken out in the Indian Department. Treaties which cannot be named are to cost millions upon millions."[39] Leaving aside his exaggeration and mistaken implication that Indians were loafing around with fistfuls of cash, Benton was not wrong to suggest Indian relations siphoned off much from the treasury. Take a close enough look at federal budgets from the antebellum period, and it quickly becomes apparent that it was not merely 12 cents, but closer to 28 cents of every dollar that fed into the civil and military costs of Indian relations. As one of its most active regional arms, much of this went into the project of domestic dependent nation building unfolding within the St. Louis Superintendency.

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My goal is not to exhaustively account for every decision made, action taken, treaty negotiated, or dollar steered through the St. Louis Superintendency. To do so would be to get lost in overwhelming detail and quickly lose sight of how imperatives of territorial dispossession and occupation channeled the wider world of settler colonial intrusion into the Missouri River Valley. This dissertation follows the superintendency's evolution and activities through the era-of Indian removal, a period in its history marked by the long tenure of William Clark as superintendent (1813-1838). While the St. Louis Superintendency's activities may be obscure, within this period they inflected a series of well-known events. These events—the incorporation of Louisiana, the Lewis and Clark expedition, the Missouri Compromise, and Indian removal—track with the major eras in the superintendency's incipient and evolving history. Pairing the two provides an organizational scheme for the chapters that follow.

Chapter 1, "The Price of the Purchase," challenges the common textbook claim that the Louisiana Purchase was the world's greatest real estate deal by tracking over two centuries of federal disbursements to extinguish Indian title to the same area. After paying France $15 million dollars, the US went on to pay Indian nations over $2.5 billion for their soil rights, a statistic that suggest histories of US expansion framed around imperial land transfers like the Louisiana Purchase are more than a little unbalanced. The chapter suggests the value of reframing histories of US expansion in terms of regional Indian relations, and points to the fact that the lion's share of Upper Louisiana came under the practical dominion of the United States through the activities of the St. Louis Superintendency.

[39] Thomas Hart Benton, *Thirty years' view: or, A history of the working of the American government for thirty years, from 1820 to 1850* (New York, 1854), 242.

Chapter 2, "From *la Louisiane* to the Louisiana Territory," examines the legal incorporation of the Louisiana Territory into the United States in 1804. The first section of the chapter reaches back to the colonial origins of the territory in a seventeenth century ritual of possession, tracks its development in the eighteenth century, and revisits the Louisiana Purchase in Paris in 1803. It then uncovers Thomas Jefferson's surprisingly unstudied initial reaction to the purchase, an episode of bungled imperial intrigue whose story illuminates the United States' interests in developing trade relationships with the Indian nations of the Missouri River Valley. Finally, it examines the legal attachment of the purchase to the United States through a series of actions that involved the United States' own ritual of possession performed in 1804 and the passage of an organic territorial act that turned Upper Louisiana into an American district. What historians have overlooked is that most of that act was given over to matters of Indian affairs, laying the groundwork for the US-Indian treaty system to cross the Mississippi and giving rise to the St. Louis Superintendency.

Chapter 3, "The Indian Corps of Discovery" reveals an important connection between the Lewis and Clark expedition and early efforts to heave an apparatus for managing Indian relations into the Missouri River Valley. In particular, it follows three Indian delegations invited east by Lewis and Clark. Conventionally seen as a sidebar to the main stem of the expedition, these three delegations collectively traveled further, cost the federal treasury more, and experienced greater perils marked by a steady stream of deaths than the western bound leg of the journey commanded by the famous co-captains. These eastward-facing Indian delegations show how imperatives of occupation bent the purpose of the Lewis and Clark expedition away from the matters of exploration that made their journey famous. The Indian Corps of Discovery stewarded key appointments and guided the appearance of fur trade factories, forts, and treaty lines structuring the work of the St. Louis Superintendency. Upon Lewis' return from the Pacific, he became Territorial Governor and Superintendent of Indian Affairs of the Louisiana Territory. Clark received a commission as Indian Agent for the Louisiana Territory and later became the longest serving Indian superintendent in American History. The chapter concludes by showing that Clark's famous manuscript map of the American West from 1810—the crowning cartographic achievement of the expedition—not only contains a complete map of the landmarks of the budding St. Louis Superintendency, but that Clark drew them with greater accuracy than the map's well-known track of the Corps of Discovery.

Chapter 4: "The Demographic Origins of the Missouri Compromise" argues that the Missouri Compromise owes as much to the re-interpretation of an Osage treaty in 1815 as it did to congressional wrangling in 1820. In the 1790s, the Sac and Fox conquered part of Osage territory. The United States recognized the conquest until just after the War of 1812, when William Clark, by then superintendent at St. Louis, unilaterally denied its legitimacy and publicly proclaimed that the Osage had already ceded the area to the United States in a vague article of an 1808 treaty. The proclamation set off a land rush and within a few years, the target of this rush—a place called Boon's Lick—emerged as the fastest growing region in the United States. Without the Sac and Fox conquest, which had cleared the Little Osage and Missouria from the area, the Osage sale, and Clark's land grab, Missouri never would have gained population quickly enough to credibly petition for statehood before the end of the short congressional career of

James Tallmadge, Jr., who unexpectedly added a rider to a statehood bill that set off the debate that led the Missouri Compromise.

Chapter 5: "Removal to the St. Louis Superintendency" tracks the history of the St. Louis Superintendency through a generation of Indian removals that defined its work from the 1820s to the 1840s. All of the roughly 100,000 Indians forced out of the east were relocated to land in the St. Louis Superintendency's jurisdiction at the beginning of this period. Due to the enormous scope and complexity of removal, the superintendency was subdivided in the 1830s, leaving only about a fifth of the removed Indians still within its jurisdiction. The chapter shows how decisions within the St. Louis Superintendency incubated both the policy and practice of removal by defining and clearing Indian title to a receiving ground in the West for tribes being ethnically cleansed from the eastern United States. Surprisingly unknown to historians, William Clark articulated the first schematic program for building what would become a 400-mile wall of reservations along Arkansas and Missouri's western border.

While this dissertation ends with Indian removal, the conclusion gestures at the last years of the superintendency and the need for future research. Starting in the 1840s, a quarter-million migrants passed through its jurisdiction on overland trails to Oregon and California. In the 1850s, the border tribes lost much of their land as the Kansas-Nebraska Act unleased another flood of settlers and round of treaty-making. By the end of the decade, just before the Civil War, the superintendency's St. Louis office was closed down and relocated further West.

Chapter 1

The Price of the Purchase

Introduction

The price of the Louisiana Purchase has long signaled one of world history's most spectacular real estate windfalls. For Henry Adams, it was "unparalleled, because it cost almost nothing." At the sesquicentennial, Bernard DeVoto cited the "fantastically small" cost to dub it the most important "event in all American history." One of the deal's most recent historians uncovered a fanciful offer to take the land off federal hands at cost, "about 4 cents an acre," and mused it "would have made a killing."[1] For generations of students, the $15 million price tag has embodied the story of a bargain that doubled a national domain for pennies on the acre, glossing over the fact that France had precious little real estate to sell.

Over most of Louisiana the United States bought a territorial abstraction known to adherents of the doctrine of discovery as preemption. As legal scholars and historians have pointed out, preemption overlaid indigenous occupancy rights with exclusive authority to obtain Indian title by conquest or contract.[2] For $15 million, the United States increased its buy-in to this colonial confidence game, and at no great discount. Napoleon reportedly considered Louisiana worth ₣50 million, making the American promise of ₣80 million in cash and debt relief hardly a masterstroke of negotiation.[3] What ultimately made 1803 different happened in the following years, through acquisitions of Indian country by treaties and agreements that remade this region as a place to build and reproduce communities. A violence-backed power imbalance favored US negotiators, but never erased Indian leverage completely, resulting in a piecemeal takeover Stuart Banner aptly described as "conquest by contract."[4]

Descriptions of a "supposed 'preemption' right" or "a fictive 'doctrine of discovery'" abound in recent scholarship, but with no reappraisals of the Louisiana Purchase's most vaunted legacy—its price—its reputation endures.[5] College textbooks still describe it as "one of history's greatest real-estate bargains" while popular imagery reduces it to a singular, stunning event (Fig. 1.1).[6] A 2003 poll ranking the purchase

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[1] Henry Adams, *History of the United States During the First Administration of Thomas Jefferson* (2 vols.; New York, 1909), II, 49; Bernard DeVoto, "Celebrating 150 Years of the Louisiana Purchase," *Collier's*, March 21, 1953, 44-58; John Kukla, *A Wilderness So Immense*, 335.

[2] Robert J. Miller, Jacinta Ruru, Larissa Behrendt, Tracey Lindberg, *Discovering Indigenous Lands: The Doctrine of Discovery in the English Colonies* (New York, 2010), esp. 74-76; Robert A. Williams, Jr., *The American Indian in Western Legal Thought: The Discourses of Conquest* (New York, 1990). For related legal debates, see Blake A. Watson, *"The Doctrine of Discovery and the Elusive Definition of Indian Title," Lewis & Clark Law Review* 15, no. 4 (2011): 995-1024.

[3] François Marquis de Barbé-Marbois, *History of Louisiana and of Its Cession to the United States of Northern America*, trans. (Philadelphia, 1830), 301-302, 311-312.

[4] Stuart Banner, "Conquest by Contract: Wealth Transfer and Land Market Structure in Colonial New Zealand," *Law & Society Review* 34, no. 1 (2000): 47. Also see, Stuart Banner, *How the Indians Lost Their Land: Law and Power on the Frontier* (Boston, 2009).

[5] Alan Taylor, *The Divided Ground: Indians, Settlers, and the Northern Borderland of the American Revolution* (New York, 2007), 11; Williams, *The American Indian in Western Legal Thought*, 99.

[6] Eric Foner, *Give Me Liberty! An American History*, vol. 1 (New York, 2006), 262.

treaty among "milestone documents" at the National Archives sounded this impression's depth. The "real estate deal of the millennium" came in fourth, just behind the Bill of Rights. "For roughly four cents an acre, the United States doubled its size" the website still crows, adding to a refrain that continues to obscure how the purchase *tripled* the amount of unceded Indian land claimed by the United States (Fig. 1.2).[7]

How much, then, did the United States pay Indians for their soil rights within this expanse? The sheer scope of the exchange has stymied finding out. Hundreds of treaties, agreements, and land seizures carved chunks out of Indian country. Promises of future goods and services prevented agreements from projecting costs reliably. Broken treaties, altered agreements, and fragmented compliance together mean that to assess expenditures for Indian title with anywhere near the clarity with which historians have discussed preemption costs requires compiling actual rather than promised payments. This information exists in records of partial remittances that might cover an annuity, a blacksmith's salary, tools, food, or myriad other obligations trickling out of federal coffers over years, decades, or longer. A few remain ongoing today, the largest an annual $30,000 appropriation for a Pawnee cession of 10 million acres in 1857.[8] These payments resist easy analysis, which explains why scholars interested in the total disbursed by the United States for Indian title within the Louisiana Territory are still citing a questionable estimate from the 1940s.

This chapter revisits that estimate and offers a new one. To do so, it draws on a type of source historians have generally eschewed: financial audits for legal proceedings, now known as forensic accounting investigations.[9] Since the 1880s, tribes have doggedly pursued claims cases for economic damages caused by broken treaties, compelling federal auditors to dredge up information otherwise obscured by its own splintered complexity. This research filled reports sometimes covering "the entire fiscal relations between such tribes and the United States" and shaped hundreds of cases that added to historical disbursements for Indian title.[10] Tied to cession maps in GIS, the expenditures they reveal make it possible to aggregate disbursements made from 1804 to 2012 for discrete Indian cessions within the Louisiana Territory, and consequently to assemble a solution to a seventy-year-old puzzle in the literature on the Native American estate. Once tallied and visualized, the results show, not surprisingly, that the United States drastically underpaid Indian nations. Unexpectedly, however, the total of over $2.6 billion dwarfs the $15 million price of preemption. Adjusted for inflation, this is comparable to roughly $418 million in 1803 dollars or more than $8.5 billion in 2012, and far more than historians have thought.[11] No less significant for being unknown, the price of the Louisiana Purchase of Indian country is a statistic in need of story.

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[7] "Louisiana Purchase Treaty (1803)," http://www.ourdocuments.gov/doc.php?doc=18, accessed on Jan. 23, 2013; "The People's Vote," http://www.ourdocuments.gov/content.php?page=vote, accessed Jan. 23, 2013.

[8] Dept. of Interior, *Budget Justifications and Performance Information Fiscal Year 2015*, (Washington, 2015), Subactivity—Claims and Treaty Obligations: IA-MISP-6.

[9] D. Larry Crumbley, "Forensic Accounting: Older than you think," *Journal of Forensic Accounting* 2, no. 2 (December 2001): 181-202

[10] *Annual Report of the Comptroller General of the United States* (Washington, 1928), 66.

[11] All inflation conversions in this chapter are based on 2012 CPI factors assembled by Robert Sahr, http://liberalarts.oregonstate.edu/files/polisci/faculty-research/sahr/inflation-conversion/pdf/cv2012.pdf, accessed Nov. 15, 2015.

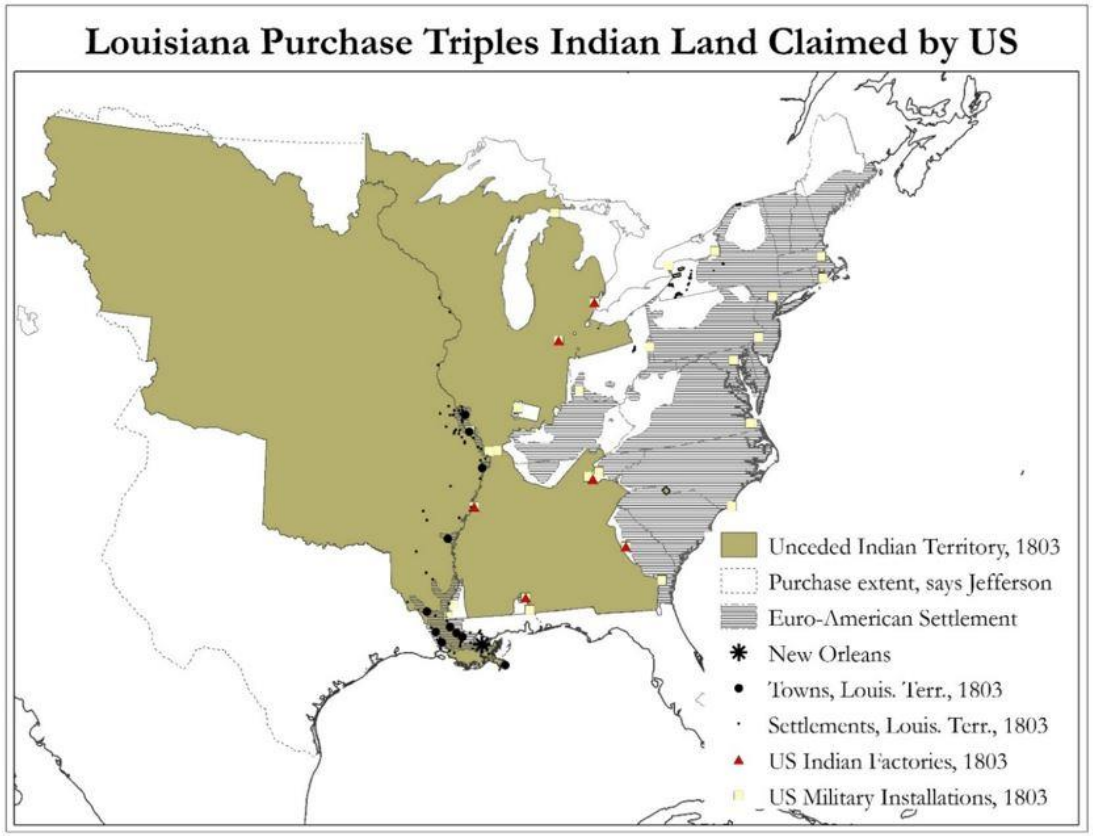
Fig 1.1: Louisiana Purchase in Popular Imagery

Centennial Coin (1904)

Cigar Box Label (ca. 1930)

T-Shirt Graphic (2012)

Fig. 1.2: Louisiana Purchase Triples Indian Land Claimed in US



US Dominion Claimed in 1803	Square Miles	Multiple Increase - Total Land Area	Multiple Increase - Indian Land Area	Result - Total/Indian Land
Louisiana Territory (smallest bounds)	811,284	1.98	3.00	Double/Triple
Louisiana Territory (largest bounds)	1,271,732	2.53	4.13	Double+/Quadruple
East of Mississippi - Total Land	829,929	****	****	****
East of Mississippi - Indian Land	406,083	****	****	****

Map and figures created in ArcGIS. Projected Coordinate System: USA Contiguous Albers Equal Area Conic.

About FIG. 2

This map illustrates the Louisiana Purchase as an expansion of preemption. In 1803, the US claimed 406,000 sq. mi. of unceded Indian land east of the Mississippi. At its smallest (the 1819 limits, colored here) LA added 811,000 sq. mi. of Indian land to the US, *tripling* the area over which it claimed preemption. By the bounds Jefferson asserted in 1803, it *quadrupled* claims on Indian homelands (see table).

The map also displays how little of this land fell under the practical reach of its preemptors. The striped zone east of the Miss. shows non-Indian US pop. density at 2+ pers. per sq. mi. according to the census of 1800. West of the river shows the same for 1810, the first census with comparable data. To provide another perspective, I also mapped 83 inhabited places in the LA Terr. in 1803. I included every settlement I could find in Upper LA, but the points should be considered illustrative, not definitive. An estimate of the area where the US gained practical governing authority in 1804 is 18,000 sq. mi. (i.e. the striped "Euro-American Settlement" area). That US sovereignty was abstract beyond this was a distinction with difference to those managing Indian relations at US forts and fur trading factories, pictured as of 1803.

Felix Cohen's $300 Million Question

The "Louisiana Purchase" entry in *The Encyclopedia of United States Indian Policy and Law* (2009) tells readers that "one scholar calculated that the U.S. paid tribes over $300 million to buy the lands they were willing to sell within the Territory."[12] His name was Felix S. Cohen, an Interior Department lawyer who helped draft the Indian Reorganization Act (1934) and stewarded the production of the *Handbook of Federal Indian Law* (1941). In the 1930s, Cohen watched as tribal suits for historical damages filled the dockets of the Court of Claims and joined those advocating for a commission to resolve grievances from broken treaties. He championed the passage of the Indian Claims Commission Act (ICCA) in 1946, and defended the legislation in an influential law review article, "Original Indian Title" (1947), that said Indians had received twenty times as much as France for Louisiana. The estimate has been quoted ever since.

Cohen wrote "Original Indian Title" to refute the idea that the Indian Claims Commission (ICC) would depart from historical precedent by recognizing indigenous soil rights. In a subsection titled "How We Bought the United States" he observed "that practically all of the real estate acquired by the United States since 1776 was purchased not from Napoleon or any other emperor or czar but from its original Indian owners." To elaborate he explained "that after paying Napoleon 15 million dollars for the cession of political authority over the Louisiana Territory we proceeded to pay the Indian tribes of the ceded territory more than twenty times this sum." Cohen knew this estimate was rough. He defended it as hampered by hard-to-pinpoint values of goods and services, and added insulation by nesting it in a larger total paid for all Indian land, "somewhat in excess of 800 million dollars."[13] The numbers performed double-duty in support of the ICC: their existence refuted critics who denied the precedent of paying Indians for title and their size assured opponents that the outstanding debts were minimal. The ICC, Cohen argued, would not rewrite history so much as scribble restitution in the margins.

As the political motivation for the piece faded, "Original Indian Title" emerged as a classic in its field. In 2013, Hein Online ranked it the ninth most cited Indian law article in its database and the only in the top 100 published before 1950.[14] While agreement does not always follow citation, Cohen inspired both, thanks in no small part to his sterling reputation. As a result, his figures have become staples in legal scholarship and cross-pollinated works by historians, geographers, political scientists, and economists.[15]

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[12] "Louisiana Purchase," in Paul Finkelman, Tim Alan Garrison, ed., *The Encyclopedia of United States Indian Policy and Law* (Washington, 2009).

[13] Felix S. Cohen, "*Original Indian Title*," 32 *Minnesota Law Review* (1947): 35-36.

[14] HeinOnline, American Indian Law Collection, sorted by "most cited," accessed August 26, 2013, http://heinonline.org/HOL/AILArticles?collection=amindian&sort=cited.

[15] Examples in legal scholarship include: Robert Braucher, "The Supreme Court 1954 Term," *Harv. L. Rev.* (1956): 150, nt. 123; Gordon I. Bennett, "Aboriginal Title in the Common Law: A Stony Path through Feudal Doctrine," 27 *Buff. L. Rev.* (1977-1978): 626; Russel L. Barsh, "Indian Land Claims Policy in the United States," *North Dakota Law Review* 58 (1982): 7; John P. Lowndes, "When History Outweighs Law: Extinguishment of Abenaki Aboriginal Title," 42 *Buff. L. Rev.* (1994): 86; Michael C. Blumm, "Retracting the Discovery Doctrine: Aboriginal Title, Tribal Sovereignty, and Their Significance to Treaty-Making and Modern Natural Resources Policy in Indian Country," 28 *Vt. L. Rev.* (2003-2004): 716; Joshua L. Seifert, "*The Myth of Johnson v. M'Intosh"* 52 *UCLA L. Rev.* (2004-2005): 299; Hamar Foster, "We are not O'Meara's Children: Law, Lawyers, and the First Campaign for Aboriginal Title in British Columbia, 1908-1928," in *let right be done: Aboriginal Title, the Calder Case, and the Future of Indigenous Rights*,

Citations in recent histories of the doctrine of discovery, Indian affairs, and treaty making continue to burnish their authority. With this track record, Cohen's $300 million belongs in an encyclopedia.

The problem is with Cohen's methodology, or to be more precise, his lack of any discernible methodology. Rather than citing sources, he adapted the section on "How We Bought the United States" from an article of the same name he published a year before in *Collier's* magazine. Few who have cited Cohen's numbers have traced them to this earlier piece, and none have asked how they got there, instead buffering references with praise for "perhaps the most thorough legal scholar of Indian property rights," a "close and sympathetic student of Indian affairs," the "eminent scholar of Indian law Felix Cohen."[16] Cohen was all these, and more. In this case, he wrote less as a meticulous scholar than a gifted policy advocate.

"How We Bought the United States" began as a speech to the Indian Rights Association in January 1945. Its first draft asserted that the United States had paid Indian tribes "something in excess of a billion dollars" for two million square miles. Later that month Cohen pitched it to *Collier's* and offered to provide a map of tribal cessions. When editors asked how much was paid for each of the map's sections, Cohen highlighted the difficulty of compiling payments "the value of which is not specified in the agreement of cession" and suggested "it better not to attempt any specific breakdown."[17] He reiterated the point when he brought the map to a hearing on the ICCA before the House of Committee on Indian Affairs in March, adding a comparative quip about the Louisiana Purchase to suggest the ICC would be economical:

> [Mr. COHEN:] I have not tried to figure out how much the United States paid in dollars and cents for these acquisitions, but my guess would be between $500,000,000 and $1,000,000,000.
>
> Mr. GALLAGHER. More than the land was worth at the time the deal was made?

Hamar Foster, Heather Raven, and Jeremy Webber, eds. (Vancouver, 2007), 263, nt. 13. Examples outside of legal scholarship include: Wilcomb E. Washburn, *Red Man's Land/White Man's Law* (New York, 1971), 109-110; Terry L. Anderson and Fred S. McChesney, "Raid or Trade - An Economic Model of Indian-White Relations," *Journal of Law & Economics* 37, no. 1 (April 1994): 56; Prucha, *American Indian Treaties: The History of a Political Anomaly* (Berkeley, 1994), 230; Terry L. Anderson, *Sovereign Nations or Reservations* (San Francisco, 1995), 74; Jack Utter, *American Indians: Answers to Today's Questions* (Norman, OK, 2001), 93-94; Robert Miller, *Native America, Discovered and Conquered: Thomas Jefferson, Lewis and Clark, and Manifest Destiny* (Lincoln, 2008), 71; Paul VanDevelder, *Savages and Scoundrels: The Untold Story of America's Road to Empire Through Indian Country* (New Haven, 2009), 89; Stephen J. Rockwell, *Indian Affairs and the Administrative State in the Nineteenth Century* (New York, 2010), 56; Colin Calloway, *Pen and Ink Witchcraft: Treaties and Treaty Making in American Indian History* (New York), 164.

[16] Anderson, *Sovereign Nations*, 74; Prucha, *American Indian Treaties*, 230; Calloway, *Pen and Ink Witchcraft*, 164.

[17] Felix S. Cohen, "Memorandum for Mr. Harper and Mr. Collier," January 12, Folder 1040; Felix S. Cohen, [Draft copy of "How We Bought the United States"],[1945], Folder 1034; Felix S. Cohen to Mark Ross, January 12, 1945, Folder 1040; Felix S. Cohen to I.D. MacCammond, March 8, 1945, Folder 1040, Box 65, Felix S. Cohen Papers, Beinecke Library, Yale University, New Haven, CT.

> Mr. COHEN. I would say, by and large, the Indians did not get such a bad deal, considering the values of land at the time the various cessions were made. At least, the Indians got more for the Louisiana Purchase than Napoleon did.[18]

Later that year, in an article on "Indian Claims" penned to persuade Indian rights activists to rally behind the ICCA, Cohen reiterated his "best guest" for payments "somewhere between 500 million and 1 billion dollars," and again drew a comparison to Napoleon.[19]

Reading the "Indian Claims" article next to the *Collier's* piece underlines Cohen's skill at buttressing policy with history. The former appeared in *The American Indian*, whose audience needed less convincing of the need for a commission than reason to support the ICCA. For these like-minded readers, Cohen described the act as a corrective to a past shaped by "pseudo-scientific" racism with parallels to "Nazi racist literature."[20] For *Collier's* national audience, unlikely to welcome such a harsh survey, Cohen whitewashed the record. When he mentioned Nazi literature in "How We Bought the United States" it was not to draw a parallel, but rather to dismiss "Jap, Nazi and Fascist propagandists" who accused Americans of stealing a continent "in the name of a superior race." The ICC, he argued, would fix the errors of a few unscrupulous individuals as it extended a tradition "to the everlasting credit of the American people" of justly compensating Indians.[21] Privately Cohen defended having "overstated the high standards embodied in our treaties" by suggesting it would "prove helpful in arousing critical attention to lapses from those standards."[22]

It was apparently toward this end that his estimates sharpened. A "best guess" of $500 million to $1 billion for the continent inexplicably winnowed to a "conservative estimate" of $800 million as "at least" more than Napoleon got for Louisiana became "more than twenty times" $15 million.[23] A surviving draft shows the line about the purchase emerging in the text, forming into a rhetorical embellishment matched only by the map framing the article (Fig. 1.4). When Cohen reworked the piece for "Original Indian Title," he retained the more precise figures, along with a caveat that "nobody has ever calculated the total sum paid by the United States for more than two and a half million square miles of land."[24] Transferred from a popular to an academic venue, this disclaimer came to read like the "Blackstone of American Indian law" hedging a careful answer to a knotty question.[25] The limited timeframe, the challenge of tallying this information, and Cohen's own words indicate the specificity resulted from a political calculation, not an arithmetic one.

Fig. 1.3 Draft of "How We Bought the United States" (1945)

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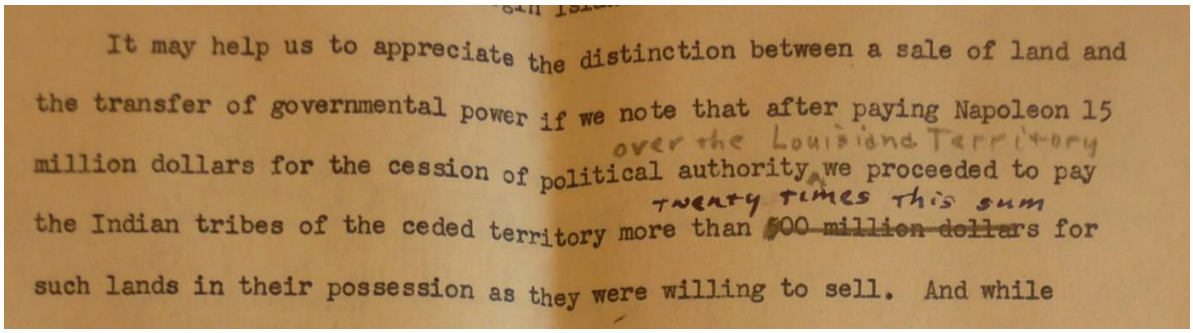
[18] U.S. Congrss, House, Committee on Indian Affairs, *Hearings on H.R. 1198 and 1341: Creation of the Indian Claims Commission*, 79th Cong., 1st sess., 1945, 69.
[19] Felix S. Cohen, "Indian Claims," in Lucy Kramer, ed., *The Legal Conscience: Selected Papers of Felix S. Cohen* (New Haven, 1960), 269.
[20] Ibid, 265.
[21] Cohen, "How We Bought the United States," *Collier's* 117 (January 19, 1946): 62.
[22] Felix Cohen to Harold Ickes, 22 January 1946, Folder 1041, Box 64, Felix S. Cohen Papers.
[23] Cohen, "How We Bought the United States," 23, 64.
[24] Cohen, "*Original Indian Title*," 36.
[25] "Introduction," in Rennard Strickland, ed., *Felix Cohen's Handbook of Federal Indian Law* (Charlottesville, VA, 1982), viii.

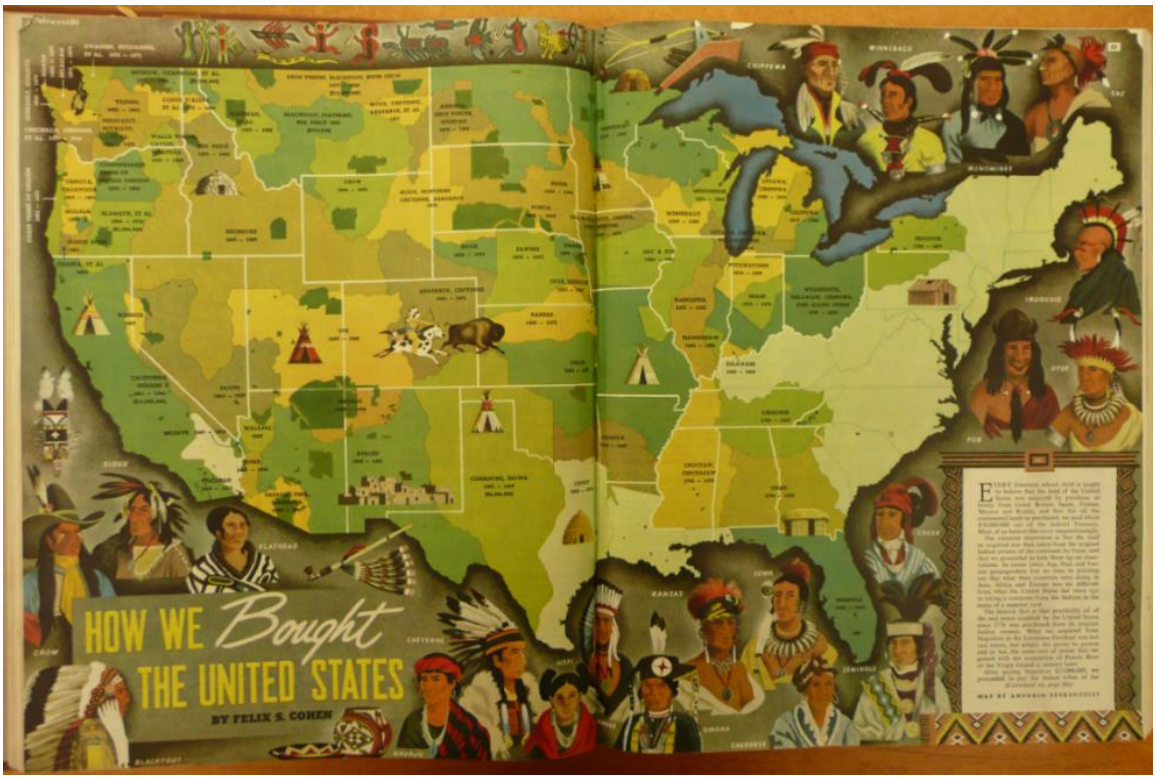
Fig. 1.3 Draft of "How We Bought the United States" (1945)



It may help us to appreciate the distinction between a sale of land and the transfer of governmental power if we note that after paying Napoleon 15 million dollars for the cession of political authority over the Louisiana Territory we proceeded to pay the Indian tribes of the ceded territory more than ~~500 million dollars~~ twenty times this sum for such lands in their possession as they were willing to sell. And while

Draft of "How We Bought the United States" (1945) from the Felix S. Cohen Papers, Beinecke Library, Yale University

Fig. 1.4: *Collier's* map for "How We Bought The United States" (1946)



Collier's map for "How We Bought The United States" (1946)

As politics, the move paid off. When the ICCA became law, Harry Truman became the first to cite one of Cohen's figures, officially at least; Cohen wrote the president's signing statement. As historical statistics, however, Cohen's estimates beg for reconsideration. Repetition gave them an authority he almost certainly never intended as it attests to persistent interest in a question he deserves credit for raising. At the time, he

could have defended his guess about payments for Indian land within the Louisiana Territory by explaining that doing any better would have taken teams of investigators, millions of dollars, and decades to carry out. In part because of Cohen's political efficacy, this is exactly what the financial histories of hundreds of Indian cessions received.

An Archive of Indian Claims Accounting

Indians claims have been in continuous litigation since 1881. That year Choctaw representatives persuaded Congress to pass a jurisdictional act allowing them to sue the United States in the Court of Claims for an unpaid debt from an 1830 land cession. After the case won a $2.8 million judgment in the Supreme Court, a wave of similar suits followed, cresting in the 1930s and building pressure for a dedicated forum for tribal claims. From 1946 to 1978, the ICC heard hundreds more cases, after which claims subsided but never ceased. This litigation ultimately offered "hollow justice," as David E. Wilkins put it, with accounting investigations comprising one of its most basic but least understood features.[26] Revisiting why federal auditors exhumed records of capital expenditures made to extinguish Indian title is essential to seeing how they can be retrofit to answer Cohen's $300 million question.

Indians rarely got satisfaction in the Court of Claims. Dismissals were frequent and victories reduced by "offsets" deducted from awards.[27] The Choctaw case was among a minority with a positive outcome prior to the creation of the ICC.[28] The decision found the government liable for over $8 million, but allowed over $5 million in offsets for the cost of survey and sale of land, education, a council house, and Choctaw removal west.[29] A Blackfeet, Blood, Piegan, and Gros Ventre case for over 12 million acres taken by executive order in 1874 fared similarly. Offsets slashed the award nearly ten-fold by deducting expenditures for "agents, Indian police, judges, interpreters, miscellaneous employees, agency buildings and repairs, superintendents and teachers, surveying, and other like items," and over a quarter million dollars spent on children "recruited" to boarding schools.[30] These cases were exceptional not because offsets reduced awards, but because they did not erase them entirely.[31]

Offsets, calculated to the penny, came from claims accounting performed *ad hoc* until 1924, when an increased case load prompted the formation of an Indian Tribal Claims Section (ITCS) at the Government Accounting Office (GAO).[32] To justify the need, the Comptroller General pointed to a Santee Sioux case that had required reviewing

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[26] David E. Wilkins, *Hollow Justice: A History of Indigenous Claims in the United States* (New Haven, 2013).

[27] John R. White, "Barmecide Revisited: The Gratuitous Offset in Indian Claim Cases," *Ethnohistory* 25, no. 2 (Spring 1978): 179-92.

[28] 34 of 118 pre-ICC suits won awards, see Nancy O. Lurie, "The Indian Claims Commission Act," *Annals of the American Academy of Political Science* 311 (1957): 57, nt. 4

[29] Clara Sue Kidwell, *The Choctaws in Oklahoma: From Tribe to Nation, 1855-1970* (Norman, 2007), 121-136; Choctaw Nation v. United States 22 Ct. Cl. 489 (1886) and 119 U.S. 1 (1886).

[30] The Blackfeet, et al. v. United States, 81 Ct. Cl. 101 (1935).

[31] Before the passage of the ICCA, tribes recovered 1.17% of specified damages ($20,127,228 on $1,716,453,656), see Barsh, "Indian Land Claims Policy in the United States," 79, Table 1, Appendix.

[32] 22 cases were decided before 1920 and 112 between 1920 and 1946. See, Michael Lieder and Jack Page, *Wild Justice: The People of Geronimo vs. the United States* (New York, 1997), 57.

40,127 "claim settlements" dating back to 1868.[33] "Claims settlements" was jargon for approved federal expenditures. Since the 1790s, government "disbursing officers"—Indian agents, for example—had forwarded "claims" on the federal purse to the Treasury Department documented by "vouchers," which auditors reviewed, or "settled."[34] With the Santee Sioux investigation only half-finished and more coming, the GAO faced "long and tedious searching" for offsets. The solution was "a special force" of thirty employees, "a part of them examining Indian Office records, a part drawings vouchers, a part analyzing the vouchers, and another part making the tabulations."[35] The work began when the Department of Justice (DOJ) forwarded a tribe's petition to the ITCS. Next clerks analyzed "all of the old accounts and claims that have been settled through the old accounting office, and the disbursing office accounts," tying outlays to treaties, agreements, and executive orders. Some of the records had "been in storage so long that they break up like a piece of charcoal," the chief of the GAO's Audit Division reported in 1935.[36] The ITCS repaired vouchers, indexed them, and transcribed details into sub-reports that contributed to final reports for the DOJ.

Reports sometimes covered the "entire fiscal relations between such tribes and the United States," but only if it served strategic legal goals of gathering "gratuities allowable as offsets."[37] Often just called gratuities, gratuitous offsets were disbursements linked to a plaintiff tribe unrelated to the claim under litigation. They were deducted from an award simply because jurisdictional acts authorized it. These included the costs of roads, healthcare, education, personnel, and—especially galling in a process geared toward reconciliation—removal to reservations. Alternatively, non-gratuitous offsets covered disbursements on the issue before the court, like treaty payments. Always relevant to awards, they were consistently tabulated. The approach was additive, resulting in conservative financial portraits whose detail came from intense scrutiny of records motivated by the pursuit of offsets. The restriction of these portraits to plaintiff tribes is a serious shortcoming, but one mitigated by the scores of tribes who pushed their claims across decades and against poor odds. Without their persistence, the ITCS would neither have existed nor produced such an enormous volume of research.

And it was enormous. By 1928, the ITCS had 82 employees devoted to "the immense task" that produced over 35,000 pages of final reports by the late 1930s. [38] The most complex early case, a Sioux petition for the taking of the Black Hills, took seven years to sift through 600,000 vouchers from 7,279 disbursing officer files and 1,900 appropriations from 51 funds going back to 1831. The report cost $177,344.89 (in 1931 dollars) and listed $34,260,097.93 in potential offsets that were mined to turn every claim

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[33] *Annual Report of the General Accounting Office* (Washington: Government Printing Office, 1924) 19.
[34] Frederick C. Mosher, *The GAO: The Quest for Accountability in American Government* (Boulder, 1979), 73-78; Roger R. Trask, *Defender of the Public Interest: The General Accounting Office, 1921-1966* (Washington, 1996), 204-205.
[35] U.S. Congress, House, Committee on Appropriations, *Independent Offices Appropriation Bill, 1925: Hearing Before the Subcommittee of House Committee on Appropriations*, 68th Cong. 1st sess., 1924, 195.
[36] U.S. Congress, Senate, Committee on Indian Affairs, *Survey of Conditions of the Indians in the United States: Indian Claims Against the Government Part 25*, 72nd Cong. 1st sess., 1932, 13416-13417.
[37] *Annual Report of the Comptroller General of the United States* (1928), 66; *Annual Report of the Comptroller General of the United States* (Washington, 1939), 48.
[38] Lewis Meriam, comp, *The Problem of Indian Administration. Report of a Survey Made at the Request of Honorable Hubert Work, Secretary of the Interior, and Submitted to Him, February 21, 1928* (Washington DC: Brookings Institution, 1928), 810.

from the case that escaped dismissal before the creation of the ICC into a pyrrhic victory.[39] Such outcomes alarmed Indian supporters, while the time cases required disturbed opponents who viewed litigation as a roadblock to termination. By 1946 both advocates of tribal self-determination and apostles of tribal dissolution supported a claims commission as a "*more efficient and economical way.*"[40]

If ICC advocates truly believed a commission would economize the process, they were disappointed. With over 800 claims to process, Congress extended the ICC four times until 1978. Most cases involved land from broken treaties, uncompensated seizures, and charges of "unconscionable consideration," which alleged an agreement had provided so shockingly little that it merited additional compensation. For land claims, tribes had to establish that they were an "identifiable group" who exclusively occupied an area.[41] Next came arguments on the market value at the time possession had been lost and how much the United States had paid.[42] Awards equaled the market value at transfer minus past payments and gratuities. The ICC barred most gratuitous offsets but continued excluding interest except in rare instances. When the ICC ended, 58% of 550 completed dockets had won awards. The rest returned to the Court of Claims.[43] Inequities built into the process—the reduction of losses to a market calculus, awards that ignored the time-value of damages, delays that denied justice, legal categories that pigeonholed cultures, and refusals to return land—underpin a persuasive critique of this litigation as politics masquerading as law.[44] The understandable scholarly focus on claims litigation's failure as a forum for meaningful redress, however, has coincided with a dearth of attention on the historical content amassed through accounting investigations, which further ballooned under the ICC.

From 1954 to 1965, the ITCS spent over $5 million on an average of 68 full-time accountants, claims examiners, secretaries, typists, and file clerks. About a quarter of nearly 200 reports were still in prep when the ITCS moved to the General Services Administration in 1965.[45] As the work shifted to trust accounting, the unit was rechristened the Indian Trust Accounting Division (ITAD). Slated to finish in the early 1970s, a ruling requiring updated accounts extended its life beyond the ICC. By the 1990s, it had more than 50 full-time equivalents working on reports taking as much as

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[39] *Annual Report of the Comptroller General of the United States* (Washington, 1937), 84; U.S. Congress, House, Committee, *Creation of the Indian Claims Commission*, 174.
[40] Cohen, "Indian Claims," 270
[41] Ralph A. Barney, "Legal Problems Peculiar to Indian Claims Litigation," *Ethnohistory* 2 (Fall, 1955): 315-25; Pamela S. Wallace, "Indian Claims Commission: Political Complexity and Contrasting Concepts of Identity," *Ethnohistory* 49, no. 4 (2002): 743-67.
[42] Ralph A. Barney, "Indian Claims," *Appraisal Journal* 31 (April, 1963): 169-77.
[43] United States, *United States Indian Claims Commission, August 13, 1946, September 30, 1978: Final Report* (Washington: Government Printing Office, 1979), 125.
[44] Wilkins, *Hollow Justice*; Vine Deloria, Jr. and Clifford M. Lytle, *American Indians, American Justice* (Austin, 1983); Imre Sutton, ed., *Irredeemable America: The Indians' Estate and Land Claims* (Albuquerque, 1985); Henry Rosenthal, *Their Day in Court: A History of the Indian Claims Commission* (New York, 1990); Christian W. McMillen, *Making Indian Law: The Hualapai Land Case and the Birth of Ethnohistory* (New Haven, 2007).
[45] *Annual Report of the Comptroller General of the United States* [1965] (Washington, 1966), 214, 356; *Annual Report of the Comptroller General of the United States* [1960] (Washington, 1961), 214.

"40 staff years."[46] In 2006, the final legacy case ended and ITAD shut down. Reflecting on the closure, the Environmental and Natural Resource Division of the DOJ, which had inherited the cases, reported a total of "approximately $3.5 billion in judgments or settlements of the ICCA cases" and made clear this was a considerable *savings*: "This figure represents a fraction of the amounts actually claimed by the Tribes. It was only through intensive litigation efforts that ENRD was able to so limit the awards."[47]

Produced to mitigate payouts to Indian nations who refused to go unheard, ITCS and ITAD accounting absorbed thousands of person-years of labor and cost millions of dollars. Its completion ended an era, but not Indian claims. New tribal trust suits, cases for land lost during the ICC's tenure, and a series of treaty-like settlement acts have all added to expenditures for Indian title, some for parts of the Louisiana Territory. The richest materials on disbursements in that region are 18,000 cubic feet of ITCS documents at the National Archives.[48] These records say far less about Indians' receipts than federal outlays, but on that score they say much where other sources fall silent. Up close they look like a pile of minutia. Step back and ask how $200 "For 40 barrels of salt, 4th Art: treaty, 21st Sept., 1832" listed in an ITCS sub-report figured into an ICC award citing a non-gratuitous offset of $745,741.79 disbursed for a Sac and Fox cession of 4,484,800 acres, and the magnitude of it all creeps into view.[49] The only thing harder to fathom is that historians have let this unintentional record of conquest and colonization languish. Scattered among the opportunities it presents is a chance to unearth the price of the Louisiana Purchase of Indian country.

The Louisiana Purchase Puzzle

Answering Cohen's $300 million question requires assembling a puzzle within a puzzle within a puzzle. The first identifies Louisiana's bounds. The second locates Indian cessions within. The third aggregates expenditures for each. As the scale expands, the pieces multiply: a single preemption outline encircles hundreds of cessions channeling thousands of disbursements. Assumptions shape each stage, leading to *an* answer, not *the* answer, while available records ensure every answer is an estimate. The approach pursued here compiles disbursements for Indian title in the form of original payments on agreements, court awards, and settlements. This approach makes it possible to estimate that between 1804 and 2012 the United States spent *no less* than $2.6 billion on 222 cessions from Indian nations within the Louisiana Territory.

The limits of French preemption need to be defined first. When asked Louisiana's extent, Talleyrand refused. "I suppose you will make the most of it," he said.[50] Thomas

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[46] U.S. Congress, House, Committee on Appropriations, *Treasury, Postal Service, and General Government Appropriations for Fiscal Year 1992*, 102nd Cong. 1st sess., 1991, 1991, 135.
[47] U.S. Dept. of Justice, *U.S. Department of Justice Department & Natural Resources Division (ENRD) FY 2008 Performance Budget OMB Submission, Part 33*, 110th Cong. 1st sess., 2007, 723.
[48] Robert Svenningsen, "Accessions," *Prologue: The Journal of the National Archives* 4 (Summer 1972): 118.
[49] "Disbursements for Sac and Fox treaties of 1824, 1832, and 1836," Transcript 4038, "Fulfilling Treaties with the Sacs and Foxes, Act March 3, 1837," Records of the General Accounting Office, RG 411, National Archives and Records Administration, Suitland, College Park, Maryland; 20 Indian Cl. Comm. 505 (1968-1969).
[50] François marquis de Barbé-Marbois, *History of Louisiana and of Its Cession to the United States*, 454.

Jefferson declared it reached west to the Rockies, south to the Rio Grande, and north to the Lake of the Woods; British and Spanish authorities disagreed.[51] Historians have dismissed Jefferson's assertions as diplomatic posturing.[52] Confronted by Spanish records from the Archive of the Indies, a US claim to Texas looked particularly absurd. But as more recent borderlands scholarship has emphasized, Spanish settlements "formed a mere edging" to areas controlled by the Comanche, Apache, Wichita, and others.[53] Indigenous polities, some more powerful than others, held sway on the ground, making imperial claims on a greater or lesser Louisiana look more alike as postures than different as ostensibly valid or invalid readings of the doctrine of discovery. Spanish, English, and American preemption was as real as it was recognized by rivals. And because the United States could not dictate terms, sixteen years of trying to make the most of the imperial boundaries of Louisiana followed the 1803 deal.

Fig. 1.5 illustrates the conclusion of these efforts. In the process, the reach of US preemption attributable solely to France's sale contracted by more than a third, from nearly 1.3 million square miles to roughly 811,000. This reduced area, solid in Fig. 7, outlines the extent of Louisiana adopted here. It represents the unclear extent of French preemption at its smallest. As it covers a region never imperially (re)purchased by the United States, (re)ceded by other preemptors, or otherwise lost, conquered, or annexed, it obviates the need to account for the costs of extinguishing overlapping preemption claims. As a relatively smaller area, it also restricts the Indian cessions within. The area therefore maximizes the cost of French preemption and minimize disbursements to Indians, making it least likely to overstate the difference. As the table with Fig. 7 shows, payments to France were somewhere from 2.2¢ to 4.5¢ an acre. At $15 million, it was 2.9¢.[54] As the price of preemption, it too merely edged something much larger.

Louisiana's outline contains the next puzzle: locating Indian cessions within. Reductions of the Indian estate ranged from the voluntary to the violently coerced, and were recorded in an array of documents. Treaties were most prevalent. After Congress unilaterally ended official treaty making in 1871, transfers continued with treaty-like agreements, and added to them with executive orders and federal acts that reduced reservations, took surplus land after allotment, and seized land by eminent domain. The first Indian cession in Louisiana, the Sac and Fox treaty of 1804, offers a clear instance of the "relinquishment of land."[55] So does the last, 678.3 Ho Chunk acres condemned by eminent domain in 1970 for the Missouri River Recreation Lakes Project.

As Vine Deloria, Jr. and Raymond DeMaille have noted, an obstacle to providing a comprehensive view of the reduction of the Indian estate remains that "no single source

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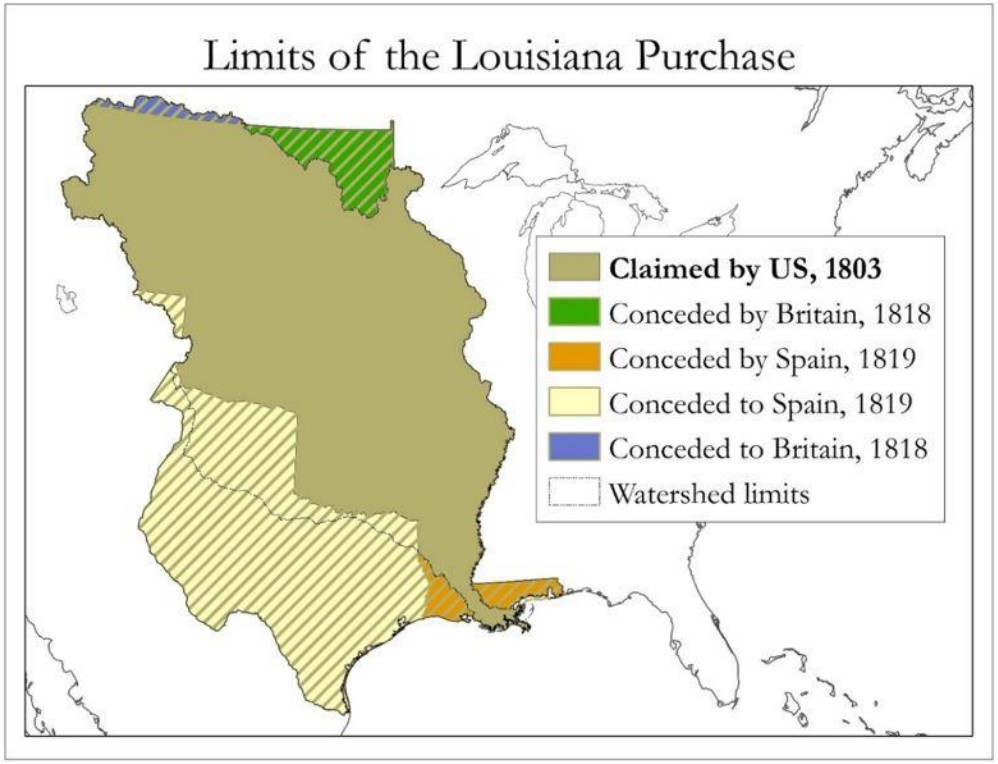
[51] Thomas Jefferson, "*The limits and bounds of Louisiana"* (1803) in *Documents Relating to the Purchase & Exploration of Louisiana* (New York, 1904), 37, 44.
[52] Frank Bond, "Historical Sketch of 'Louisiana' and the Louisiana Purchase" (Washington, 1912), 5; J.C.A. Stagg, *Borderlines in Borderlands: James Madison and the Spanish-American Frontier* (New Haven, 2009), 2-3, 7, 39.
[53] Pekka Hämäläinen, *The Comanche Empire* (New Haven, 2008), 69.
[54] Hairs could be split further by accounting for the discount on Louisiana Purchase bonds, financing commissions, administrative costs, and diplomatic costs. *See Douglas, Boundaries, Area, Etc. of the United States,* 249.
[55] "Treaty with the Sauk and Foxes, 1804," *KLT*, 75.

Fig. 1.5: Limits of the Louisiana Purchase



Limits of the Louisiana Purchase	Square Miles	Acres	¢/acre @ $23,213,567.73	¢/acre @ $15,000,000	¢/acre @ $11,250,000
Limits never imperially contested	811,284	519,221,952	4.5 ¢	2.9 ¢	2.2 ¢
Post-1819 limits by Frank Bond (1912)	827,987	527,165,440	4.4 ¢	2.8 ¢	2.1 ¢
Post-1819 adjustment with Spain	883,046	565,149,377	4.1 ¢	2.7 ¢	2.0 ¢
Watershed limits	918,583	587,893,244	3.9 ¢	2.6 ¢	1.9 ¢
Post-1818 adjustment with Britain	1,261,315	807,241,774	2.9 ¢	1.9 ¢	1.4 ¢
Claimed by US, 1803	1,271,732	813,908,588	2.9 ¢	1.8 ¢	1.4 ¢

This map shows a range of possible cartographic represenations of the Louisiana Terr. From the 1870s to the 1930s, historians and geographers debated these bounds as they catapulted the deal into the American imagination as a great real estate bargain. Henry Adams inaugurated a tradition of labeling the ambitous bounds asserted by the Jefferson administration (the solid and striped area "Claimed by US, 1803") along a spectrum from cynical to absurd. A 1912 pamphlet by Frank Bond, Chief Clerk of the Gen Land Office, argued the purchase area covered 827,927 square miles (listed in the table and on the t-shirt graphic in FIG. 1.1). When rounded to 828,000, this became the standard area cited. Divided by $15 million, Bond spawned the claim that the purchase cost 3¢ per acre.

The solid area represents the portion of the Louisiana Terr. claim made in 1803 that the US was never forced to reacquire from other imperial preemptors. As the table makes clear, it outlines the Louisiana Purchase at its smallest and, as a result, most expensive per acre as an acquisition of preemption. It is the area adopted here to frame the question of how much the United States compensated Native Americans for their soil rights within Louisiana, and an important reason why this analysis produces a conservtive estimate, not the final word.

Map and figures created in ArcGIS. Projected Coordinate System: USA Contiguous Albers Equal Area Conic.

has a complete list" of treaties, agreements, orders, and acts.[56] Cross-referencing several compilations, the most comprehensive of which are Deloria and DeMaille's *Documents of American Indian Diplomacy* (1999) and Charles C. Royce's schedule of cessions in the *Eighteenth Annual Report of the Bureau of American Ethnology (1899)*, yielded 222 cessions between 1804 and 1970 (Table 1). They did not necessarily conform to Louisiana's limits; twenty-two straddled the border. Again, making a conservative assumption, I calculated the percent of each in Louisiana in ArcGIS and prorated disbursements accordingly.

These 222 cessions covered over 576 million acres, 57 million more than contained in the Louisiana Territory. The excess comes from overlapping cessions. A region in western Oklahoma north of the Canadian River offers an extreme example of how this worked. The Osage included it in a large 1825 cession, reconfirmed in 1839. In the interim, the US ceded part to the Creek upon their removal, who retroceded it in 1856. Another huge cession of nearly 127 million acres by the Comanche and Kiowa in 1867—less than 7% inside Louisiana—overlapped the same. Two years later, the Grant administration included the area in a reservation for the Cheyenne and Arapaho, who, "ceded, conveyed, transferred, relinquished, and surrendered" their interest in an allotment act opening surplus to homesteaders.[57] Not surprisingly, the overall scope of tribal cessions is easier to grasp visually. Fig. 1.6 maps them.

Fig. 1.7 shows the portions ceded by tribe. The acreages, listed in Table 1 in the Appendix, come predominantly from litigation, and otherwise from treaties, statutes, or BIA reports. The remainder were estimated in ArcGIS. The pie chart condenses the full list of tribes and bands to 50 groups, plus a category for multilateral cessions, like the Treaty of Prairie du Chien (1830) and first Treaty of Fort Laramie (1851). Multilateral treaties covered the greatest portion of Indian country. The next highest amount came from the Lakota, or Teton Sioux. Lakota territory obtained by the United States included both the largest, and perhaps most infamous, cession: the taking of the Black Hills in a "sell or starve" agreement that brazenly violated the Treaty of Fort Laramie (1868) and spent sixty years in the Court of Claims and ICC before reaching the Supreme Court. It remains contested today.[58] The smallest on the chart comes from an 1899 allotment act stipulating the sale of surplus *Potawatomi* and Kickapoo reservation land in Kansas. It was never litigated but BIA reports indicates 980 acres were sold.[59]

Graphing these cessions displays long-term trends. As the graph in Fig. 1.8 indicates, the period from roughly 1845 to 1910 was most active in terms of discrete cessions. A more revealing pattern emerges on the graph in Fig. 1.9, showing average acres ceded by year. A preponderance of large cessions peaked early in the nineteenth century as multi-million acre transfers became increasingly contemporaneous with smaller ones. For instance, while there were two more territorial transfers in the 1950s than the 1820s, the United States obtained over 172 times as many acres (70,413,005 to

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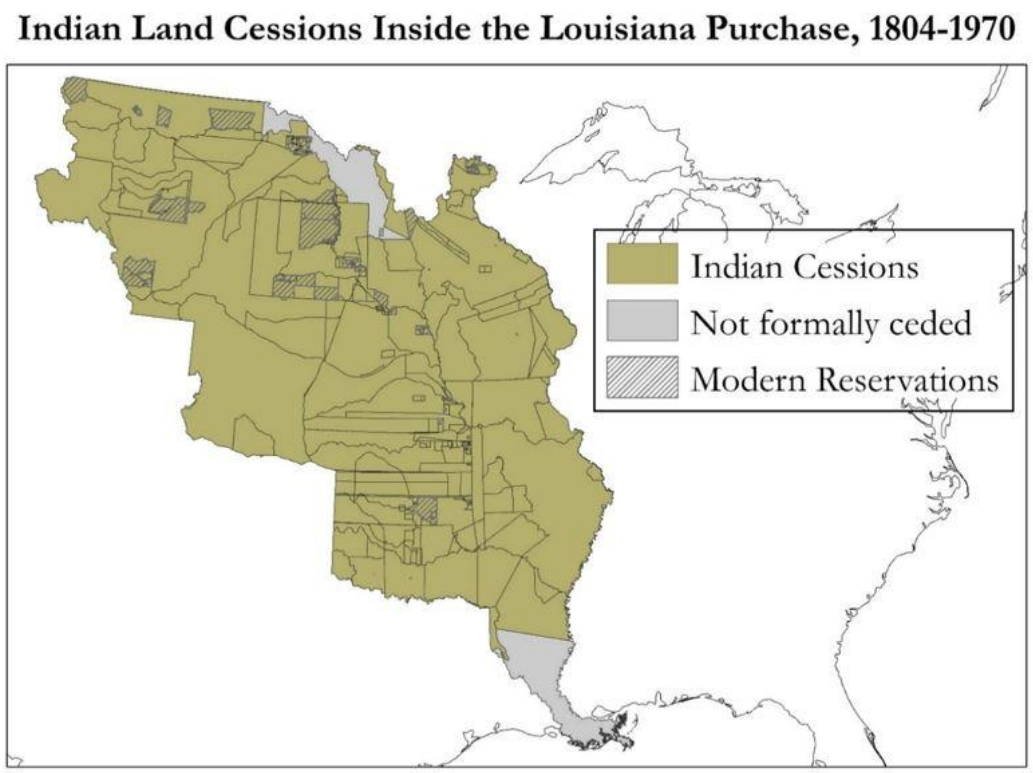
[56] Vine Deloria, Jr., and DeMaille, *Documents of American Indian Diplomacy: Treaties, Agreements, and Conventions, 1775-1979* (2 vols.; 1999), I, 181.
[57] *An Act: Making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June thirtieth, eighteen hundred and ninety-two, and for other purposes,* Public Law 543, *U.S. Statutes at Large* 26 (1891): 1022.
[58] Edward Lazarus, *Black Hills, White Justice: The Sioux Nation versus the United States 1776 to the Present* (Lincoln, NE, 1991).
[59] *Annual Report of the Commissioner of Indian Affairs* (Washington, 1917), 87.

Fig. 1.6: Indian Land Cessions Inside the Louisiana Purchase, 1804-1970



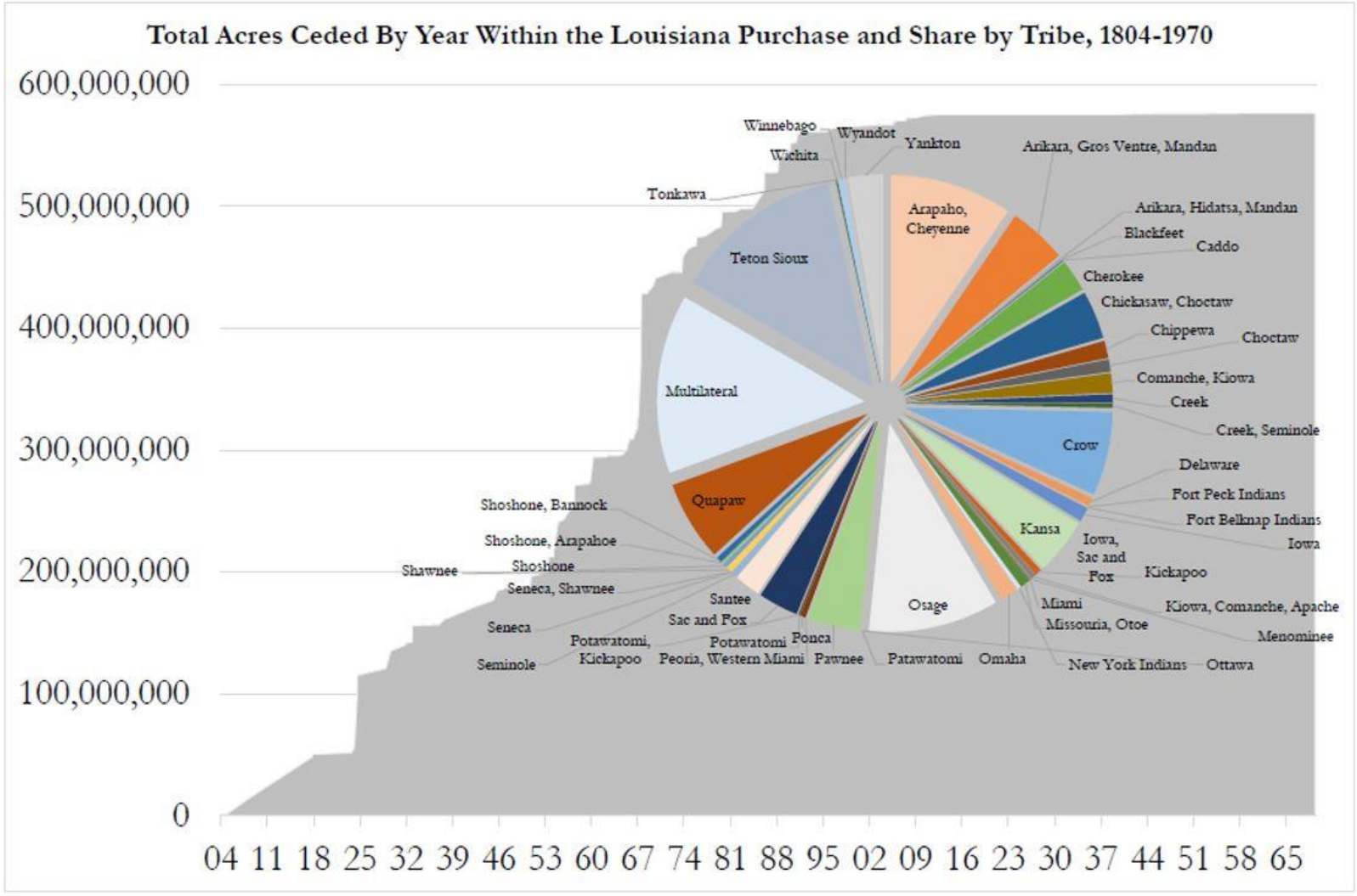
Description	Square Miles	Acres
Indian Cessions with the Louisiana Purchase	900,493	576,315,508
Louisiana Purchase Preemption Area	811,284	519,221,760
Preemption Area not covered by Indian cession	43,233	27,669,375
Modern Reservations within Louisiana Purchase	34,167	21,866,861

Map and figures created in ArcGIS/Appendix. Projected Coordinate System: USA Contiguous Albers Equal Area.

This map shows 222 cessions by Indian nations with the Louisiana Purchase. It surely misses some, and just as likely identifies most. They were effected by treaty, agreement, executive order, and federal act between 1804 and 1970. The most important source was the 67 state-level cession maps compiled by Charles Royce. While widely used, Royce's maps, as Imre Sutton and Dan Cole have shown, are not perfect: they sometimes use uncorrected survey lines, reflect poor information about unsurveyed areas and relevant drainage patterns, and exhibit edge-matching problems. They also stop in 1894, which meant turning to a variety of other sources to complete this visualization. As a result, the utility of this map lies less in the absolute precision of each cession (very difficult to appreciate on this scale) than the general accuracy of the pattern it conveys.

The table summarizes one of those patterns. About 5% of the surface area of the area ringed by Louisiana was appropriated without transfer of Indian soil rights and modern reservations cover another 4% (34,167 sq. mi.). Yet 111% of the area ringed by French preemption was ceded by Indians. In other words, tribes ceded both less than the surface area of Louisiana and more acres than it contained. Frequent overlaps and multiple removals, particularly in Kansas and Oklahoma, explains this paradox.

Fig. 1.7: Acres Ceded by Year in the Louisiana Purchase and Share By Tribe, 1804-1970



407,500) in the latter. More generally, despite nearly a quarter of the total events taking place in the twentieth century, nineteenth century cessions accounted for 97.9% of the total. By 1871, when the United States ended treaty-making, nearly 77% of the total had been ceded. At the outbreak of the Civil War, it already exceeded half.

Fig. 1.8: Annual Number of Indian Cessions in Louisiana Purchase, 1804-1970

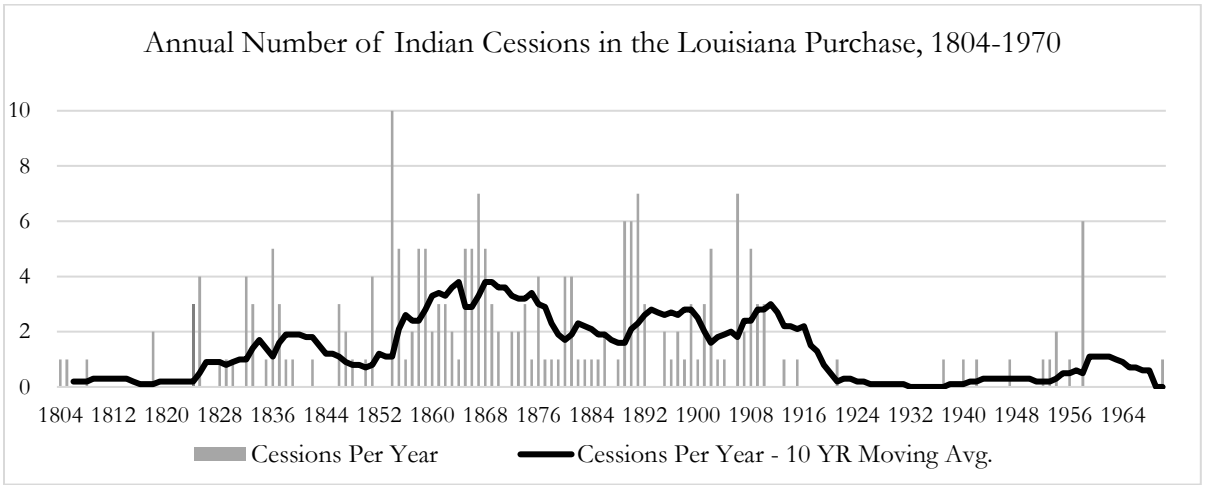


Fig. 1.9: Annual Avg. Acres Per Indian Cession in Louisiana Purchase, 1804-1970

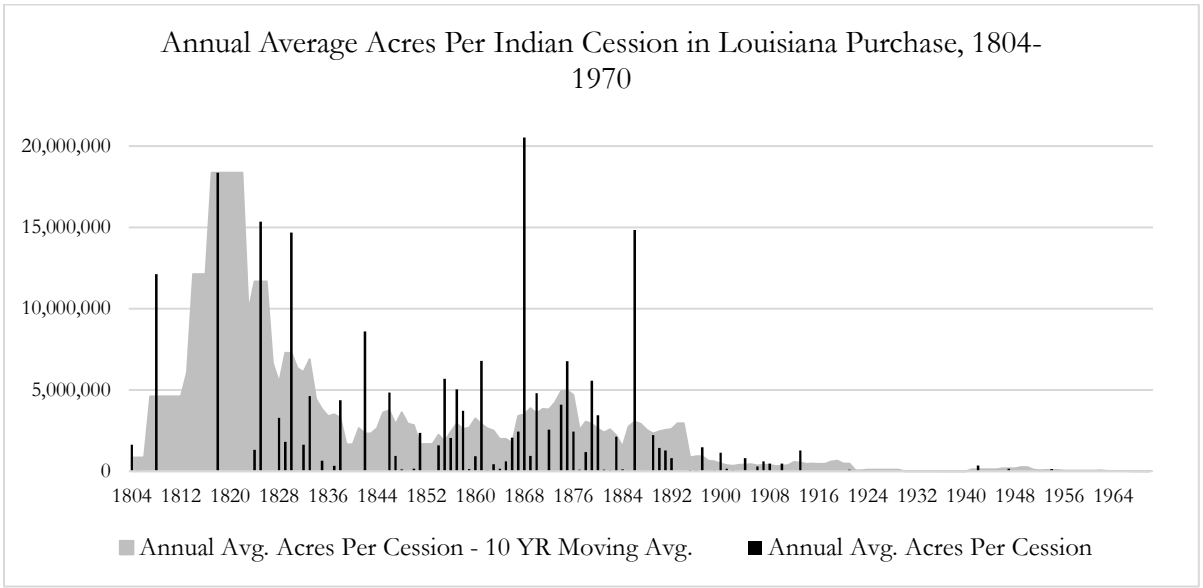
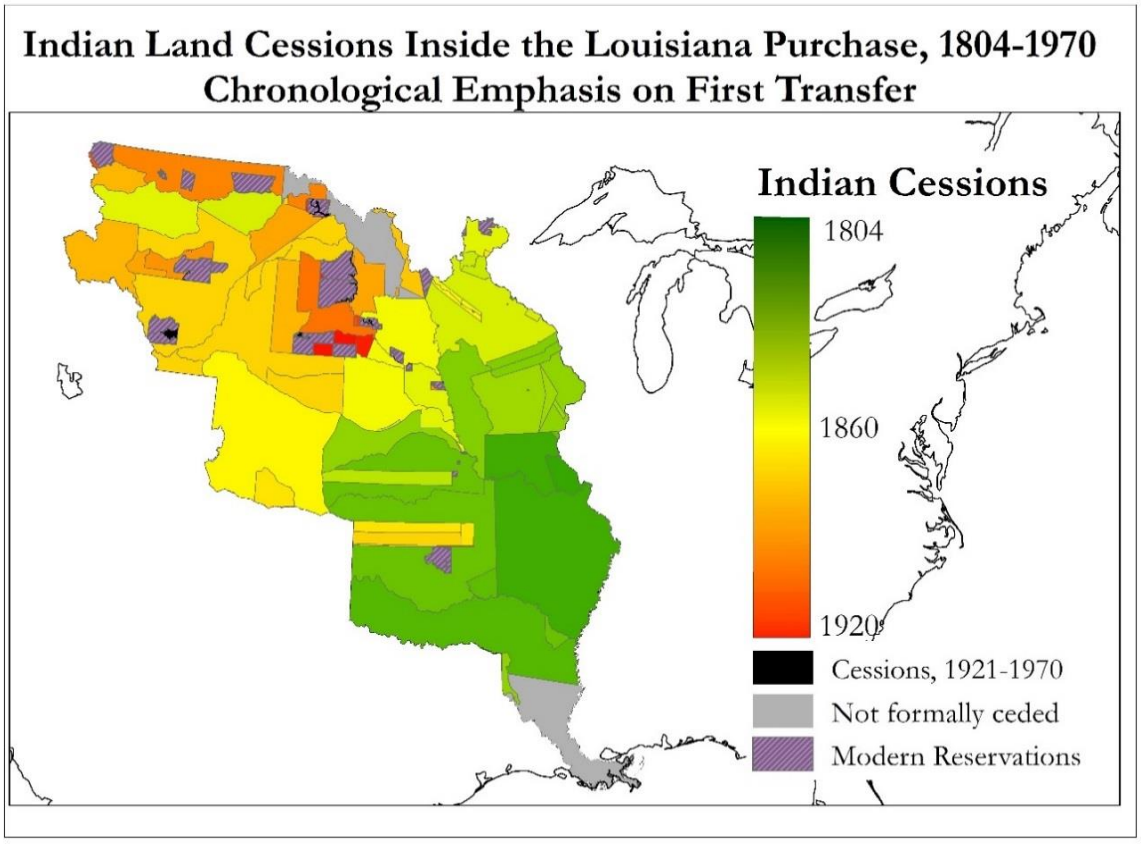


Fig. 1.10 visualizes these patterns. By giving preference to the initial date a tract was ceded, the first map illuminates a two-stage series of large transfers, one emanating from Missouri until the 1850s, and another extending across the central and high plains after the Civil War. Fig. 1.11 gives preference to the last date title was extinguished,

bringing out smaller scale transfers, also in a two-stage pattern: the first tracks removals from Kansas in the mid-nineteenth century, the second shows the effects of allotment at the turn of the twentieth. The small post-1921 cessions on both maps involved reclamation projects that flooded parts of reservations.

As episodes in US-Indian relations, some of these encounters have received more attention than others. The Plains Wars and breakup of reservations after the Dawes Act have generated shelves of studies. The mid-nineteenth century removals and twentieth century reclamation projects, while less well known, have garnered detailed attention from specialists.[60] Oddly, the first of these series—the one emanating from St. Louis in an era that accounted for about half of the total area ceded by tribes within Louisiana—is perhaps the least familiar, not because this era has lacked for study but because attention has orbited eastern removals. By reconstituting stories usually subdivided by time or tribe along a common thread of land loss, the long history of the conquest of Louisiana emerges.

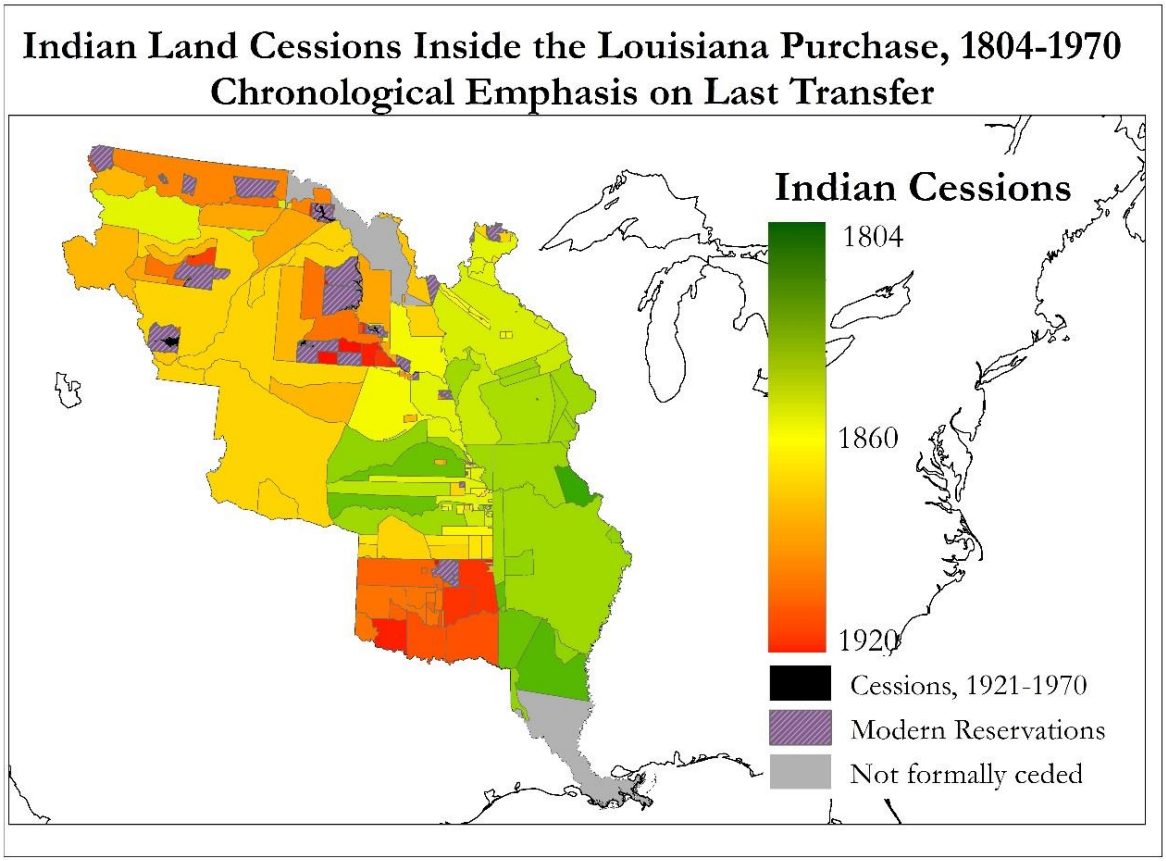
Fig. 1.10: Indian Land Cessions Inside the Louisiana Purchase, 1804-1970 - Chronological Emphasis on First Transfer



Map created in ArcGIS. Projected Coordinate System: USA Contiguous Albers Equal Area

[60] For example: H. Craig Miner, William E. Unrau, *The End of Indian Kansas: A Study in Cultural Revolution, 1854-1871* (Lawrence, KS, 1977); Mike Lawson, *Dammed Indians: The Pick-Sloan Plan and the Missouri River Sioux, 1944-1980* (Norman, OK, 1994).

Fig. 1.11: Indian Land Cessions Inside the Louisiana Purchase, 1804-1970 - Chronological Emphasis on Last Transfer



Map created in ArcGIS. Projected Coordinate System: USA Contiguous Albers Equal Area.

The outlines of these 222 acquisitions present the final puzzle: How much did the United States disburse to extinguish title to each? Claims accounting used by courts to determine the "consideration," or non-gratuitous original payments for treaties, makes it possible to provide sturdy estimates for most. This analysis flows from the identification of Court of Claims, ICC, and post-ICC cases, and settlement acts related to these 222 cessions. It uses decisions, in conjunction with ITCS, BIA, and congressional reports to collate original payments, court awards, and settlements connected to these events. The findings appear in tables in the appendix.

The Court of Claims and ICC did not challenge ITCS methodology, but they did contest expenditures' inclusion in the "consideration." For example, in a Ponca claim for over two million acres ceded in 1858, federal defendants argued, as the ITCS showed, that the government had paid for a mill for seventeen years instead of the treaty-stipulated ten, making the consideration $515,080. The ICC sided with the Ponca, excluded the unstipulated payments, and accepted $455,500 listed by the ITCS as the original

payment, triggering a $1,878,500 award.[61] The range of those dueling assertions suggests the total historical payment fell somewhere between $1.00 and $1.02 per acre. When it came to past payments, judgments laid a patina of precision that historians should question over a core of accuracy they cannot afford to ignore.

One method for calculating the consideration strayed from simple addition of figures dredged from vouchers. It came into play in a Sac and Fox case for the treaty of 1804, a controversial cession of 3.6 million acres straddling the Mississippi. The treaty stipulated a gift of $2,234.50 in goods and an annuity worth $1,000 per year. The ITCS uncovered $130,686.14 in "Disbursements for the Sac and Fox Tribe of Indians pursuant to the treaty of November 3, 1804," but the ICC named $20,000 as the consideration.[62] To do so, it excluded the gifts as a cost of establishing relations. Next, following the ITCS report, it noted the annuity had been capitalized at 5% and commuted for $20,000 in 1909. As a method for pricing assets by discounting their future returns into present values, capitalization led the ICC to define more than a century of annuity payments as interest on a (theoretical) principal revealed by the capitalization rate. The decision issued the kind of definitive figure that enabled the calculation of economic damages but obfuscated the complexity of pinning down such historical statistics.

Variations between GAO findings and court decisions suggests each of these instances must be inspected individually, extracting information according to a set of rules, with an understanding that different assumptions will alter results. This analysis follows a preference hierarchy that reflects the level of scrutiny cessions received, preferring determinations of non-gratuitous considerations in the following order: ICC or post-ICC decisions and settlement acts, Court of Claims decisions, ITCS and other expert reports, and, when cases were never litigated, treaties and agreements, BIA reports, and federal statutes. Adopting the ICC's determination of $20,000 for the Sac and Fox cession of 1804 over the ITCS's reported $130,686.14, is yet another indicator that the figures assembled here are conservative.

This method yielded $188,077,738 in original payments for cessions (Table 1). Using an inflation index to put them in constant dollars, this amounts to about $191 million in 1803 dollars or $3.9 billion in 2012.[63] In 1803 dollars, the price of French preemption was about 2.9¢ per acre. For the acquisition of Indian title from 1804 to 1970, the United States disbursed an average of 31.3¢ per acre. While over ten times the preemption price, these original payments are well-documented as vast *underpayments* on the value of the land to federal authorities. That this was the case is perhaps better revealed by the median of 3.4¢ per acre spent for nearly 12 million acres ceded by the Blackfeet in 1855.[64] Fig. 1.12, makes these original disbursements visually comparable by geolocating and vertically extruding them in 1803 dollars per acre.

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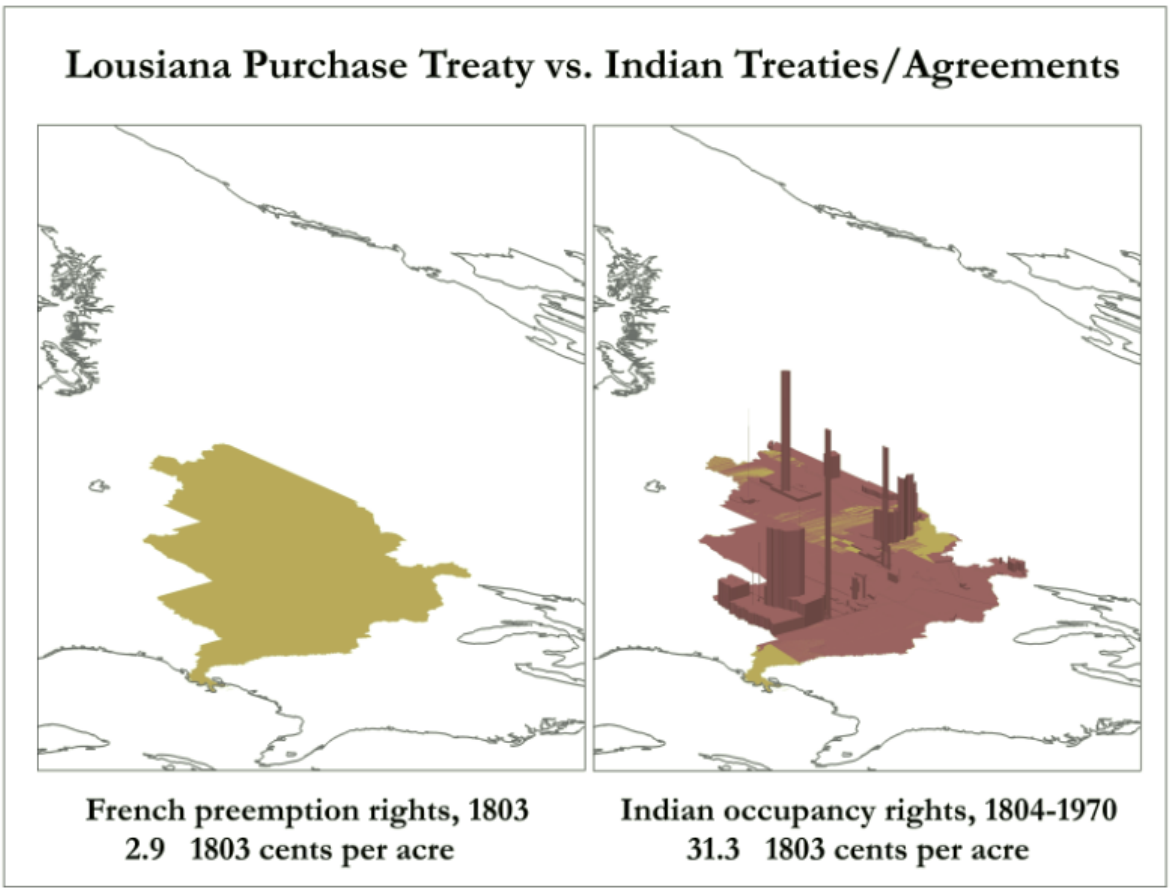
[61] The Ponca Tribe of Oklahoma, et al, v The United States, *Decisions of the Indian Claims Commission* (43 vols.: New York, 1973-1989), 20: 278-80.

[62] *United States General Accounting Office Report Re: Petition of the Sac and Fox Tribes of Indians of Oklahoma, et al, Indian Claims Commission No. 83*, p. 16, Box 164, RG 411, National Archives, College Park, Maryland; The Sac and Fox Tribe, et al, v. The United States, *Decisions of the Indian Claims Commission*, 32: 320.

[63] Supra note 11.

[64] "Treaty with the Blackfeet, 1855," *KLT*, 736-740. The median is the price paid for acre number 288,157,754.25.

Fig. 1.12: Louisiana Purchase Treaty vs. Indian Treaties/Agreements



But original payments are only part of the story. Over more than a century of litigation, tribes clawed back over $2.4 billion in court awards, legal settlements, and settlement acts. They won $17,036,382.87 in twenty Court of Claims cases and $372,581,526.15 in 106 ICC cases (Table 2 and 3 in the Appendix). The ICC also heard several trust accounting cases related to cessions. As these are often impossible to associate with a single land cession, they have been separated out and combined with a series of trust settlements with tribes in 2012, which altogether totaled $262,889,569.24 (Table 4 in the Appendix). Yet another stream of payments comes from post-ICC settlements and settlement acts tribes negotiated since the 1970s as alternatives to litigation. Fourteen between 1992 and 2011 are pertinent here, and garnered $1,765,142,456 (Table 5 in the Appendix). These few recent awards involve tiny areas, but are dramatically larger because they involved either interest payments or accounted for the value of natural resources. They indicate both a limited turn toward more equitable compensation and a reminder of just how little was provided by the Court of Claims and ICC in many more cases, involving much more land.

As a result, the total nominal disbursements found totals $2,605,727,672. In 2012, this would have exceeded $8.5 billion. In 1803 dollars, it approximated $418 million, as

shown in Fig. 1.13.[65] This bar chart shows a paradoxically large legacy of underpayments towering over the $15 million price of preemption, which accounts for roughly 3.5% of the historical total paid for Louisiana. In constant dollars, moreover, the greatest portion of payments came from the notoriously parsimonious original payments on 222 cessions. The handful of recent post-ICC settlements, pertaining to less than 1% of the area, nearly equals the accumulated awards from scores of cases related to hundreds of millions of acres litigated by the Court of Claims and ICC. Fig. 14 geolocates and stacks these quantities. Its unfamiliar form rising from Louisiana's frame dwarfs the price of French preemption as it outlines a process of territorial acquisition more than two centuries in the making, a living history of conquest by contract, extended by the court, and backed by the sword. That these were underpayments only makes the differential all the more profound, and the conclusion more apparent: this acquisition was not a bargain because of how little the United States paid France, it was cheap because of how little it paid Indians.

Conclusion

If the United States' investment in the reduction of Indian country clashes with deeply rooted conventions about the world's greatest real estate deal, it is because those conventions conceal more than they reveal. Next to $15 million for French preemption, over $2.6 billion for Indian title suggests that reducing this encroachment to an epilogue of a transaction in Paris is more than a little off balance. The price of the Louisiana Purchase of Indian country points to how this land actually became part of the United States.

A lesson worth retaining from visions of the Louisiana Purchase as a grand real estate bargain is that historical statistics take on meaning through narratives. It is a fact that the cost of Indian title towered over the price of French preemption, and that it did so before any court award added to the total. From here it would be easy, and wrong, to conclude that Indians got their due. They did not give up what France gave up. Litigation that poured over unconscionable deals to deliver appeasement at best expose a long-term differential between the value federal authorities saw in Indian land and the amounts they paid. That Indians were shortchanged is not news. That the aggregate was still so far beyond the price of preemption, and far more than scholars have assumed for nearly seventy years, is startling and calls out for explanation.

Of course, there are good reasons to question the $2.6 billion, or $418 million, or $8.5 billion price for Indian title. Claims accounting could not have reconstructed disbursements perfectly; trials could yield inconsistent "considerations"; inflation indices are constructions; time dooms totals to slide out of date as new claims emerge. Choices about how to define the Louisiana Territory, and even more importantly, to expand the analysis to include direct and indirect civil and military expenditures that supported US ambitions would change the results considerably. They would also push the estimate presented here upward, further widening the gulf between the costs of preemption and Indian title. This $2.6 billion, then, offers not a final word but a baseline to reconsider how the United States acquired Louisiana.

[65] Supra note 11.

Fig. 1.13: Disbursements for Louisiana Soil Rights, 1803-2012 (1803 Dollars)

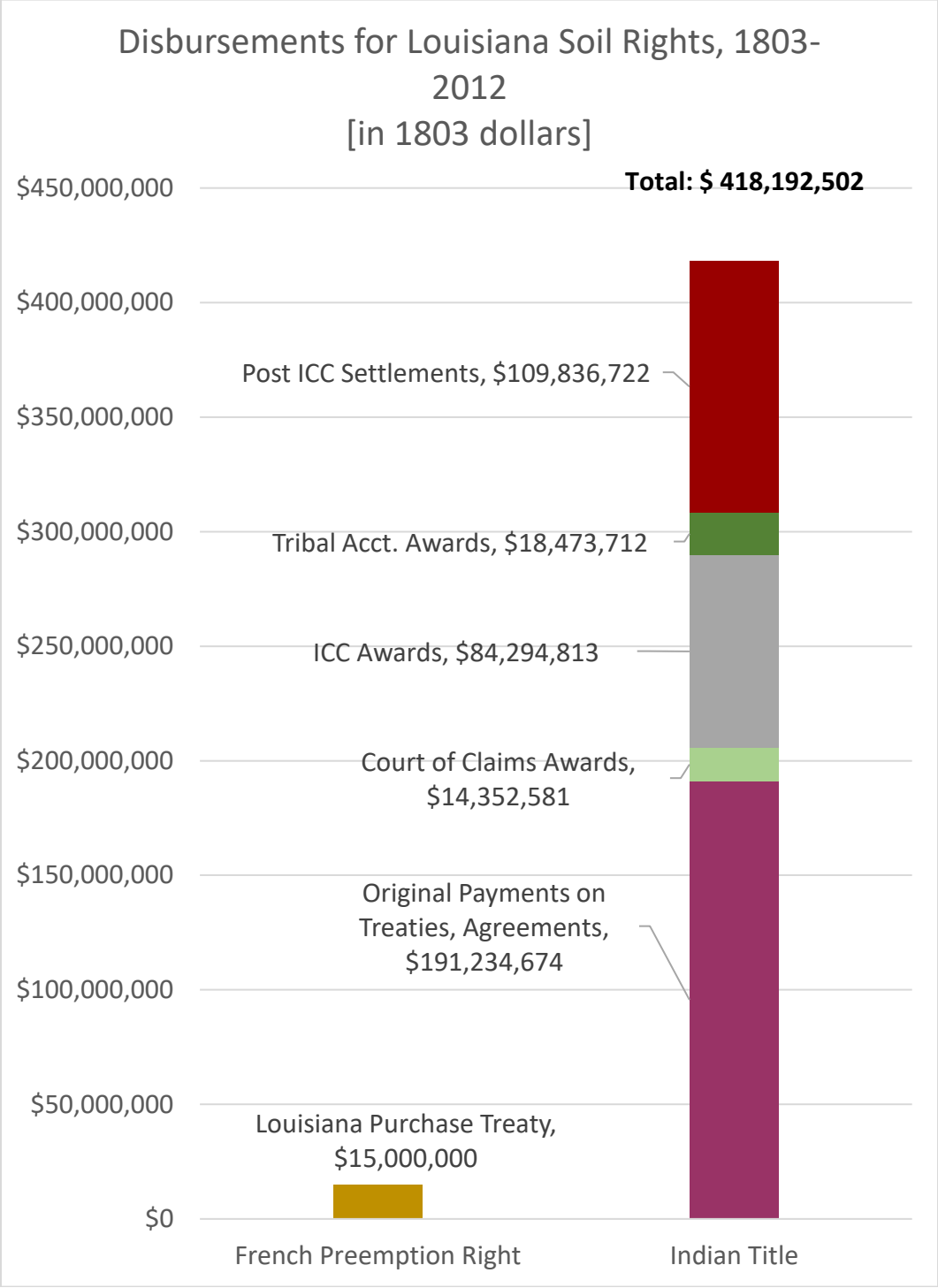
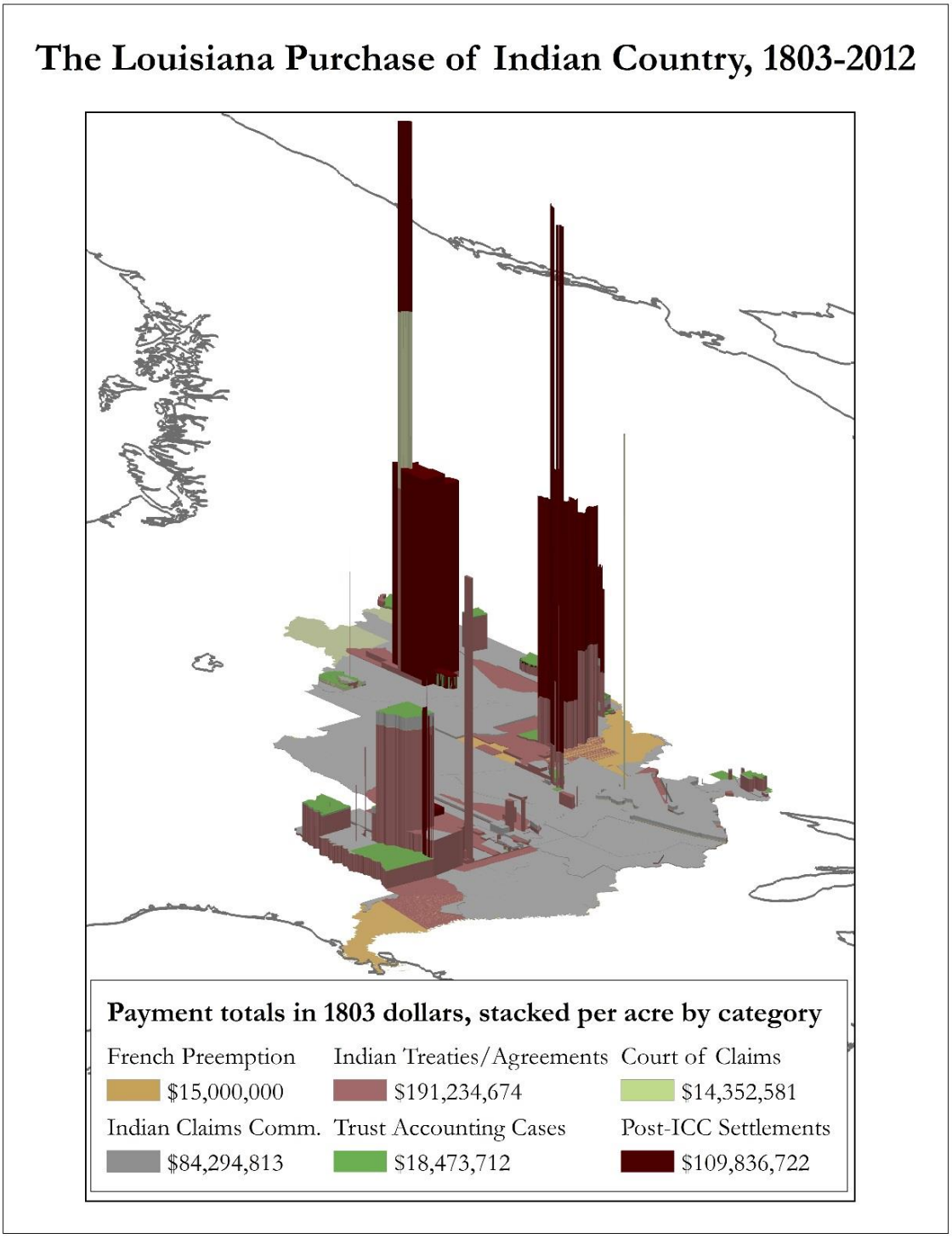


Fig. 1.14: The Louisiana Purchase of Indian Country, 1803-2012 -
Payment Totals in 1803 Dollars, stacked per acre by category



Debate over how to assess the capital flowing into the massive project of Indian dispossession is unlikely to produce consensus. And that is not a bad thing. Disagreements over mass quantification tend to leave the qualitative issues attached to them more difficult to ignore. Unresolved arguments over the impact of virgin soil epidemics or the productivity of slave labor, for instance, have trained spotlights on the magnitude of indigenous population loss and the links between slavery and capitalism.[66] Further excavating the costs of conquest could make the scope and implications of the reduction of the Indian estate harder to overlook.

A cloak of documentary complexity has in part prevented the colonial world articulated through the administration of Indian treaties from anchoring histories of American state formation in the nineteenth century, relegating what Philip Deloria has called a "fundamental condition of empire" to filler in stories studded by transfers of preemption.[67] Yet none of the economic markers that historians have traditionally used to explain how fortunate the Louisiana Purchase was—the region's contribution to GDP, the value of its real estate, the range of its agricultural output, the volume of its extracted mineral wealth—can be explained without reckoning with the subjugation of indigenous peoples. An increasingly prominent body of scholarship on settler colonialism would instantly recognize this as a prime example of how settler states "obscure the conditions of their own production."[68] The vast forensic accounting record amassed through Indian claims litigation offers one vital resource for clarification, a source to track down not what the United States said it was doing, but what it did to turn territorial abstractions cast across Indian homelands into governed jurisdictions, tax bases, and national resources.

As an answer to a narrow question, then, this $2.6 billion raises a more expansive one: If the United States acquired the Louisiana Territory for far less than it was worth, and almost all of what it spent went toward extinguishing Indian title, how should historians account for US state formation in this region? From the perspective of resource allocation, it was unmistakably, overwhelmingly about Indian relations.

In the final account, the price of the Louisiana Purchase of Indian country matters less as a disinterred fact than an empirically grounded entry point to rethink how this section of world actually became part of the United States. Fitting Indian cessions into Louisiana's frame merely provides grounds to challenge a resilient myth of the American civic imagination. Its outline may have contained over two hundred Indian cessions, but it does not explain them. Extending the United States into the western half of the Mississippi watershed took other forms.

In the first half of the nineteenth century, the American colonization of the Missouri River Valley took place through the operations of the St. Louis Superintendency, which in turn participated in and transformed a series of better known events connected to the region, starting with what has become known as the cheap

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[66] For brief points of entry into these ongoing debates, see, for example: David S. Jones, "Virgin Soils Revisited," *The William and Mary Quarterly* 60, no. 4 (2003): 703-742; John Clegg, "Capitalism and Slavery," *Critical Historical Studies* 2, no. 2 (2015): 281-304.

[67] Phillip J. Deloria, "From Nation to Neighborhood: Land, Policy, Culture, Colonialism, and Empire in U.S.-Indian Relation," in James W. Cook, Lawrence B. Glickman, Michael O'Malley, ed., *The Cultural Turn in U. S. History: Past, Present, and Future* (Chicago, 2008), 351.

[68] Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (London, 2010), 14.

acquisition of the Louisiana Territory. Its name, for instance, did not appear in the ITCS subreport for disbursements to the Sac and Fox in 1837, but was there incarnate. Across from the $200 listed for salt distributed appears a name, Ethan Allen Hitchcock, who had been recently appointed a disbursing agent for the St. Louis Superintendency. Peel back the history of many better-known moments in American History from the antebellum Missouri River Valley—the Lewis and Clark expedition, the Missouri Compromise, and Indian removal—and the emerging and ongoing operations of the St. Louis Superintendency recurs again and again as it stewarded millions of acres of Indian homelands into the public domain. Its history is no less significant for never having been mapped, written about, taught in schools, celebrated at centennials, or plastered on t-shirts. The Louisiana Purchase was its prologue.

Chapter 2

From *la Louisiane* to the Louisiana Territory

Introduction

If the Indian treaty system is crucial to grasping the long-term investment of the United States in the takeover of the Louisiana Territory, it is important to ask how it crossed the Mississippi. And the answer is that it started with a legal projection, one version of which began appearing on a post office map hung around the young United States in the summer of 1804. Abraham Bradley, Jr., the assistant to the postmaster general, drafted it, updating a version from 1796 that had grown so woefully out of date he had stopped issuing copies by 1803. His new version appeared on post office walls just in time to show the Louisiana Purchase as part of the United States for the first time (Fig. 2.1). It came after an eventful year during which the United States had bought France's claim to the vast territory of *la Louisiane*, ritually taken possession of it, and pronounced a new government for the territory.[1] All of those actions were embodied on Bradley's map, which divided the purchase in two along the 33rd parallel. Below that line lay the Orleans Territory, which would later become the state of Louisiana.[2] Above it appeared the District of Louisianan, otherwise known as Upper Louisiana, sliced through by the Missouri River and encased in a thick yellow line.

The District of Louisiana's outline reflected plans to push the jagged US-Indian treaty line west of the Mississippi. The same law that told Bradley how to trace Upper Louisiana explained how Indian affairs would be conducted in the new acquisition. In particular, it reserved the treaty-making power to federal authorities by making a unilateral declaration that Indian nations could not sell their land "to any sovereign power, except the United States."[3] This law, of course, did much more than that, and not all of it pertained to Indians. It described the structure of territorial offices, discussed grandfathering Spanish land grants, and affirmed temporary regulations for military rule. Still, the district's legal birth was quite literally lopsided in its concern for Indian regulations.

This is not apparent from a casual read of the law. At first glance the five sections summoning the District of Louisiana into being appear more or less evenly weighted across issues. Yet a closer look reveals that this is only because its congressional authors used a shortcut to compress the sections related to Indians. Rather than actually writing out all the pertinent regulations, they simply pronounced that the Indian Trade and Intercourse Act of 1802 would apply to the territory. Nothing nefarious lurks behind the maneuver, which saved time, energy, ink, and paper by avoiding repetition across

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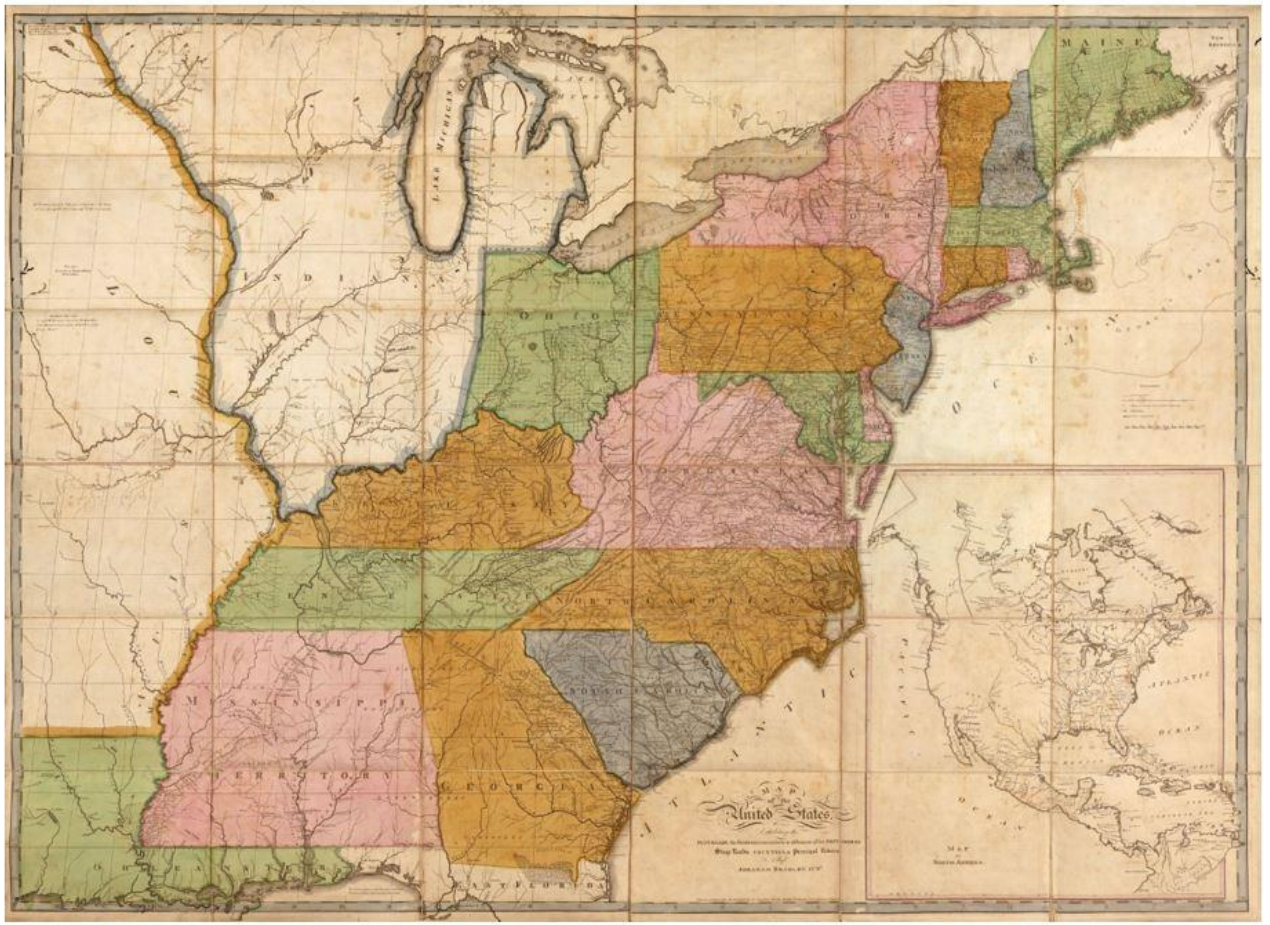
[1] Richard R. John, *Spreading the News: The American Postal System from Franklin to Morse* (Cambridge, MA, 1995), 70; Larry Caldwell and Michael Buehler, "Picturing a Networked Nation: Abraham Bradley's Landmark U.S. Postal Maps," *The Portolan* 77 (Spring 2010): 7-24.

[2] The history of the Orleans Territory (where the United States asserted Indian title was already extinguished prior to 1803), falls outside this study. For a useful recent history of its territorial period, see Eberhard L. Faber, *Building the Land of Dreams: New Orleans and the Transformation of Early America* (Princeton, N.J.: Princeton University, 2016).

[3] *An Act erecting Louisiana into two territories, and providing for the temporary government thereof*, Public Law 38, *U.S. Statutes at Large* 2 (1804): 289.

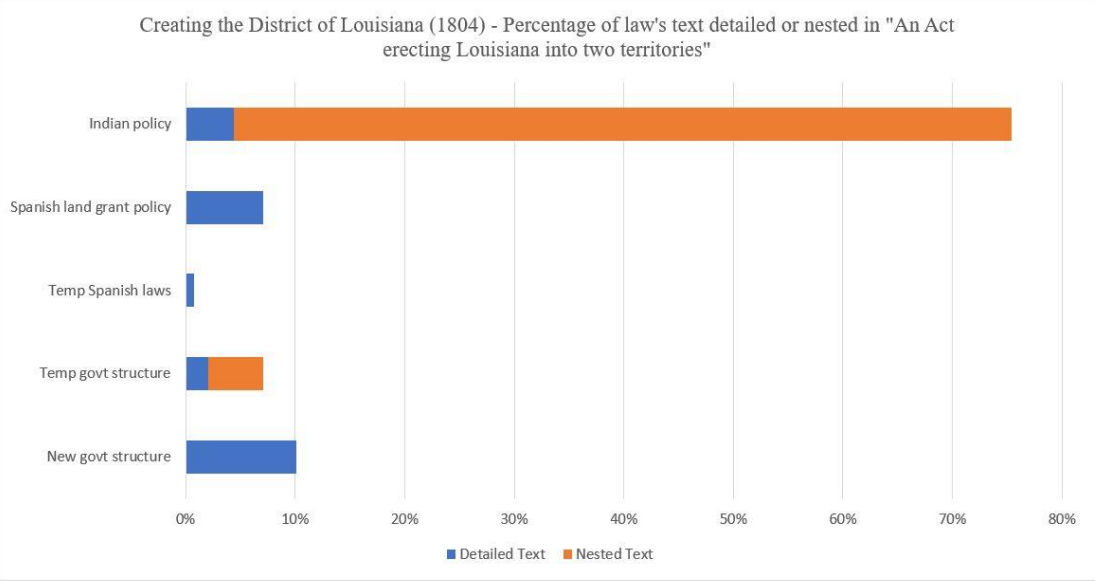
Fig. 2.1: Abraham Bradley, Jr., “Map of the United States” (1804)



Abraham Bradley, Jr., “Map of the United States: exhibiting the post-roads, the situations, connexions & distances of the post-offices, stage roads, counties & principal rivers” (1804), Library of Congress Geography and Map Division Washington, D.C.

statutes. But it did make it harder to see that, once fully unfurled, a full three quarters of the text of the law announcing the arrival of American governance in the Missouri River Valley dealt with Indian policy (Fig. 2.2). Indian relations not only loomed large when it came to projecting American governance into this region, it loomed far larger than historians have acknowledged.[4] Buried in the nested provisions of Upper Louisiana's organic act lay the regulatory grounding for a regional Indian superintendency whose work would revolve around a shifting Indian boundary line.

Fig. 2.2: Creating the District of Louisiana (1804)



Based on "An Act erecting Louisiana into two territories" (1804), "An Act to enable the President of the United States to take possession of the territories ceded by France to the United States" (1803), "An Act to Regulate Trade and Intercourse with the Indian Tribes, and to Preserve Peace on the Frontiers" (1802)

Like virtually everything else about federal authority in the trans-Mississippi West in 1804, the St. Louis Superintendency's institutional beginnings reflected more aspiration than reality. Whether they knew it or not, when viewers followed Upper Louisiana's outline, they were looking backwards toward something new. With the acquisition of *la Louisiane*, the United States joined the powers who had claimed sovereignty over unseen Indian homelands in the trans-Mississippi West for over a century. When the news of the deal reached Thomas Jefferson, it caused a pivot in pre-

[4] This aspect of Upper Louisiana's territorial organization has gone unnoticed in the literature on the purchase. Compare to Robert D. Bush, *The Louisiana Purchase: A Global Context* (New York: Routledge, 2014); Peter J. Kastor and François Weil, eds., *Empires of the Imagination Transatlantic Histories of the Louisiana Purchase* (Charlottesville, VA, 2009); Sanford Levinson and Bartholomew H. Sparrow, eds., *The Louisiana Purchase and American expansion, 1803-1898* (Lanham, MD, 2005); Paul E. Hoffman, ed., *The Louisiana Purchase and its Peoples: Perspectives from the New Orleans Conference* (Lafayette, LA, 2004); Jon Kukla, *A Wilderness So Immense*; Roger G. Kennedy, *Mr. Jefferson's Lost Cause: Land, Farmers, Slavery, and the Louisiana Purchase* (New York, 2003); James E. Lewis, Jr., *The Louisiana Purchase: Jefferson's Noble Bargain?* (Charlottesville, VA, 2003); Peter J. Kastor, ed., *The Louisiana Purchase: Emergence of an American Nation* (Washington DC, 2002); Carl J. Richard, *The Louisiana Purchase* (Lafayette, LA, 1995); Alexander DeConde, *This affair of Louisiana* (New York, 1976).

existing plans to exert American influence in the Missouri River Valley. And when the United States moved to claim and assert sovereignty over the region, it introduced a system for managing Indian affairs whose roots lay in mid-eighteenth century British efforts to strengthen their imperial grasp on North America. Bradley's map was new, but the ambitions to claim and control, exert influence in, and profit from the Louisiana Territory were not. The Louisiana Purchase did not end the colonial-era in the Missouri River Valley, it extended it.

A Noble Bargain

The colonial claim purchased by the United States in 1803 stretched back to an expedition down the Mississippi in the late seventeenth century.[5] After floating down the river and feasting and conferring with Indian nations, René-Robert Cavelier, Sieur de La Salle and his crew built a platform on a swampy patch of ground near the river's mouth. On April 9, 1682, they buried a plate in the ground, nailed a cross to a tree, and chanted the *te deum*. Jacques de La Metairie, the expedition's notary, kept a record and drew up the *procès-verbal* claiming the Mississippi's vast, unseen watershed for France and naming it after King Louis XIV.[6] As all the men signed, *la Louisiane* suddenly appeared, a colony conjured by fiat.

La Salle's performance fascinated historians, artists, and writers in the nineteenth century who revived its memory, celebrated its accomplishment, and lampooned its hubris. In 1844, the collector Jared Sparks wrote a volume on La Salle for his Library of American Biography series designed to honor individuals "distinguished in America; particularly in that part of America which now constitutes the United States."[7] A few years later, the artist George Catlin painted an historical series—the only of his career—depicting the crucial moment as a seaside cross-raising (Fig. 2.3). In 1870, Francis Parkman published a romantic history that honed in on April 9. "On that day, the realm of France received on a parchment a stupendous accession," he wrote, "a region of savannas and forests, sun-cracked deserts, and grassy prairies, watered by a thousand rivers, ranged by a thousand warlike tribes, passed beneath the scepter of the Sultan of Versailles; and all by virtue of a feeble human voice, inaudible at half a mile."[8] Mark Twain quoted

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[5] The vague legal entity known as the Louisiana Territory can be traced backward through Article I of the Louisiana Purchase Treaty (1803), which described the cession by referring to Article III of the Treaty of St. St Ildefonso (1800), which referred to the Treaty of Fontainebleau (1762), in which France ceded "all the country known under the name of Louisiana" to Spain. See "Treaty Between the United States of America and the French Republic" [Louisiana Purchase Treaty; April 30, 1803], Avalon Project, Yale University, http://avalon.law.yale.edu/19th_century/louis1.asp, accessed July 1, 2017; "Preliminary and Secret Treaty between the French Republic and His Catholic Majesty the King of Spain, Concerning the Aggrandizement of His Royal Highness the Infant Duke of Parma in Italy and the Retrocession of Louisiana" [Treaty of San Ildefonso : October 1, 1800], Avalon Project, Yale University, http://avalon.law.yale.edu/19th_century/ildefens.asp#art3, accessed July 1, 2017; "Preliminary Convention between the Kings of France and Spain, for the Cession of Louisiana" [Treaty of Fontainebleau: 1762], *Appendix to the Gales & Seaton's Register*, 24 Cong. 2d Sess.(1837), XIII: 226. "Preliminary Convention between the Kings of France and Spain, for the Cession of Louisiana" [Treaty of Fontainebleau: 1762]. *Register of Debates in Congress*, 24th Cong., 2nd sess. (Washington DC, 1837), 13: 226.

[6] "Process Verbal," *Collections of the Illinois State Historical Library*, vol. 1 (1903): 106-113.

[7] "Advertisement" in Jared Sparks, *The Library of American Biography* (Boston, 1844), vii.

[8] Francis Parkman, *The Discovery of the Great West* (Boston, 1870), 283.

liberally from Parkman in his own *Life on the Mississippi* (1883) as he relished the irony of a "confiscation cross" planted at a place later named the town of Napoleon: "France stole that vast country on the spot, the future Napoleon; and by and by Napoleon himself was to give the country back again—make restitution, not to the owners, but to their white American heirs."[9]

Fig. 2.3: George Catlin, "La Salle Expedition: La Salle Erecting a Cross at the Mouth of the Mississippi, Apr. 9, 1682" (1870-1872)

Papers and illustrations of George Catlin, 1868-1892, Huntington Library

Historians now refer to ceremonies like La Salle's as rituals of possession.[10] Deployed to legally prop up colonial schemes, these performances veiled local

[9] Twain was discussing another iteration of the ceremony performed by La Salle. Mark Twain, *Life on the Mississippi* (New York, 1901), 13.

[10] Patricia Seed, *Ceremonies of Possession in Europe's Conquest of the New World, 1492-1640* (New York, 1995); Robert J. Miller, *Native America, Discovered and Conquered: Thomas Jefferson, Lewis and Clark, and Manifest Destiny* (Lincoln, NE, 2008); Stephen Greenblatt, *Marvelous Possessions: The Wonder of the New World* (Chicago, 1991); Michael Witgen, "The Rituals of Possession: Native Identity and the Invention of Empire in Seventeenth-Century Western North America," *Ethnohistory* 54, no. 4 (2007): 639-668.

interactions behind "an abstract imperial space of maps and plans."[11] La Salle's iteration of the form manifested perhaps most popularly on Guillaume de L'Isle's oft-reproduced *Carte de la Louisiane* (1718), which plastered the name *la Louisiane* across the territories of the *les Missouris*, the *Sioux de le Est*, *Les Renards*, and more than a dozen other Indian nations (Fig. 2.4). On the ground, rituals of possession justified efforts to occupy and extract wealth from the New World. The success of such ventures was far from assured, as La Salle's return to North America in 1685 illustrated. After claiming Louisiana for France, he returned home and recruited 180 colonists. On their way back they missed the Mississippi's mouth and landed on the Texas coast, where disease, exposure, and hunger soon halved their numbers. In 1688, a devastating attack by the Karankawa—on whose lands they had intruded—wiped out the rest of the colony, killing all except a few children taken into captivity. La Salle himself never learned of the group's fate because his starving crew had already murdered him in east Texas.[12]

Fig. 2.4: Guillaume de L'Isle's oft-reproduced *Carte de la Louisiane* (1718)

Library of Congress Geography and Map Division Washington, D.C.

[11] Daniel Clayton, "The Creation of Imperial Space in the Pacific Northwest," *Journal of Historical Geography* 26, no. 3 (2000): 327. Also see Richard White, "The Louisiana Purchase and the Fictions of Empire" in Peter J. Kastor, François Weil, eds., *Empires of the Imagination*, 37.

[12] Only 5 from the original group made it back to France to tell the story. William C. Foster, ed., Johanna S. Warren, trans., *The La Salle expedition to Texas: the journal of Henri Joutel, 1684-1687* (Austin, 1998).

Over the next few decades the colonization of *la Louisiane* proved difficult and slow. In 1700, Jesuit missionaries followed the Kaskaskias across the Mississippi and built some cabins and a chapel, only to abandon the area three years later. The Illinois Country—the region along the Mississippi between the Ohio and Missouri rivers—attracted a few more missionaries and Canadian traders in the ensuing years while a larger influx of emigrants concentrated further south along the Gulf coast. In 1710, Antoine Crozat, a French merchant, agreed to absorb the costs of colonization in exchange for a royal grant for mining and trading rights in Louisiana. By 1717, with about 700 colonists on the ground and no profits to show for the effort, Crozat petitioned to have the grant dissolved. The Company of the West took over and pledged to transport 6,000 colonists and 3,000 slaves. In 1718, they brought 800 people and founded New Orleans, which soon overtook Mobile as the largest colonial settlement in the territory. By 1726, there were roughly 4,000 free and enslaved colonists in all of *la Louisiane*, the vast majority near the Gulf. Only about 500 lived further north, on the eastern bank of the Mississippi in the Illinois Country, in the vicinity of the short-lived Fort Chartres.[13] The Company of the West abandoned the fort, and the Illinois country with it, in 1729. Two years later, its shareholders, like Crozat, returned Louisiana to the crown.[14]

As the French occupation stuttered forward in the 1730s, the first permanent settlers to locate themselves west of the Mississippi began to make new homes and lives in the region Americans would later come to know as Upper Louisiana.[15] By the mid-eighteenth century, perhaps a few hundred colonists lived in and around the small community of Ste. Genevieve on the western bank of the Mississippi in modern-day Missouri, where they supplied oats, corn, and wheat in an exchange economy revolving around a fur trade dominated by the more populous Indian nations surrounding them. None of their neighbors were more powerful than the Osage, whose territory, anchored by villages on a southern tributary of the Missouri River, appeared on de L'Isle's map. The Illinois nations lay to the north and east of Ste. Genevieve. The Choctaws and Chickasaws lived to their southeast. For these early colonists, prospering here required building relationships with these neighbors, turning the Illinois Country into what historian Robert Morrissey dubbed an "empire by collaboration" that was soon entirely lost to France.[16]

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[13] Paul LaChance, "The Growth of the Free and Slave Populations of French Colonial Louisiana," Bradley G. Bond, ed., *French Colonial Louisiana and the Atlantic World* (Baton Rouge, 2005), 213.

[14] For a short primer on this era in the Louisiana Territory focusing on Upper Louisiana, see William E. Foley, *A History of Missouri: 1673-1820* (Columbia, MO, 1971), I: 1-19. There were 513 colonists in the Illinois Territory according to the census of 1726.

[15] There is confusion over the date of the first European occupancy of Ste. Genevieve. The consensus has been the 1730s. William Foley argues 1732 or earlier. Stephen Aron put it "around 1750," and astutely adds that the controversy "reflects the insignificance of the event at the time." Carl J. Eckberg, perhaps the closest student of the town avoided dating the settlement in favor of a review of mid-eighteenth century social and economic conditions. Foley, *History of Missouri*, 14; Aron, *American Confluence*, qt. 39, 41; Carl J. Eckberg, *Colonial Ste. Genevieve: An Adventure on the Mississippi Frontier* (Carbondale, IL, 1996), 11-19

[16] Daniel H. Usner, *Indians, Settlers, and Slaves in a Frontier Exchange Economy: The Lower Mississippi Valley Before 1783* (Chapel Hill, 1992); Kathleen DuVal, *Native Ground: Indians and Colonists in the Heart of the Continent* (Philadelphia, 2006); Aron, *American Confluence*, 26-38, esp. 31; Jay Gitlin, *The Bourgeois Frontier: French Towns, French Traders, and American Expansion* (New Haven, 2009), 26;

To prevent Britain from claiming all of *la Louisiane* in the Seven Years War, France ceded the western half of the Mississippi watershed to Spain in 1762. It took two years for news of the transfer to reach Upper Louisiana and seven for the first representative of Spanish authority to arrive at the settlements. In the interim, the region experienced a modest population infusion as Creole colonists on the eastern bank of the Mississippi suddenly found themselves unhappily in territory claimed by the British. Many crossed over, most heading toward St. Louis, a fur trade outpost founded several miles south of the mouth of the Missouri River in 1764.

By 1770, the colonial population of Upper Louisiana had grown to around 1,100, and was still dwarfed by the surrounding Indian nations. The colonists lived in the districts of St. Louis and Ste. Genevieve, which were ambiguously vast in theory but actually hugged the Mississippi's western bank.[17] Historians have no solid estimates for the total Indian population for Upper Louisiana in the mid-eighteenth century, though it is safe to say the colonists were vastly outnumbered and they knew it. At the low end, a crude count from 1758 estimated there were a little more than 3,000 Indian men across nine nations with trade connections to the Illinois Country. On the higher side, recollections from British traders pegged the Mandan and Assiniboine alone at 65,000 "fighting men" prior to the early 1780s, when a horrific smallpox epidemic swept through their villages.[18]

Spanish administrators took over the small French colony on the Mississippi's western bank in 1769. Upon arriving in Upper Louisiana to take possession, Capt. Francisco Rui made St. Louis the new administrative hub. The town, whose population quickly rivaled the older Ste. Genevieve, was nearer to the Missouri's mouth where Rui planned to build a fort to control access to the river. His broader mission was to secure "for His Majesty the royal dominion which belongs to him, and at the same time keep up the friendship and good will of the savages, in the same way as the French have done."[19] That plan required lying to the local Indian nations, as Rui unabashedly admitted. He intended to convince them "that we go into their lands without any claims of right, but because they want us to go."[20] He hoped the colony would soon outgrow the lie and optimistically predicted Upper Louisiana was on the verge of a demographic shift to rival Hispaniola in the sixteenth century, when a violent combination of newcomer growth and native population decline tilted the island's population decisively toward the colonists. But the reality never caught up to Rui's expectations, and after twenty years of Spanish rule, Upper Louisiana had only increased to 2,000 inhabitants.[21]

To supplement its growth, Spanish administrators introduced a new policy in the late eighteenth century that permitted Americans who took an oath of allegiance to obtain

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Robert Michael Morrissey, *Empire by Collaboration Indians, Colonists, and Governments in Colonial Illinois Country* (Philadelphia, 2015).

[17] Foley, *A History of Missouri*, 1-19. On the founding of St. Louis and subsequent decades, see Gitlin, *The Bourgeois Frontier*, 26-45.

[18] *ARCIA* (1842), 426. On the smallpox outbreak, see Elizabeth Fenn, *Pox Americana: The Great Smallpox Epidemic of 1775-82* (New York, 2002).

[19] "The Beginning of Spanish Missouri: Instructions, D'Ulloa to Rui, 1767," *Missouri Historical Society Collections*, 3, no. 2 (April 1908), 151.

[20] Ibid., 152

[21] Census of 1788 reproduced in John W. Monette, *History of the Discovery and Settlement of the Valley of the Mississippi* (New York, 1846), I: 478

land in Spanish Upper Louisiana. Among the best-known takers were Daniel M. Boone, followed shortly thereafter by his famous father and the rest of the family in 1799.[22] American emigration helped push Upper Louisiana's population to about 3,500 by 1796, and over 6,000 by 1799. But it was too little, too late. Louisiana's overall population stagnated in the 1790s and the colony continued to be a perennial drain on Spanish coffers.[23] In 1800, King Charles IV, embroiled in a costly war with Britain and spending $337,000 a year to maintain the Louisiana Territory, put his fears that Napoleon would later resell the colony to the United States aside and retroceded *la Louisiane* to France in the secret Treaty of San Ildefonso.[24] He got a piece of Tuscany. Napoleon got a potential breadbasket for sugar plantations in Saint-Domingue.

Soon, however, the Haitian Revolution wrecked Napoleon's plans. He sent 34,000 troops to quell the revolution in 1802, expecting to divert some of those troops to occupy the mainland after squashing the uprising led by Toussaint L'Ouverture. By the end of the year, a raging yellow fever epidemic and an army of ex-slaves had cut down nearly 95% of the French soldiers. As the survivors limped toward total retreat, Napoleon's plans to provision the island from Louisiana fell apart, and just as quickly, Louisiana's potential value to the First Republic plummeted.[25] By that point, too, an invasion of Louisiana by either England or the United States seemed not just imminent but certain to succeed.[26] "I already consider the colony entirely lost," Napoleon confided in early 1803.[27] The question was to whom.

If possible, the comparatively weak and distant United States offered the far better option. Ever since learning about the retrocession of 1800, Robert Livingston, the American minister plenipotentiary, had been in Paris lobbying to purchase New Orleans. For the United States, the pursuit became desperate in 1802, when the Spanish intendant at New Orleans closed the port to US commerce. In an attempt to avert a military action, Thomas Jefferson sent James Monroe to Paris to join Livingston, authorizing the pair to offer up to $10 million to purchase New Orleans. Monroe disembarked at Le Havre in early April 1803, and as he traveled to Paris, Napoleon ordered Charles-Maurice de Talleyrand and François Barbé-Marbois to jumpstart negotiations with Livingston. He wanted to offload not just New Orleans, but all of *la Louisiane*, grousing that for a century "France and Spain have been incurring expenses for improvements in Louisiana,

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[22] John Mack Faragher, *Daniel Boone: The Life and Legend of an American Pioneer* (New York, 1992), 276-281.

[23] Paul LaChance, "The Louisiana Purchase in Demographic Perspective," in *Empires of the Imagination*, 150-151. For an example of the drain, see the contemporary estimate by Louis Vilemont, who claimed in 1802 that the administrative costs of the colony ran 500,000-550,000 *piastres* a year while bringing in only 70,000—80,000 *piastres*: Louis Vilemont to Citizen Minister, 1802, in *BLC,* 686-687. Also see Din and Nasatir, *The Imperial Osage*, 323.

[24] Jon Kukla, *A Wilderness so Immense*, 215.

[25] Kukla, *A Wilderness so Immense*, 218-225, esp. 223; Laurent Dubois, "The Haitian Revolution and the Sale of Louisiana; or, Thomas Jefferson's (Unpaid) Debt to Jean-Jacques Dessalines," in Peter Kastor and François Weil, eds., *Empires of the Imagination*, 93-116.

[26] A memoir by Joseph de Pontalba, a planter who had lived in Spanish Louisiana for eighteen years, shaped Napoleon's opinion of the threat posed by the United States. See LaChance, "The Louisiana Purchase in Demographic Perspective," in *Empires of the Imagination*, 162-163.

[27] François marquis de Barbé-Marbois, *The History of Louisiana: Particularly of the Cession of that Colony to the United States of America* (Philadelphia, 1830), 264.

for which its trade has never indemnified them."[28] He ordered them to take no less than ₣50 million, or about $9.4 million, for the possession.

Historians of the Louisiana Purchase have been reluctant to acknowledge that Talleyrand and Marbois bested Livingston and Monroe in the negotiations. Insofar as the surviving documents can reveal, the back and forth looked like a basic upsell. On April 11, Talleyrand caught Livingston off guard by asking him if he would consider buying not just New Orleans, but all of Louisiana. When Livingston offered ₣20 million, Talleyrand dismissed the offer as too low and insisted he had not really been serious. The next day Talleyrand asked again, and again rescinded the offer when Livingston refused to name a price. Marbois had a separate meeting with Livingston the next evening. He apologized for Talleyrand's "evasions" and assured Livingston the offer for "the whole country" was genuine. Marbois said Napoleon wanted ₣100 million and American privateering claims against France discounted. The number shocked Livingston and Marbois walked it back. If Livingston would only "name *sixty million* & take upon us the American claims to the amount of *twenty more*," Marbois promised to push the deal through. Then came the hard sell. "Try then if you can not come up to my mark," Marbois pressed, "consider the extent of the country, the exclusive navigation of the River, & the importance of having no neig[h]bour to dispute with you, no war to dread." Livingston resisted making a firm commitment, though he left convinced "*that we shall buy.*"[29] Monroe received similar treatment. Marbois presented him with a high figure of ₣120 before lowering it to ₣60 in direct payments and ₣20 in debt forgiveness—the price the Americans finally agreed to on April 30, 1803.[30] They spent 50% more than they were authorized to spend in order to upgrade the acquisition from New Orleans to France's claim on all of Louisiana. Napoleon got 60% more than his minimum, at least according to Marbois' recollection. After having expected to lose Louisiana, Napoleon reveled in the agreement that only required him to ritually repossess the colony before turning it over to the United States, reportedly exclaiming that "the negotiation does not leave me anything to desire: sixty millions for an occupation that will not perhaps last but a day!"[31]

As if dazed by the swiftness of the deal, Livingston waited a couple of weeks to ask about the geographical extent of the purchase. The treaty had specified no boundaries; it merely transferred the "territory with all its rights and appurtenances as fully and in the Same manner as they have been acquired by the French Republic."[32] While Marbois evaded the question, Talleyrand answered with an enigmatic *bon mot*. The delegation had "made a noble bargain," he said, and they should "make the most of it."[33] Few lines have been quoted more in the literature on the Louisiana Purchase, or

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[28] Barbé-Marbois, *The History of Louisiana*, 275. On this phase of the negotiations more generally, see Kukla, *A Wilderness So Immense*, 235-258.
[29] All above quotes from Robert R. Livingston to James Madison, 13 April 1803, *FO*.
[30] Robert R. Livingston to James Madison, 13 May 1803, *FO*.
[31] Barbé-Marbois, *The History of Louisiana*, 311-312.
[32] "Treaty Between the United States of America and the French Republic" [Louisiana Purchase Treaty; April 30, 1803], Avalon Project, Yale University, http://avalon.law.yale.edu/19th_century/louis1.asp, accessed July 1, 2017
[33] Robert R. Livingston to James Madison, 20 May 1803, *FO*.

more frequently assumed to underscore the greatness of the deal.[34] Yet the French version of the phrase—*noble négociation*—was common enough to suggest that *noble* described the negotiators of the bargain, not its results.[35] If Talleyrand did in fact utter the English version of this phrase, it seems much less likely that he meant it to either celebrate or mock the price than to wryly welcome the United States to the club of imperial powers long frustrated by Louisiana.[36] Marbois recalled the negotiations in similar, and much less enigmatic terms. He called it the moment the United States took a "place among the powers of the first rank."[37]

While Talleyrand's quip echoes across accounts of the purchase, another aspect of the Paris negotiations—the discussion of the deal's implications for Louisiana's Indian nations—has received almost no attention. Although none of Monroe or Livingston's surviving papers mention it, both Marbois' memoirs and the purchase treaty itself confirm the issue came up. "Many of the treaties concluded between the powers of Europe since the discovery of America dispose of the territories of the Indian nations without any reserve of their rights," Marbois recalled as he congratulated himself, Livingston, and Monroe for attending "to the interests of these tribes" who "require to be paternally governed." "The three negotiators regarded them as an innocent people," he said, "who, without having any participation in the cession were to be included in it."[38] Toward that end, they wrote Article VI into their agreement, which bound the United States to honor any Indian treaties Spain had made until they could be displaced by treaties made by the United States.[39] Part of Article VI was a dead letter. It would soon become apparent that Spain had no Indian treaties in place that required action.[40] The article's other provision—new agreements to be made by the United States—would guide the transformation of Louisiana from a colonial boondoggle for France and Spain into a colonial boon for the United States.

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[34] For some examples going back many years, see Robert V. Hine, John Mack Faragher, Frontiers: *A Short History of the American West* (New Haven, 2007), 53; Suzanne Ruth Van Meter, *A Noble Bargain: The Louisiana Purchase* (PhD Dissertation, Indiana University, 1977); Henry William Elson, *History of the United States* (New York, 1904), 385; Binger Hermann, *The Louisiana Purchase and our title west of the Rocky Mountains* (Washington, 1900), 33.

[35] One use lamented the "slowness of a noble bargain" that entangled British and Austrian interests. Another spoke of a "noble bargain" to resolve "the situation of the high clergy vis-a-vis the government and its relations with royalty." Another referred to a "bourgeois' king" clinging to "the prerogatives of his high origin" in a "noble bargain." See Jacques Marquet de Montbreton Norvins, *Histoire de Napoléon* (Paris, 1833), 93; Augustin Baudoz, *Histoire de la guerre de l'Espagne avec le Maroc* (Paris, 1860), 39; "Un Point D'Historie Privée," *L'Action francaise*, 3 (1 October 1900), 579.

[36] This usage supports those who have argued the Louisiana Purchase marked an opening of a new field for the imperial growth of the United States. See Roy F. Nichols, "Challenges and Stimulus to American Democracy," *The Louisiana Historical Quarterly* 38 (1955): 2; Eliga H. Gould, *Among the Powers of the Earth: The American Revolution and the Making of a New World Empire* (Cambridge, MA, 2012).

[37] Barbé-Marbois, *The History of Louisiana*, 311.

[38] Barbé-Marbois, *The History of Louisiana*, 294-295.

[39] "Treaty Between the United States of America and the French Republic" [Louisiana Purchase Treaty; April 30, 1803], Avalon Project, Yale University, http://avalon.law.yale.edu/19th_century/louis1.asp, accessed July 1, 2017.

[40] Unlike in New Spain, the Spanish shifted policy and began making a limited number of treaties in its North American possessions in the late eighteenth century. See Lawrence Kinnaird, Francisco Blache and Navarro Blache, "Spanish Treaties with Indian Tribes," *Western Historical Quarterly* 10, no. 1 (Jan., 1979): 39-48.

News Reaches Washington

With French and English copies of the Louisiana Purchase drafted by May 2, official word of the deal began to move. It made a two-month circuit through London and New York and finally reached Washington City on July 3, 1803. Since Monroe had departed for Paris that January "a light French breeze" had carried rumors of the imminent return of Napoleon's forces to North America.[41] In the intervening months Jefferson pushed for Indian land cessions along the Mississippi River and launched preparations for a military expedition to the Pacific, now famous as the Lewis and Clark expedition. When news of the purchase reached Jefferson's desk, it came as a shock. The only letter he wrote that day was to Henri Peyroux de la Coudrenière, the "Commandant of Upper Louisiana," informing Peyroux "that France has ceded the whole country of Louisiana to the US."[42] And it shows that Indian relations were central to US interests in the Missouri River Valley from the beginning.

Of all things, the news of the purchase made Jefferson anxious about the validity of a passport. It was not exactly the kind of philosophical reaction tailor made for investigating what have long been considered the most profound questions raised by the purchase—Where were its boundaries? Was accepting it constitutional? How would its largely French-descended colonists be shoehorned into an Anglo political order?—and as a result most historians have simply ignored it.[43] The few who have mentioned the

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[41] Thomas Jefferson to Henry Dearborn, 15 February 1803, *FO*; Kukla, *A Wilderness so Immense*, 281-285. News of the purchase was also fanning out as an unconfirmed rumor through non-official channels. The story broke in New York and Boston newspapers on the same day Rufus King arrived in New York with the official communications.

[42] [Thomas Jefferson to Henri Peyroux, 3 July 1803] enclosure in Delassus to Salcedo and Casa Calvo, 9 December 1803, *BLC* II, 721. The letter is also reprinted in Jefferson to Henri Peyroux, 3 July 1803, *LLCE* I, 105.

[43] Strangely, given its chronological position, the Peyroux letter has received scant treatment from scholars of either the Lewis and Clark expedition or the Louisiana Purchase. I have not been able to find a monograph or article on the purchase (or the reaction to it) that analyzes this letter in detail, let alone one that contextualizes it as an attempted act of deception gone awry. Only Carl Eckberg has noted that "it must have tickled Peyroux" for Jefferson to aggrandize him with a false title of "Commandant of Upper Louisiana" (it might also have tickled Peyroux to read Eckberg mistakenly refer to him as "then commandant at New Madrid" in the same paragraph). For examples of the (mis)treatment of the Peyroux letter, see John Bakeless, *Lewis and Clark: Partners in Discovery* (New York, 1947), 92-93; Robert J. Willoughby, *The Brothers Robidoux and the Opening of the American West* (Columbia, MO, 2012), 23-24; Carl J. Eckberg, *Colonial Ste. Genevieve: An Adventure on the Mississippi Frontier* 2nd ed. (Carbondale, IL, 1995), 84; Deborah Allen, "Acquiring 'Knowledge of Our Own Continent': Geopolitics, Science, and Jeffersonian Geography, 1783-1803," *Journal of American Studies* 40, no. 2 (August, 2006): 206. For the most part, however, the letter has simply been ignored. It has apparently seemed insignificant to Lewis and Clark scholars for the obvious reason: in the end, the Louisiana Purchase did not thwart the expedition. Meanwhile, historians of the Louisiana Purchase have apparently overlooked it because it speaks to none of the conventional themes associated with this moment, though Jefferson's botched effort does comport well with an increasing common view of Lewis and Clark as "agents of empire," and the Louisiana Purchase as an iteration, rather than a break, with the Missouri River Valley's colonial past. On this view of the purchase, see Robert J. Miller, *Native America: Discovered and Conquered*, 99-114; Jeffrey L. Hantman, Peter S. Onuf, "Introduction: Geopolitics, Science, and Culture Conflicts" in Douglas Seefeldt, Jeffrey L. Hantman, Peter S. Onuf, *Across the Continent: Jefferson, Lewis and Clark, and the Making of America* (Charlottesville, VA, 2006), 1-15; Richard White, "The Louisiana Purchase and the Fictions of Empire," 37-61, esp. 54.

Peyroux letter do so in passing, and tread lightly. No one has just come out and said what it really was, or what it was really about. So here it is: The Peyroux letter—the most immediate response of the Jefferson administration to learning about the Louisiana Purchase—was a bungled attempt at imperial intrigue. More specifically, it was about Indian relations in the Missouri River Valley, which can be hard to spot because that is exactly what Jefferson purposely avoided mentioning.

The passport that worried Jefferson so much belonged to Meriwether Lewis and granted France's blessing to lead an exploring party up the Missouri River. Jefferson had tried to mount an expedition like this since the early 1780s and had his hopes dashed three times over the years by financial shortfalls and imperial rivalries. Within weeks of Congress appropriating funds in February 1803, Jefferson personally obtained passports from the French and British legations in Washington. The French pass was for Lewis to show to Spanish authorities—to Peyroux—still in control of the Missouri's mouth as they waited for French forces to relieve them in accordance with the retrocession of 1800. The British passport was in case the party strayed too far north or needed to solicit the aid of English traders. When news of the Louisiana Purchase arrived, Jefferson worried that Monroe and Livingston had accidentally invalidated the French document, and he feared (correctly, it turned out) that Spanish authorities would try to use the purchase, which was not yet officially carried into effect, as a pretext to block the expedition.[44]

Jefferson decided a direct appeal to Peyroux was his best option to keep Lewis' path open. After all, he knew Peyroux, if only slightly. The two had met in Philadelphia in 1791. In 1796, Jefferson wrote a letter of introduction to Peyroux for the traveler Comte de Volney, who had planned to visit St. Louis.[45] His July 3 missive amounted to yet another letter of introduction, this time for Lewis. Within hours of learning about the purchase, Jefferson had summarized Lewis' goal of discovering an easy portage to the Pacific as part of a "merely literary" mission to "inform us of the geography & natural history of the country." He told Peyroux about the Louisiana Purchase and pleaded with him not to let it interfere with the trip. Appealing to their shared interests in natural history, he begged Peyroux to accommodate the exploring party, praying that "for an object as innocent & useful as this I am sure you will not be scrupulous as to the authorities on which the journey is undertaken."[46]

The description of the expedition as "merely literary" was a premeditated deception, and according to Jefferson a common imperial ruse. When Jefferson approached George Rogers Clark about a possible expedition up the Missouri in 1783, part of his pitch involved accusing the English of channeling money into a similar scheme under false pretenses: "They pretend it is only to promote knolege [sic]. I am afraid they have thoughts of colonising into that quarter."[47] Two years later, he alleged that the French intended to either colonize or establish Indian trade factories on "the Western coast of America" under the guise of improving "our knowledge of the geography of that part of the globe."[48] Much more recently—just a few weeks after

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[44] Lewis's French Passport, [1 March 1803], *LLCE* I, 20-21.
[45] There is no evidence Henri received this letter or that Volney ever made it to St. Louis. In 1797, Volney was accused of being a French spy and left the United States. Thomas Jefferson to Henri Peyroux de la Coudrèniere, 21 June 1796," *FO*.
[46] Thomas Jefferson to Henri Peyroux, 3 July 1803, *LLCE* I, 105.
[47] "From Thomas Jefferson to George Rogers Clark, 4 December 1783," *FO*.
[48] From Thomas Jefferson to John Jay, 14 August 1785," *FO*.

sending Monroe to Paris—Jefferson had asked Congress for funds for the Missouri River expedition in a secret appropriation request in which he pledged to deceive Spanish, French, and English authorities about its real agenda. To secure their approval, he would describe the expedition's intent as merely "literary."[49] And it worked, too, at least insofar as he obtained the original travel passes from the French and British legations in Washington. The passes even parroted the pitch to Congress, describing Lewis' expedition as "of a purely scientific nature, and in its end of equal interest to all the civilized world."[50] Jefferson simply repeated this lie to Peyroux, and to maintain it, he strategically avoided mentioning just how devoted the expedition was to clandestinely building trade relationships with the Indian nations of the Missouri River Valley.

Congress, despite a membership tilting heavily in Jefferson's favor, had not appropriated funds for Lewis to strike out for the Pacific in pursuit of the collective benefit of mankind. They approved them to extend American commercial interests west of the Mississippi, cultivate relationships with the region's Indian nations, and siphon profits away from British fur traders. Adding lines to the Book of Nature would be a bonus, but Jefferson told Peyroux it was everything. When Jefferson explained how he took the "earliest opportunity in my power" to launch the expedition, he omitted an essential part of the story.[51] The chance he had seized came in a debate over Indian relations, when a law providing for federal fur trading houses known as factories was set to expire.[52] In other words, his appropriation request for Lewis' expedition came as part of a full-throated statement of support for federal involvement in the fur trade and a call to aid its expansion beyond US borders into the Missouri River Valley.

Jefferson pitched the expedition to Congress as an international solution to a domestic problem caused by his pursuit of Indian land cessions. His statement advocated expanding the network of federally funded Indian trade factories because they were useful for softening resistance to the "voluntary sales" that enabled the "extension of territory which the rapid increase of our numbers will call for."[53] As historians of Jeffersonian "philanthropy" have explained many times over, this capacious vision of the voluntary sales banked on debts run up so high that only payments in land would suffice. By selling goods at cost, the factories would sow trade debts and reap harvests of Indian title, all while avoiding the onerous costs of Indian wars and encouraging assimilation (the "philanthropic" part) by coupling compensation with opportunities for Indian peoples to preserve their lives by sacrificing their cultures.[54] At least that was the guiding

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[49] "Jefferson's Message to Congress," [18 January 1803], *LLCE* I, 13.

[50] Lewis's French Passport, [1 March 1803], *LLCE* I, 20. The British passport similarly described the venture as "undertaken with a scientific motive only, and the protection and fulfillment of which is of interest to all civilized nations." See Lewis' British Passport, [28 February 1803], *LLCE* I, 19.

[51] "Thomas Jefferson to Henri Peyroux, 3 July 1803, *LLCE* I, 105.

[52] "An Act for Establishing Trading Houses with the Indian Tribes" (1796) was allowed to lapse before being temporarily revived in "An Act to Revive and Continue in Force, 'An Act for Establishing Trading Houses with the Indian Tribes' (1802), which was further extended "An Act for Continuing in Force a Law, Entitled 'An Act for Establishing Trading Houses with the Indian Tribes.' (1803).

[53] "Jefferson's Message to Congress," [18 January 1803], *LLCE* I, 11.

[54] Reginald Horsman, *Expansion and American Indian Policy, 1783-1812* (Milwaukee, WI, 1967), 104-114; Bernard W. Sheehan, *Seeds of Extinction: Jeffersonian Philanthropy and the American Indian* (New York, 1974); Francis Paul Prucha, *The Great Father*, 118-125; Robert W. Tucker and James C. Anderson, *Empire of Liberty: The Statecraft of Thomas Jefferson* (New York: Oxford University, 1990), 131-132; Roger G. Kennedy, *Mr. Jefferson's Lost Cause: Land, Farmers, Slavery, and the Louisiana Purchase* (New

logic. The trade factories, which endured until 1822, would not actually become successful long-term treaty producers, but Jefferson had good reasons to predict otherwise in 1803.[55] Less than a year before, the United States forgave the first "debts due" a factory as partial payment for a chunk of Creek territory that settlers in Georgia had coveted for decades.[56]

Federal factories had an obvious and immediate downside: by proposing to sell at cost they undercut private American traders. Jefferson's appeal to Congress proposed turning this minus into a plus by incentivizing those same traders to head to the Missouri River Valley, where they could compete with British traders coming down from Hudson Bay. Muscling into the Missouri River Valley fur trade and redirecting profits from British coffers would be lucrative for Americans and beneficial to the United States. Jefferson claimed the only reason American traders were not yet doing so was because they lacked information and connections. "The river Missouri & the Indians inhabiting it, are not as well known as is rendered desireable by their connection with the Mississippi, & consequently with us," he explained.[57]

This is where Lewis expedition entered the picture. Jefferson proposed a federally funded expedition to the Pacific could discretely confer "with the natives on the subject of commercial intercourse, get admission among them for our traders as others are admitted, agree on convenient deposits for an interchange of articles, and return with the information." To be sure, he conceded, it would "be an additional gratification" if the venture "should incidentally advance the geographical knowledge of our continent." To launch the expedition, he asked for $2,500 for supplies and "cheap presents for the Indians." If Congress granted the funds, he promised to promote the expedition by pitching it to rivals as a "literary pursuit."[58]

Just how much Indian trade served as a pretext to obtain funds remains an open question. Ridiculed by Federalists as a philosopher-in-chief, Jefferson was an enthusiastic student of fields ranging from linguistics to botany, geology, ethnology, and geography. Yet as practiced at the turn of the nineteenth century, these pursuits were interpenetrated with commercial and property interests to such an extent that historians have taken to

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York, 2003), 152-154. No modern scholar has found much to admire in this program, but conclusions vary. In his now classic study, Sheehan, for instance, called it "a willful failure of the intellect" that was nevertheless not bent on "the intentional inflicting of pain a less powerful people" (12). Calling this same kind of settler colonial program of elimination a crime against humanity, Bill Thorpe and Ray Evans more recently dubbed it "indigenocide" (141), while Patrick Wolf frames it as part of a "logic of elimination." On the ideology of Anglo superiority that undergirded this program see Reginald Horsman, *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism* (Cambridge, MA, 1986).

[55] David A. Nichols, *Engines of Diplomacy: Indian Trading Factories and the Negotiation of American Empire* (Chapel Hill, 2016). Also see Ora Brooks Peake, *A history of the United States Indian Factory System , 1795-1822* (Denver, 1954).

[56] See Article II in "Treaty with the Creeks, 1802," *KLT,* 58-59. In 1798, the first factor had signed a Cherokee treaty as a witness. See "Treaty with the Cherokee, 1798," *KLT,* 51-55.

[57] "Jefferson's Message to Congress," [18 January 1803], *LLCE* I, 12.

[58] "Jefferson's Message to Congress," [18 January 1803], *LLCE* I, 13. The party would include existing army personnel who could be compensated with land bounties in addition to their regular pay. His description of the Spanish "habit of permitting" such expeditions had a very recent precedent that Jefferson was aware of. At this very moment, the German naturalist Alexander von Humboldt was traveling through South America. See, for instance: Joseph Elgar, Jr. to Thomas Jefferson, 24 November 1801, *The Papers of Thomas Jefferson*, vol. 35, *1 August–30 November 1801*, ed. Barbara B. Oberg (Princeton, 2008), 715–717.

calling them "the Sciences of Territoriality."[59] Perhaps no one involved in the expedition preparations demonstrated the overlap of knowledge production and imperial ambition more transparently than Treasury Secretary Albert Gallatin, who argued that careful observation of the Missouri's watershed was "of vast importance to the United States, it being perhaps the only large tract of country, and certainly the *first* which lying out of the boundaries of the Union will be settled by the people of the U. States."[60] He wanted Lewis to take measurements to fill in a map of the continent, confer with Indians about trade and linguistics, ply traders for information, and gather intelligence on Spanish posts with an eye toward pinpointing "the most proper station to occupy, for the purpose of preventing effectually the occupying of any part of the Missouri country by G.[reat] B.[ritain]."[61] Still, while the expedition's *raison d'etre* can at best be described as a tangle of scientific, commercial, and imperial goals, its *raison d'financement* was indisputably Indian relations. In February 1803, Congress authorized the appropriation request "for the purpose of extending the external commerce of the U.S.," and Gallatin's department issued the funds.[62] If Jefferson ever imagined an exploring expedition across the continent free of political and commercial interests, he only ever imagined it.

The expenditure of the initial $2,500 appropriation in May and June 1803—as news of the Louisiana Purchase crossed the Atlantic—suggests that Indian trade amounted to more than nominal cover for lofty intellectual pursuits. Indian presents were the largest anticipated expense, topping every other line item by a wide margin (Fig. 2.5). As a group, they were also the most varied. They included over 8,000 individual items spread across 49 types, together weighing in excess of 440 pounds of "the fundamental element in Jefferson's western Indian policy," as historian James P. Ronda described them.[63] In itself, this is not particularly revealing. The Jefferson administration knew little

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[59] Conevery Bolton Valencius, David I. Spanagel, Emily Pawley, Sara Stidstone Gronim, Paul Lucier "Science in Early America: Print Culture and the Sciences of Territoriality," *Journal of the Early Republic* 36, no. 1 (Spring 2016): 73-123. On Federalist scorn, see David Dzurec, "Of Salt Mountains, Prairie Dogs, and Horned Frogs: The Louisiana Purchase and the Evolution of Federalist Satire 1803–1812," *Journal of the Early Republic* 35, no. 1 (Spring 2015): 79-108. For a clear statement of Jefferson's multiple interests as they pertained to the expedition, see Jefferson's Instructions to Lewis, 20 June 1803, *LLCE* I, 61-66. For an excellent account of the scope and sources of Jefferson's interest in Indians as it related to the preparation for expedition, see James P. Ronda, *Lewis and Clark Among the Indians* (Lincoln, NE, 1984), 1-9.

[60] Albert Gallatin to Thomas Jefferson, [13 April 1803], *LLCE* I, 33.

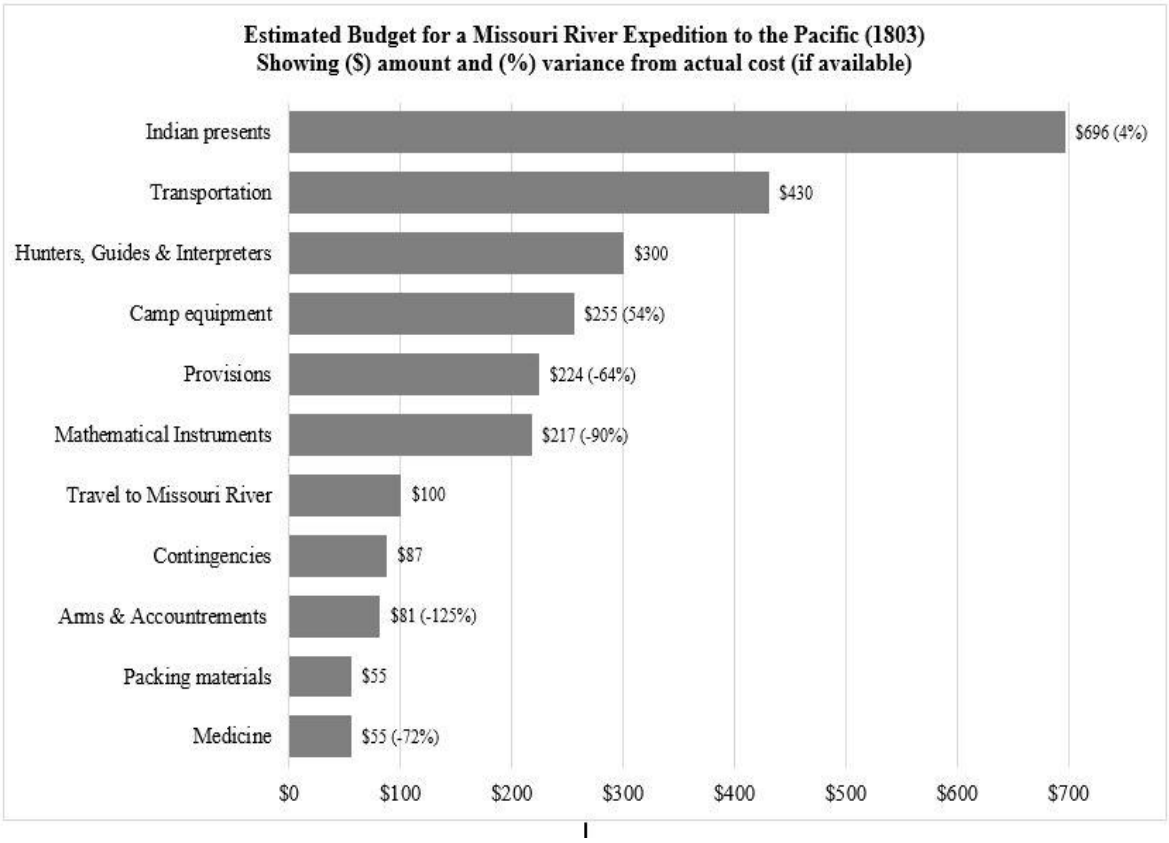
[61] Albert Gallatin to Thomas Jefferson, [13 April 1803], *LLCE* I, 32.

[62] "Jefferson's Message to Congress," [18 January 1803], *LLCE* I, 13.
Albert Gallatin to Jefferson, 14 March 1804, *LLCE* I, 27.

[63] Among the categories of goods, lightweight needles (4,600) and fishhooks (2,800) dominated in quantity. The heaviest item by category was 130 rolls of tobacco (over 63 lbs). In terms of individual weights, two corn mills (just over 26 lbs each) and a 22-yard bolt of scarlet cloth (28¾ lbs) were heaviest. The weight total, it should be mentioned, does not include 48 calico shirts, 15 blankets, a trunk (for packing) and 8 awls, as the purveyor left their weights off his report. It is likely that with the missing weights, all of these items approached or exceeded 500 lbs. Because of the weight and bulk, a portion of the transportation costs could be legitimately reclassified as transportation costs for Indian goods, though the amount would be hard to estimate. The "Packing materials" (so labeled for brevity in Fig. 2.5, but originally "Materials for making up the various articles into portable packs") estimated at $55 of the original $2,500 budget were almost certainly intended for Indian goods. As a group, only the arms were heavier, due mainly to very heavy canisters of gunpowder and lead sheets, which were also critical supplies for Indian relations. See "Summary of Purchases," [June 1803], *LLCE* I, 93-97 and [Lewis's Estimate of Expenses], [1803], *LLCE* I, 9; James P. Ronda, *Lewis and Clark Among the Indians*, 9.

about the nations of the continental interior. It could not name names, populations, or cultural practices. But it knew the expedition's success would require cultivating their good will. What is very surprising, given the scope and variety of these purchases, is that Indian presents were not just the largest and most complicated set of goods obtained for the expedition, but that they were also the most accurately *anticipated* expense, and not by a little (Fig. 2.5). A comparison of the purchases made through the Purveyor's Office shows that Lewis overestimated the total price of Indian gifts by only 4% while wildly misjudging the costs of supplies critical to science ("Mathematical Instruments," underestimated by 90%), survival ("Camp Ecquipage," overestimated by 54%), and safety ("Arms & Accoutrements," underestimated by 125%). This convergence between the projected and actual expenditures suggests the "cheap presents for the Indians" received a degree of thoughtful planning not otherwise captured in the surviving records (Fig. 2.5).

Fig. 2.5: Estimated Budget for a Missouri River Expedition to the Pacific (1803)



Adapted from [Lewis's Estimate of Expenses], [1803] and "Summary of Purchases" in Jackson, ed., *LLCE* I, 8-9, and 93. Originals in Jefferson Papers and Record Group 92 (Purveyor of Public Supplies), Library of Congress.

As Lewis made these purchases, Jefferson composed his instructions, all in the weeks before learning about the Louisiana Purchase. The guiding geographic object of the venture was to find a convenient route to the Pacific, as Jefferson would tell Peyroux.

He left out that along the way, Lewis would have orders to build commercial relationships, invite Indian leaders to visit Washington, and recruit their children for education in the states.[64] Secretary of State James Madison reviewed a draft and flagged its discussion of "commerce" as revealing the "illicit principal objects of the measure."[65] The final version—issued less than two weeks before Jefferson wrote Peyroux—ordered the encryption of any messages that could "do injury if betrayed." While preparing the cipher, Jefferson conjured an example that might read

> j s f j w a w p m f s x x i a w p r j j l x x z
> p w q x w e u d v s d m f & g m l i b e x p x u & i z x p s e e r

to anyone who did not have the table and keyword needed to translate the gibberish into

> h e a d o f t h e M I s s o u r i
> a l l w e l l, a n d t h e I n d i a n s s o f a r, f r i e n d l y

Lewis' instructions envisioned a report of "friendly" relations as a signal that the "commercial dispositions of the US" had been successfully conveyed. If Jefferson had told Peyroux about this plan, he might as well have added that his cipher's keyword was "artichokes." He left both out, cloaking his push to gain a foothold in the trans-Mississippi West behind the same ruse he accused other imperial powers of deploying.

The maneuver failed in an embarrassing way. In early July, Jefferson personally handed the Peyroux letter to Lewis, who kept it safe as he had boats built, recruited men, and gathered supplies. Lewis carried it from Harper's Ferry, to Pittsburgh, down the Ohio River, reaching Kaskaskia by late November 1803. By then Clark had joined the expedition, and the two learned that word of the Louisiana Purchase, and of them, had already reached St. Louis. As Clark told his brother, "the Lieut. Govr. of upper Louisiana intended to Stop us," but "Capt. Lewis deturmined to procced on, Show his Vouchers and do away with any Obstruction."[66] On December 8, 1803, Lewis crossed the Mississippi and handed his letter of introduction to the Commandant. His name was Don Carlos de Hault Delassus not Henri Peyroux. Jefferson had lied to the wrong person.

Jefferson did not preserve evidence of the blunder among his papers for posterity. It survived because Delassus made a copy of the confused request "telling me that the president thought that it was Captain Don Enrique Peyroux who commanded this Upper Louisiana."[67] He sent it to the Governor in New Orleans and politely forbade any exploration, literary or otherwise, for the duration of the Spanish administration. Lewis most likely heard he would be coming face to face with just how little Jefferson knew about Upper Louisiana, as US officials in Vincennes and Kaskaskia knew the identity of the Spanish commandant. In any case, Lewis subtly reported the gaffe to Jefferson with a well-placed parenthesis assuring the president that the "decision of Colo. Charles Deheau

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[64] Jefferson's Instructions to Lewis, 20 June 1803, *LLCE* I, 64.
[65] James Madison's Notes, [14 April 1803], *LLCE* I, 34.
[66] William Clark to Jonathan Clark, 16 December 1803, in James J. Holmberg, ed., *Dear Brother: Letters of William Clark to Jonathan Clark* (New Haven: Yale University, 2002), 61.
[67] Delassus to Salcedo and Casa Calvo, 9 December 1803, *BLC* II: 719-721, qt. 719. Compare Delassus copy to Jefferson to Henri Peyroux, 3 July 1803, *LLCE* I, 104-105.

de Lassuse (the Governor of Upper Louisiana)" was for the best because unrelated delays had made it prudent to wait for warmer weather to start up the Missouri.[68] Others apparently talked in less guarded terms about the mix up, as word eventually reached Peyroux, who was living in New Madrid. Peyroux wrote his own letter back to Jefferson to update his situation. He explained that he had once been the Commandant of Ste. Genevieve, but not since 1793, and thanks to the misaddressed letter, he had just become a suspected spy.[69]

Jefferson's case of mistaken identity underscores that the United States was neither aloof to imperial designs on the Missouri River Valley before the Louisiana Purchase nor immune to the basic ignorance about realities on the ground that plagued attempts to administer far flung paper claims. Paul Mapp has aptly dubbed eighteenth century Europeans misconceptions about the trans-Mississippi West a kind of "continental inexperience."[70] In Jefferson's case, that inexperience went beyond the dimly grasped geography and indigenous peoples of the Missouri River Valley. At the moment the Louisiana Territory appeared on the horizon as a US possession, Jefferson could not even make out who his officials would take it from. But by the time Peyroux wrote back in March 1804, the *faux pas* had become a non-issue. Earlier that month, the Corps of Artillery arrived in St. Louis to perform its own ritual of possession, assume control over Spanish posts, and install a new American Commandant.

Taking Possession

The new commandant's name was Capt. Amos Stoddard, and he was dispatched to Upper Louisiana a few weeks after Jefferson wrote to Peyroux. Stoddard was tasked with leading the effort to occupy Spanish posts in the Missouri River Valley. To move toward that goal, the United States first had to ratify the Louisiana Purchase, and take steps to articulate a form of governance for the new acquisition. On the back of those efforts the US-Indian treaty system, defined by an Indian boundary line and managed by a superintendent, crossed the Mississippi.

Facing the problem of how to incorporate the purchase, Jefferson drew up a potential constitutional amendment a few days after writing to Peyroux. The amendment strategy has so often been couched as a theoretical dilemma pitting political expediency against high-minded scruples that its details have been neglected. Nearly all them concerned Indian land policy. The amendment began:

> The Province of Louisiana is incorporated with the US. and made part thereof. The rights of occupancy in the soil, and of self government, are confirmed to the Indian inhabitants, as they now exist. Preemption only of the portions rightfully occupied by them, & a succession to the occupancy of such as they may abandon, with the full rights of possession as well as of property & sovereignty in whatever is not rightfully occupied by them or shall cease to be so, shall belong to the US.

[68] Meriwether Lewis to Thomas Jefferson, 19 December 1803, *LLCE* I, 145. On earlier delays, which Lewis attributed to the "unpardonable negligence and inattention of the boatbuilders," see Meriwether Lewis to William Clark, 29 September 1803, *LLCE* I, 124-125.
[69] Henri Peyroux to Thomas Jefferson, 20 March 1804, *LLCE* I, 169.
[70] Paul Mapp, *The Elusive West and the Contest for Empire, 1713-1763* (Charlottesville, 2012), 6.

The draft further authorized the creation of military posts, the extension of police powers over non-Indians, the construction of roads, regulation of river traffic, extraction of mineral resources, establishment of Indian agencies and factories, and the regulation of Indian trade. Its talk of the Indians' "right of occupancy" was geopolitical doublespeak that dressed up a restriction as a privilege, and it had been in Jefferson's working vocabulary at least since his service as the first Secretary of State. To say that Indian nations would maintain an undiminished right of occupancy meant they would continue to *lack* the right to cede their territory to any power but the United States. In essence, Jefferson's draft amendment announced that the Indian treaty system would soon cross the Mississippi. At its most basic, the text was asserting the same right to purchase Indian land—preemption—and to take control of any abandoned territory—succession—that United States claimed in its existing territory. While his cabinet would dilute the amendment's language before abandoning the strategy altogether in order to meet the ratification deadline, the core tenets of the original would carry over into Upper Louisiana's organic act the following year.

To facilitate the acceptance of the purchase treaty, Jefferson called an early meeting of Congress to convene on October 17 and began gathering information to assist in making plans to govern the colony.[71] He sent out a list of 43 queries covering issues ranging from the territory's currency to the courts, and touching on Louisiana's boundaries, its population, its jurisdictions, the basis and extent of land grants and titles, and "As good an estimate as can be had of Nations of Indians, to wit, their names, numbers and Geographical position."[72] The responses filled a 50-page pamphlet forwarded to Congress. Daniel Clark of New Orleans, soon to become the congressional delegate from the Orleans Territory, provided the bulk of the information for the section on Indians, which concluded with a description relevant to Article VI of the purchase treaty: "The nations of the Missouri, though cruel, treacherous, and insolent, may doubtless be kept in order by the United States, if proper regulations are adopted with respect to them. It is said that no treaties have been entered into by Spain with the Indian nations westward of the Mississippi."[73]

When the Senate ratified the Louisiana Purchase, it authorized the use of a military force to take over Spanish-controlled posts. In anticipation, Secretary of War Henry Dearborn had already ordered Capt. Amos Stoddard and Capt. Daniel Bissell to rendezvous at Kaskaskia. He ordered them to reconnoiter the posts in Louisiana, and to assess the population and "whether any considerable number of Indians inhabit the Country near the white settlements, what Nation is nearest and the probable number of said Nation."[74] Once the ratification came through, Stoddard received orders to "take

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[71] Thomas Jefferson to William C.C. Claiborne, 17 July, 1803, 3, *TPUS* IX, 3.
[72] Governor Claiborne to the President, 24 August 1803, *TPUS* IX, 18.
[73] *An account of Louisiana: being an abstract of documents, in the offices of the Departments of State and of the Treasury* (Philadelphia, 1803), 25. The material on Indians was an almost verbatim reproduction of an "Account of the Indian Tribes in Louisiana" forwarded to the state department by Daniel Clark from New Orleans, see Daniel Clark to James Madison 29 September 1803, *TPUS* IX, 62-66. The claim about there not being any treaties was not true; it would be more accurate to say there were no outstanding agreements with provisions for the United States to administer. See Kinnaird, Blache, and Blache, "Spanish Treaties with Indian Tribes."
[74]Secretary of War to Amos Stoddard, 19 July 1803, *TPUS* XIII, 4.

possession accordingly, and to exercise the functions of Commandant of Upper Louisiana."[75]

Stoddard's duties required him to perform a ritual of possession for the United States, following up on one performed in New Orleans in December 1803. To save the expense of sending agents to repeat the ceremony in St. Louis, Pierre Clement Laussat, the French Commissioner, deputized Stoddard to accept the "dominion of Upper Louisiana, together with all the military posts, Barracks, and fortifications attached to the same" on France's behalf "and to keep it in the name of the U.S."[76] This made Stoddard at once both an agent of France and the United States. With paperwork in hand, he ascended to St. Louis in late February 1804, sending ahead a series of documents from Laussat to Commandant Delassus to facilitate his entry.[77]

He crossed the Mississippi on February 24, two miles south of town. About twenty officials and colonists escorted him to the seat of government, a stone building 40 feet wide and 25 deep, on the north half of Block 6 of the town's original plan, now the corner of Main and Walnut Streets.[78] Commandant Delassus saluted him as the "Commissary of the French Republic," congratulated the United States for the Louisiana Purchase, and agreed to formally relinquish the colony "on the day and hour you may name."[79] Stoddard assured him "that the United States congratulate themselves."[80] There was a parade and dinner that night, and the next day Stoddard issued a formal demand for possession of Louisiana in the name of the French Republic.[81] Chunks of ice in the Mississippi prevented Stoddard's artillery company from crossing the river, delaying the next stage of the ceremony.[82]

Finally, on March 9, 1804, the Spanish flag was removed from the garrison and hoisted before the seat of government while the troops paraded. At a roughly 12:45 PM, in front of a "multitude of citizens," Commandant Delassus relinquished dominion over Spanish Louisiana to Stoddard "as Agent of the French republic."[83] One of Delassus' men waived his hat, giving the signal for a salute from the canons mounted on a nearby

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[75] Secretary of War to Amos Stoddard, 7 November 1803, 8; Henry Dearborn to Amos Stoddard, *TUL*, 79.
[76] "Translation of Official Order," 12 January 1804, *TUL*, 80; "First Draft of an Instrument by Governor Charles Dehault Delassus," 12 January 1804, *TUL*, 83. Here is how Stoddard's superiors described his "two distinct functions, 1 As Commissioner and Agent on the part of France you are to demand and receive possession of the country from Spain, 2 As Agent of the United States you are to occupy and hold the several posts, territories and dependencies." See Wilkinson and Claiborne to Stoddard, 16 January 1804, Houck, *History of Missouri* II, 357.
[77] For his various orders and papers, see Laussat to DeLassus, 12 January 1804, Houck, *History of Missouri* II, 356-357; Stoddard to Delassus, 18 February 1804, Houck, *History of Missouri* II, 358.
[78] Frederic L. Billon, *Annals of St. Louis in Its Early Days under the French and Spanish Dominations* (St. Louis, MO, 1886), 245; J. Thomas Sharf, *History of St. Louis City and County* 2 vols. (Philadelphia, 1883), I, 140; Amos Stoddard to Claiborne and Wilkinson, 26 March 1804, *TUL*, 95.
[79] "Speech of Don Carlos Dehault Delassus," 24 February 1804, *TUL*, 85; Charles Dehault Delassus to Amos Stoddard, 25 February 1804, Billon, *Annals of St. Louis*, 357.
[80] "Stoddard's Reply," [24 February 1804] in *TUL*, 85.
[81] William Clark to Jonathan Clark, 25 February 1804, in *Dear Brother*, 76; "Stoddard's Reply," [24 February 1804] and Stoddard to Delassus, 25 February 1804, *TUL*, 85-86, qt. 85;
[82] Amos Stoddard to Claiborne and Wilkinson, 26 March 1804, *TUL*, 96.
[83] Amos Stoddard to Claiborne and Wilkinson, 26 March 1804, *TUL*, 96; "Proclamation of Gov. Delassus," [9 March 1804], *TUL*, 86; Stoddard to henry Dearborn, 10 March 1804, *TUL*, 92; Stoddard to Claiborne and Wilkinson, 26 March 1804, *TUL*, 96.

battery and the Spanish flag lowered slowly.[84] Stoddard accepted a set of keys and some state papers, and, along with Delassus, signed and sealed a statement yielding "full possession, sovereignty and government of the said upper Louisiana."[85] The following day, Stoddard's company crossed the river.[86] They paraded through St. Louis, raised the American flag at the garrison, and fired a salute.[87] Stoddard reported that "*this day* I assumed the Country and Government in the name of the United States."[88]

Like La Salle before him, Stoddard's ceremony projected sovereignty over a vast, little-known landscape in the name of distant authority, but it also did something more. As he displaced the Spanish commandant, Stoddard stepped into the role of civil and military commander of Upper Louisiana, a position that made him the superintendent of Indian affairs for the region.[89] His authority over Indian affairs in Upper Louisiana would be short-lived, lasting only until plans for a territorial government took effect. As he told the people of Upper Louisiana in his first address: "Louisiana is in possession of the United States. The plan of a permanent Government for you, is already under the consideration of Congress, and will doubtless be completed as soon as the importance of the measure will admit."[90] A little over two weeks later, Congress passed an "An Act erecting Louisiana into two territories" (1804).

Upper Louisiana's organic act made three major pronouncements about Indian policy for the region. First, reflecting federal policy that had solidified across the 1790s, it reserved the treaty-making power to the general government, forbidding Indian land cessions to any other authority. Second, harking back to Jefferson's colonization plan and draft amendment, it declared that "any Indian tribes owning lands on the east side of the Mississippi" could exchange lands for "property of the United States, on the west side of the Mississippi" as it imagined an Indian treaty line jutting west of the river. That line and its management were referred to in the third proposition contained in the law, namely that the Indian Trade and Intercourse Act of 1802 would apply to Upper Louisiana. That law made frequent reference to the duties of "the superintendent, or such other person as the President shall appoint," and once the organic act took effect, Upper Louisiana would become the District of Louisiana, attached to the Indiana Territory, making Indiana's governor the *ex officio* superintendent of Indian affairs with jurisdiction over the Missouri River Valley.

This was not a novel development. The roots of the superintendency system that the act of 1804 projected across the Mississippi lay in the mid-eighteenth century imperialization of Indian affairs in British North America. Suggestions that royal, rather than colonial officials, should manage Indian diplomacy began emanating from New York in the 1740s and led to the first call for "a *Superintendant of Indian Affairs*" by

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[84] [Order of the 23rd of February 1804], Houck, *History of Missouri* II, 359.
[85] Stoddard to henry Dearborn, 10 March 1804, *TUL*, 92; Stoddard to Claiborne and Wilkinson, 26 March 1804, *TUL*, 96; [Statement on Transfer of Upper Louisiana], 9 March 1804, Houck, *History of Missouri* II, 362.
[86] Billon, *Annals of St. Louis*, 358.
[87] Stoddard to Claiborne and Wilkinson, 26 March 1804, *TUL*, 96.
[88] Stoddard to henry Dearborn, 10 March 1804, *TUL*, 92.
[89] Wilkinson and Claiborne to Stoddard, 16 January 1804, *TUL*, 81.
[90] "Capt. Stoddard's Address to the People of Upper Louisiana,"10 March 1804, *TUL*, 87.

1751.[91] The contemplated office would report directly to the Board of Trade in London about its activities and be charged with visiting Indian Country, distributing presents, addressing grievances, and reigning in the underhanded tactics of private traders.[92] The Board of Trade did not act until after the Albany Congress of 1754, which amplified regular complaints from the Iroquois about whiskey traders and encroaching settlers. In 1755, William Johnson received a commission "to superintend and manage" relations with the Iroquois and their allies in the northern colonies.[93] The following year, Edmund Atkin became the first superintendent for the southern colonies.[94]

Variously called the "Agent or Superintendent," the new post covered a range of diplomatic, political, and economic duties. A plan from 1764 gave an indication of the breadth of duties. It listed 55 Indian nations within the two districts, 42 in the northern and thirteen in the southern. The superintendents were put in charge of deputies, blacksmiths, and interpreters. They were to regulate trade, hold councils, pursue criminals, and keep accounts. At times of conflict, they would cultivate alliances and recruit Indians for military campaigns. Given the scope of these activities, there was more ambition than depth in the reach of the office's authority. As historian John R. Alden summed up, the early British superintendencies were "as haphazardly established and maintained as any other part of the loosely organized eighteenth-century British colonial system."[95] They were also increasingly important in the decades leading into the American Revolution. The superintendents—seven of them served by 1783—were selected for their experience with Indians and given leeway in decision-making, answered to London and worked in often strained partnerships with British generals. The duties became heavy enough to warrant a subdivision of the southern district in 1779, shortly before the American Revolution displaced the office.

The Revolution strengthened this basic structure for conducting Indian Affairs as the newly United States appropriated its form. During the war the Continental Congress managed Indian relations through commissioners appointed to three geographical departments—Northern, Middle, and Southern—and after, in 1786, it passed "An ordinance of the regulation of the Indian affairs" that divided the United States into northern and southern districts at the Ohio River. It authorized the appointment of a

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[91] George Clinton to Duke of Newcastle, 9 December 1946, Edward B. O'Callaghan, ed. *Documents Relation to the Colonial History of the State of New York* (Albany, 1856-61), VII, 313-314; Archibald Kennedy, *The Importance of Gaining and Preserving the Friendship of the Indians to the British Interest, Considered* (New York, 1751), qt. 13 (emphasis in original).

[92] Kennedy, *The Importance of Gaining and Preserving the Friendship of the Indians to the British Interest*, 13.

[93] "Representation to the King on the Proceedings of the Congress at Albany," O'Callaghan, ed. *Documents Relation to the Colonial History of the State of New York*, VI, 918. "Commission from Edward Braddock," 15 April 1755, in James Sullivan, ed., *The Papers of Sir William Johnson* (Albany, 1921), I, 466.

[94] This paragraph draws on John R. Alden, "The Albany Congress and the Creation of the Indian Superintendencies," *The Mississippi Valley Historical Review*, 27, no. 2 (Sep., 1940): 193-210; Francis Paul Prucha, *American Indian Policy in the Formative Years* (Cambridge, MA, 1962), 5-25; Francis Paul Prucha, *The Great Father*, 21-22.

[95] Published nearly seventy years ago, Alden's study of the life of John Stuart (southern superintendent from 1761-1779) contains what is still the most detailed account of the colonial superintendency system. John R. Alden, *John Stuart and the Southern Colonial Frontier: A Study of Indian Relations, War, Trade, and Land Problems in the Southern Wilderness, 1754-1775* (Ann Arbor, 1944), 139-155, qt. 155. For another account of Stuart's life and work, see J. Russell Snap, *John Stuart and the Struggle for Empire on the Southern Frontier* (Baton Rouge, 1996).

superintendent for each, allowing for a two-year term, permitting each to hire two deputies, and requiring them to live at a location convenient to their work and report to the Secretary of War.[96] Their duties would include administering Indian trade regulations, monitoring and reporting hostilities, and keeping accounts. The same act restricted the Indian trade to US citizens, required traders have licenses issued by the superintendents, and forbade the superintendents from participating in trade themselves. It demanded anyone wishing to travel "through the Indian nations" obtain permission from the superintendent. And it required the superintendents and their deputies to post a $6,000 bond to ensure the "faithful discharge of the duties of their office."[97] A set of instructions issued the following year added the distribution of presents, organization of Indian visits to Congress, and holding treaties to their responsibilities.[98]

The ratification of the Constitution nullified those laws, but the new government used them to recreate the regionally-organized approach to Indian affairs conducted out of the War Department, where it had been placed in the immediate aftermath of the Revolution. During its first session in 1789, Congress provided for a territorial governor of the western territory (i.e. the Northwest Territory) whose responsibilities included "discharging the duties of the superintendent of Indian affairs in the northern department."[99] A similar provision created the superintendency for a southern department eight months later.[100] With the organization of the newly created territories of Mississippi and Indiana in 1798 and 1800, their governors likewise became *ex officio* Indian superintendents. The practice of attaching superintendencies to the office of territorial governor was a cost saving measure. And it crossed the Mississippi when Upper Louisiana's organic act folded the District of Louisiana into the Indiana Territory.

As Stoddard quickly learned, Indian relations were anything but an abstraction in Upper Louisiana. On March 12, 1804, he asked Delassus to deliver a speech on the transfer to some Delaware, Abenaki, and Sac Indians then visiting St. Louis, to tell them that Spain had delivered "all these lands" to the United States.[101] By March 15, Stoddard was already complaining about a want of funds to carry out his duties, including managing the "Indian Department." Within a week, he was requesting $11,000 for the repair of a stone fort on St. Louis' western edge, originally constructed for defense against Indians. In less than a month, he reported experiencing "infinite trouble from the Indians," who called upon him "by the hundreds" to inquire about trade and gifts.[102] In less than two months, he received word of the first federal contract made for Upper

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[96] Indian Affairs had been housed in the War Department since the Revolutionary War, and would remain there until the formation of the Interior Department in 1849. Francis Paul Prucha argues that this was so due to the "heritage of hostility between white and Indians" and the war footing upon which the newly independent United States found itself after making peace with Britain in 1783. See Prucha, *The Great Father* I, 42.

[97] *Laws of the United States of America, from the 4th of March, 1789, to the 4th of March, 1815* (5 vols.; Philadelphia, 1815), I, 614-616.

[98] *Journals of the Continental Congress, 1774-1789*, ed. Worthington C. Ford et al. (Washington, DC: Library of Congress, 1904-1937), 32: 66-69, esp. 68.

[99] *An Act for establishing the Salaries of the Executive Officers of Government, with their Assistants and Clerks*, Public Law 13, *U.S. Statutes at Large* 1 (1789), 68.

[100] *An Act for the Government of the Territory of the United States, south of the river Ohio*, Public Law 14. *U.S. Statutes at Large* (1790), 123.

[101] [Speech to Delawares, Abenakis, Saquis, March 12, 1804], Billon, *Annals of St. Louis*, 362.

[102] Stoddard to Claiborne, 26 March 1804, *TUL*, 98.

Louisiana with a merchant in Kentucky who would supply a "Ten thousand weight of good Tobacco, and six hundred and twenty Gallons of good whiskey for the Indian Department." He was ordered to hire a "suitable character" to "keep a correct account of all deliveries" and assign a "faithful sergeant" to start a ledger tracking "each article delivered and to what nation and number." The same letter came with an assurance that an Indian agent for Upper Louisiana would soon be appointed, in order to relieve Stoddard of this "troublesome part" of his present duties.[103]

Come October 1804, William Henry Harrison, the governor of the Indiana territory, would take over as Indian superintendent for the District of Louisiana, at least part time as he regularly operated out of Vincennes. While on his first visit to St. Louis, he would gripe that the $800 of his $2,000 salary "for my Services as Superintendent of Indian affairs" was "no compensation at all for the duties I perform." He claimed to have issued four fifths of the trade licenses given out by the United States, grumbled about entertaining Indians "constantly," and noted that he was already engaged in "making a treaty."[104]

Indian Superintendents' duties were even more wide ranging than Harrison's complaints suggested. They issued trade licenses, monitored movements into and out of Indian Country, collected rumors of hostilities, sought to restore stolen property (especially horses), investigated crimes committed by whites in Indian Country and Indians in the civil jurisdiction of the United States. They hired personnel, like blacksmiths and interpreters, and contractors. They met with Indian delegations, heard complaints, and distributed presents. They attended councils, frequently taking the lead while doubling as treaty commissioners, and carried out treaty provisions. They would oversee agents assigned to tribes within their jurisdiction, and in some instances, manage the accounts and logistics from federal fur trade factories after their creation in 1796.

Many of these duties were written out in the Indian Trade and Intercourse Acts, which had become increasingly elaborate through successive revisions between 1790 and 1802, when the law became permanent. Most, however, were products of accumulated experience fostered by geographical and administrative convenience. Indian superintendents located at administrative hubs connected Indian relations on the ground in their vicinity to paymasters and policymakers at the War Department.

Above all, their work revolved around managing connections, tensions, and obligations connected to a frequently shifting Indian boundary line. Like the office of the superintendent, the Indian boundary line had roots in the mid-eighteenth century. After the Seven Years' War, the Proclamation of 1763 formally reserved lands within "for the use of the said Indians"—an area bounded by the newly formed governments of Quebec on the north, the dividing ridge between eastward and westward flowing waters along the Appalachian Mountains, and on the south by East Florida and West Florida.[105] The Proclamation Line was never envisioned as permanent. It only reserved Indian lands "for the present" and demanded all future Indian lands "be Purchased only for Us [the Crown], in our Name, at some public Meeting or Assembly of the said Indians." And it

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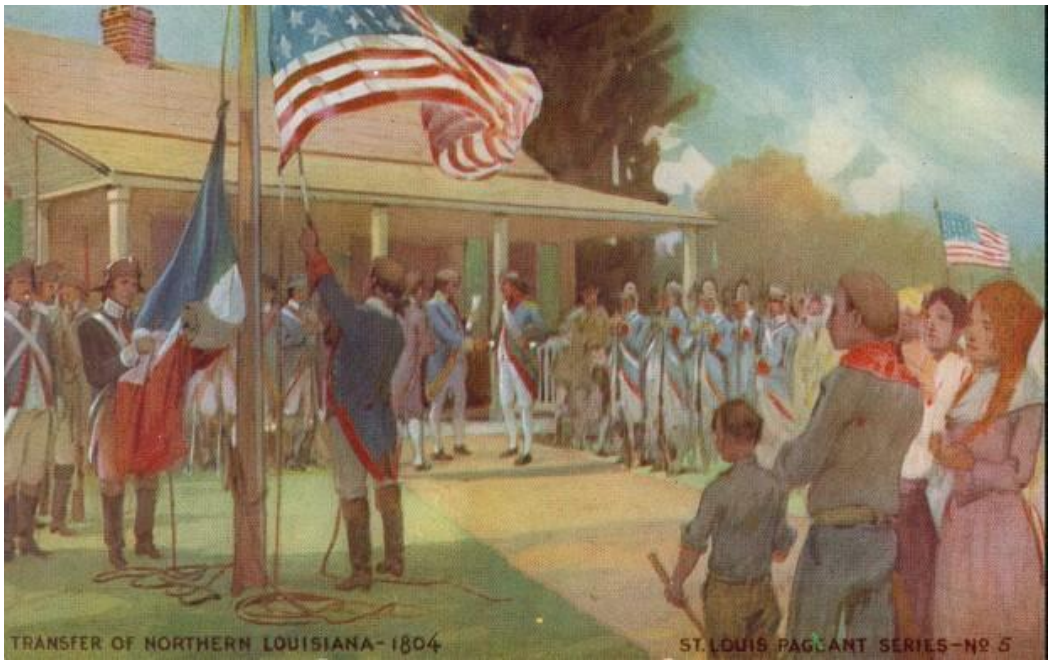
[103] Henry Dearborn to Amos Stoddard, 8 May 1804, *TUL*, 100.
[104] William Henry Harrison to Jonathan Dayton, 29 October 1804, Box 1, Folder 10, William Henry Harrison Papers and Documents, 1791-1864, Indiana Historical Society, Indianapolis, Indiana.
[105] "The Royal Proclamation, October 7 1763," Avalon Project, Yale University, http://avalon.law.yale.edu/18th_century/proc1763.asp., accessed July 1, 2017.

was followed up in 1764 by a 43 point "Plan for the Future Management of Indian Affairs" that culminated with calls to "define the precise and exact boundary and limits of" Indian Country and to use Indian treaties to obtain future Indian land cessions.[106] Those surveys got underway in the late 1760s and early 1770s, but were halted by the American Revolution.

After Independence, the British proclamation line gave way to a longer lived American trade and intercourse line. Vague references to "Indian country" in the Indian Trade and Intercourse laws' earliest provisions gave way to a specific and explicit delineation of the geographical location of the "Indian boundary" by 1796. The line was updated when a revised version of the law passed in 1799. The permanent version of the law folded into "An Act erecting Louisiana into two territories" (1804) again delineated the line and announced it would change with future land cession treaties. The Indian boundary line, adjusted almost annually by treaties that hived off and deposited pieces of Indian Country in the public domain, would remain a feature of legal landscape of the United States until its statutory repeal in 1875.

During those 80 years, the United States acquired more than 1.2 billion acres of Indian land, or nearly 80% of all the land it would ultimately convert from Indian Country to the public domain of the United States. Three years after the Indian trade and intercourse line disappeared from the books, the last Indian superintendency closed. The largest and longest lived of these regional institutions for managing Indian affairs began to take shape as the American flag ran up a pole in St. Louis on March 10, 1804, an American possession conjured by fiat. The moment received no stinging barbs from Mark Twain, but it had every bit of the hubris of La Salle's swampy ceremony (Fig. 2.6)

Fig. 2.6: Transfer of Northern Louisiana (1914), Postcards



Postcards Collection, Missouri History Museum Archives

[106] "Plan for the Future Management of Indian Affairs," *Documents relative to the colonial history of the state of New-York*, VII, 637-641, qt. 641.

Conclusion

When Bradley's map came out a few months later it introduced Americans to the District of Louisiana for the first time. For those who contemplated that part of North America as they waited on the mail clerk, one feature surely stood out. Upper Louisiana was not complete. Like Livingston asking Talleyrand about its extent, no one actually knew where its boundaries were, and Bradley cleverly avoided the issue by cutting the map off a few hundred miles west of the Missouri River's confluence with the Mississippi. Rather than offer a complete picture, he provided viewers with a picture of the United States' emerging, if tenuous, grasp on the territory. A couple of roads crossed the Mississippi and a few settlements along the western bank of the river reached as far north as St. Louis. The rest of Upper Louisiana contained some rivers, a few geographical notes, a couple of defunct French and Spanish forts, and some Osage and Iowa villages. It was mostly a blank space, and one most customers at the post office in summer of 1804 surely knew was at that very moment being visited by Meriwether Lewis and William Clark.

News about the Lewis and Clark Expedition filtered regularly through the papers that made up the bulk of the mails, and the Louisiana Purchase heightened interest in their travels. "The Fed[eralist]s. Alone still treat it as philosophism," Jefferson crowed about the trip the same month he sent fresh instructions to Lewis and Clark in early 1804.[107] "Being now become sovereigns of the country, without however any diminution of the Indian rights of occupancy we are authorized to propose to them in direct terms the institution of commerce with them."[108] As a foreign possession, Lewis' initial instructions called for discretely striking up trading partnerships in the colonial dominion of Spain, to the detriment of British traders. With the windfall acquisition, it became necessary to announce that the United States had inherited Spanish "posts & lands" and absorbed their subjects, becoming the Indians' "new fathers and friends." Domestic Indian policy was crossing the Mississippi, and the Lewis and Clark expedition would take a leading role in turning the Indian superintendency at St. Louis from a legal figment into an institutional reality.

[107] Thomas Jefferson to Meriwether Lewis, 13 January 1804, *LLCE* I, 163.
[108] Thomas Jefferson to Meriwether Lewis, 22 January 1804, *LLCE* I, 165-166

Chapter 3

The Indian Corps of Discovery

Introduction

The act carving the Louisiana Purchase into territories projected a superintendency in Upper Louisiana, but not much else. That appointment did not take effect until October 1804, when William Henry Harrison, the Governor of the Indiana Territory, became the first superintendent. Even then, the act provided no guidelines for appointing personnel, installing infrastructure, or marking an Indian boundary line. In a few years, however, the superintendency began to take shape. As the District of Louisiana became the Louisiana Territory, a series of governors filled the role of superintendent, agents and factors received appointments, forts and trade factories began operating, and three land cession treaties defined the limits of Indian Country west of the Mississippi.

An archival problem has obscured the superintendency's activities in this era. Historians of the administration of Indian affairs typically rely on the records of the Indian Office, and none exist for this superintendency before 1813.[1] Without the usual sources, this early period in its history appears inchoate at best and nonexistent at worst. Other surviving documents—territorial papers, personal papers, and manuscripts—from those connected to its operations can help. Among these, none are more useful than the voluminous records linked to the most famous figures from the territory's early years: Meriwether Lewis and William Clark.[2]

Lewis and Clark inhabit popular memory as explorers, but their expedition was essential to the occupation of the Missouri River Valley. In particular, Lewis and Clark recruited three Indian delegations—an Indian Corps of Discovery—to travel east to Washington. An Osage group went first, leaving St. Louis a few days before Lewis and Clark headed west in 1804. A second, multitribal delegation visited the capital while the Corps of Discovery camped near the Pacific. The third, a Mandan family who joined another Osage group in St. Louis, traveled with Lewis and Clark to Washington in 1806 and did not reach home until 1809. Following these delegations brings the St. Louis

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[1] A couple examples: Stephen J. Rockwell, *Indian affairs and the administrative state*; Francis Paul Prucha, *The Great Father*. Many of the early documents were culled in 1880. On the lost records, see Jay H. Buckley, "The Price of Used Paper: How a Treasure Trove of William Clark Documents Was Rescued From the Scrap Heap," *We Proceeded On* 27, no. 1 (February 2001): 7-9.

[2] Historian and editor Donald Jackson dubbed Lewis and Clark "the writingest explorers of their time," and his and others' careful editorial work have gathered and published nearly every scrap of the Lewis and Clark expedition's tremendous output. Other notable editors of Lewis and Clark materials since the nineteenth century include: Nicholas Biddle, Elliott Coues, Ernest Staples Osgood, Reuben Gold Thwaites, and Gary E. Moulton. On the recovery and publication of their records, see Robert H. Bahmer, "The Case of the Clark Papers," *American Archivist* 19, no. 1 (1956): 19–22; Donald Jackson, "The Race to Publish Lewis and Clark," *Pennsylvania Magazine of History and Biography* 85, no. 2 (1961): 163–77; Paul Russell Cutright, *A History of the Lewis and Clark Journals* (Norman, 1976); Gary E. Moulton, "The Journals of Lewis and Clark: Almost Home," *Montana: The Magazine of Western History* 48 (Summer 1998): 72–79; Matt Blessing, "Reuben Gold Thwaites and the Historical Resurrection of Lewis and Clark," *Wisconsin Magazine of History* (Winter 2004-2005), 42-29.

Superintendency's appearance into relief as a set of relationships, appointments, and infrastructure put in place to promote the occupation of trans-Mississippi West.

These eastward-bound Indian delegations echoed a form of diplomacy inaugurated by Europeans, who had regularly brought Indians to their capitals to intimidate and cajole them into alliances and trade agreements. Across the eighteenth century, such trips developed a conventional mix of sightseeing, socializing, and formal diplomacy, punctuated by military performances and city excursions. The protocol became so entrenched that American officials had little choice but to embrace the practice, which quickly grew more prevalent due to the proximity of the US capital to Indian country.[3] By 1803, at least eighteen Indian delegations had visited the US capital, and Congress had already passed a law seeking to control their costs while admitting their necessity for furthering US interests in regions, as the Secretary of War put it, without "resident agents" or "internal arrangements" to engage Indian polities.[4] Such an absence naturally described the Missouri River Valley before the Louisiana Purchase, and helps explain why Lewis' original orders directed him to have "influential chiefs, within practicable distance…conveyed to this place at the public expence."[5] Not surprisingly, this situation became an even greater concern after the purchase, when Lewis and Clark's mandate broadened to include proclaiming US sovereignty west of the Mississippi.

Despite playing a key role in the installation of a federal apparatus for managing Indian affairs in Upper Louisiana, the Indian delegations sent east by Lewis and Clark remain a sidebar to an epic adventure to the Pacific, known primarily for the Indian portraits they enabled.[6] Whether measured as an extent of travel, investment of resources, or perilous undertaking, the eastward-facing legs of the Lewis and Clark expedition were more monumental than the westward trek to the Pacific. While Lewis and Clark logged roughly 7,200 miles from St. Louis to the Pacific and back, together these three delegations covered over 8,800 miles to and from St. Louis. While the federal government spent about $32,000 on Lewis and Clark's portion of the trip, they put more than $40,000 into the Indian delegations. While Lewis and Clark lost just one man, these delegations suffered at least fourteen deaths. All of this movement, money, and mortality fed efforts to erect a semblance of federal authority in the Missouri River Valley.

In a direct and deeply underappreciated way, the St. Louis Superintendency's leap from projection to institutional reality was a result of the Lewis and Clark expedition. As these delegations returned home, they brought key appointments made to continue the diplomatic and trade relations they established, most prominently Lewis and Clark

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[3] Herman J. Viola, *Diplomats in Buckskin: A History of Indian Delegations in Washington City* (Washington DC, 1981), 14-20.

[4] *An Act to Make Provision Relative to Rations for Indians, and to Their Visits to the Seat of Government*, Public Law 68, *U.S. Statutes at Large* 2 (1800): 85; James McHenry to Robert G. Harper, 16 April 1800, *ASPIA* I, qt. 645.

[5] Jefferson's Instructions to Lewis, [20 June 1803], *LLCE* I, 64.

[6] Luke Vincent Lockwood, "The St. Memin Indian Portraits," *The New-York Historical Society Quarterly Bulletin* 12, no. 1 (1928): 3-26; John C. Ewers, "'Chiefs from the Missouri and Mississippi' and Peale's Silhouettes of 1806," *Smithsonian Journal of History* 1 (1966): 1-26; William E. Foley and Charles David Rice, "Visiting the President: An Exercise in Jeffersonian Indian Diplomacy," *The American West* 16, no. 6 (November/December 1979): 4-15, 56; William E. Foley and Charles David Rice, "The Return of the Mandan Chief," *Montana, the Magazine of Western History* 29 (Summer 1979): 2-15; Ellen G. Miles, "Saint-Mémin's Portraits of American Indians, 1804-1807," *The American Art Journal* 20, no. 4 (1988): 2-33.

themselves. In 1807, Lewis became Louisiana's governor and Indian superintendent and Clark became Indian agent for the territory. Lewis served as superintendent until his death in 1809, and in 1813 Clark followed him into the position, holding it until his own death in 1838. The interests of the Indian delegates, particularly the Osage and Sac and Fox, helped orient the construction of forts and factories—Fort Bellefontaine in 1805, and Fort Osage and Fort Madison in 1808. And these delegations affected the placement of the Indian boundary line by treaties and agreements as they built connections with the inhabitants of Indian villages throughout the region. These results have been hidden in plain sight on what is by far the most famous document produced by the Lewis and Clark expedition: William Clark's master map of the American West. Celebrated for accurately showing the Corps of Discovery's path to the Pacific, Clark's map contains an even more accurate depiction of the landmarks of the St. Louis Superintendency.

The Osage Delegation (1804)

After reaching St. Louis in December 1803, Lewis and Clark engaged in a number of activities that had nothing to do with preparing to cross the continental divide. They studied the local settlements, seeking information about the size of the population, land titles, slaveholding, and natural resources. They secretly solicited information about the location of Spanish posts, with an eye toward their impending displacement by US forces. And they not only witnessed, but participated in the transfer ceremony in March 1804: Clark proudly reviewed Capt. Amos Stoddard's orders for him, and Lewis signed the transfer deed. In the weeks after, they both helped Stoddard assess the dilapidated fort on St. Louis's western edge, built to defend the town against Indians, especially the Osages.[7]

The first invitation to travel to Washington Lewis sent formed part of these efforts to establish federal authority in and around Upper Louisiana's colonial settlements, and it went to the Osage. Information collected for the expedition, meetings with local Indians, and talks with Pierre and Auguste Chouteau—the Osages' longtime trade partners, who were eager to ingratiate themselves with the incoming Americans—all pointed to this nation as the most powerful in close proximity to Upper Louisiana's non-Indian inhabitants.[8] In February 1804, Pierre offered to travel to their towns and deliver the invitation on Lewis' behalf. Lewis accepted his offer, keen to start the mission "as early as possible."[9]

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[7] Meriwether Lewis to Thomas Jefferson, 28 December 1803, *LLCE* I, 148-155; Meriwether Lewis to Auguste Chouteau, 4 January 1804, *LLCE* I, 161-162; Meriwether Lewis to William Clark, 18 February 1804, *LLCE* I, 167; William Clark to Jonathan Clark, 25 February 1804, *Dear Brother*, 77; Amos Stoddard to William C.C. Claiborne and James Wilkinson, 26 March 1804, *TUL*, 96.

[8] William C. C. Claiborne to Thomas Jefferson, 24 August 1803, *TPUS* IX, 18; Jefferson to Lewis, 16 November 1803, Meriwether Lewis to Thomas Jefferson, 18 May 1804, *LLCE* I, 139; William Henry Harrison to Jefferson, 26 November 1803, *LLCE* I, 140-141; Clark's Field Notes, 25 December 1803 and 21 March 1804, *JLCE*. On the Chouteaus as informants, see William C. Foley and C. David Rice, *The First Chouteaus: River Barons of Early St. Louis* (Urbana, IL, 1983), 87-104; William E. Foley, "The Lewis and Clark Expedition's Silent Partners: The Chouteau Brothers of St. Louis," *Missouri Historical Review* 77 (January 1983): 131–146.

[9] Meriwether Lewis to William Clark, 18 February 1804, *LLCE* I, 168.

The invitation received a mixed response from the two principal divisions in Osage society. Chouteau sent a trader to the Arkansas band under the leadership of Cashesegra, or Great Track, who dramatically rejected the offer. The Arkansas Osage reportedly burned the message, scoffed at U.S. sovereignty, and rejected "St Louis & their Supplies &c."[10] By contrast, Pawhuska, or White Hair, the Great Chief of the Osage River band, welcomed the overture. A decade earlier, Pawhuska had made a similar trip with Auguste Chouteau to meet Spanish officials in New Orleans, a trip that had brought an unprecedented volume of goods to his villages and helped elevate his own position.[11] As he would explain in Washington, Pawhuska accepted the invitation as a means to increase his control over the flow of goods into the region, viewing trade with the United States as a means to persuade the Arkansas band to reunite with his own.

The Osage reactions offer an important reminder that holds for all the legs of the Indian Corps of Discovery. Lewis and Clark were not in a position to compel acceptance, and they received numerous rejections. The shape of the Osage delegation, like the ones that followed, rested with the invitees, who saw opportunities and acted accordingly. Some sent leading men, like Pawhuska. Others, like the Pawnee, sent young men of lesser stature. Still others, like the Teton Sioux and the Arkansas Osage, rejected the offer, though the latter would accept a later invitation in 1806.[12]

Pawhuska's delegation departed in two groups and had a violent start. Part of the delegation traveled with Chouteau and reached St. Louis without incident, but the other group coming down the river with another trader were attacked by the Sac and Fox, who killed five of them, including Pawhuska's brother.[13] The incident belies a tendency to celebrate the Lewis and Clark expedition as remarkably safe for having only lost one man: Charles Floyd, who died of a stomach ailment in August 1804. That calculation only holds for the Pacific-bound leg. Eastward-bound Indians had worse luck, and none of their dead would have bluffs named after them like Floyd. Indeed, most of their names went unrecorded.

By early May the Osage survivors rendezvoused in St. Louis. Lewis and Clark helped them acquire supplies and wrote letters of introduction for Pierre Chouteau, who agreed to escort them to Washington. The letters explained their trip "to the Seat of Government, in order to form a Treaty of Alliance."[14] In the final days before their departure, Lewis assembled a packet for Chouteau to carry to Washington that highlighted the resources of the Osages. The items included silver and crystal obtained from Mexico by the Osages, salt from a "great Saline of the Osage Nation," a horned toad "native of the Osage Plains," and a freshly drawn map that outlined the "Territory of the Ozages."[15]

The map, "haistily corrected" with the help of Pawhuska's delegation, depicted Osage territory as a giant wedge of land veined by the rivers west of Upper Louisiana's

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[10] Clark's field notes, 31 May 1804, *JLCE*.

[11] DuVal, *The Native Ground*, 172; Willard H. Rollings, *The Osage: An Ethnohistorical Study of Hegemony on the Prairie-Plains* (Columbia. MO, 1992), 173-174.

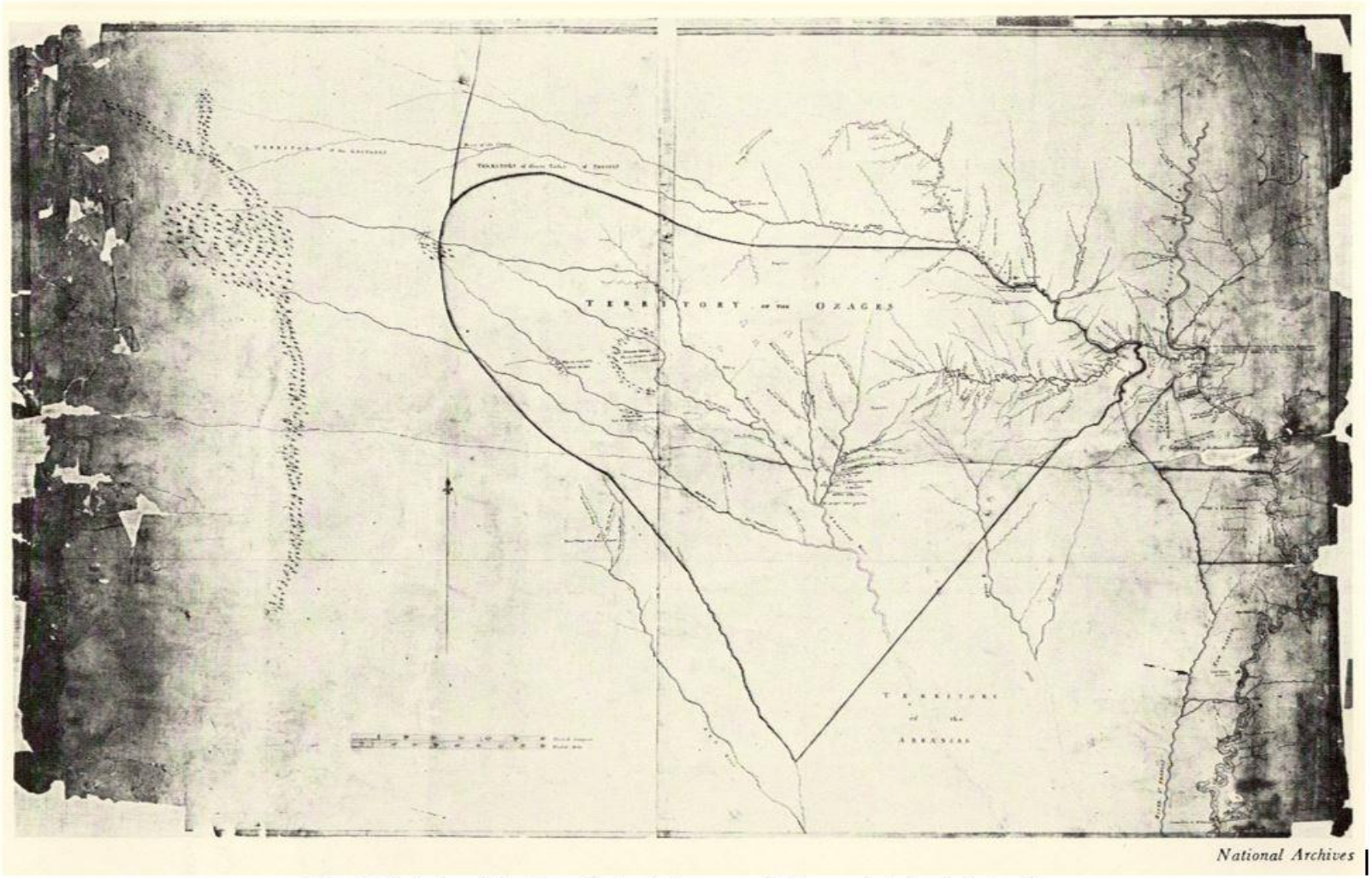
[12] Ewers, "'Chiefs from the Missouri and Mississippi' and Peale's Silhouettes of 1806," 24.

[13] [Osage Indians], *Paulson's American Daily Advertiser* (Philadelphia), 31 December 1804, p. 2.

[14] William Clark to William Croghan, 2 May 1804, *LLCE* I, 178; Meriwether Lewis to William Preston, 3 May 1804, *LLCE* I, 179; William Clark to Jonathan Clark, 3 May 1803, *Dear Brother*, 81-82.

[15] Meriwether Lewis to Thomas Jefferson, 18 May 1804, *LLCE* I, 192-193.

Fig. 3.1 Osage Map (1804)



Map Division, National Archives and Record Administration

settlements (Fig. 3.1).[16] The original has disappeared, but this copy survived at the War Department. It languished unidentified until the mid-twentieth century, when a tireless editor and historian of all things Lewis and Clark deduced its origins.[17] The map has since struck a dissonant chord. When mentioned in studies of the expedition, it appears as an outlier, almost begrudgingly recognized as its "first cartographic product" while being dismissed as "not of critical importance" because it depicted administrative boundaries, focused on the lower Missouri River Valley, and emphasized the Osage River—a tributary of the Missouri that the Corps of Discovery never actually visited.[18]

While the Osage map clashes with images of Lewis and Clark as explorers of the far west, it makes perfect sense as an artefact of the occupiers of the near west. As Lewis mentioned in his description of the map, he marked both the boundary of the Osage Territory and, "for governmental purposes," proposed Upper Louisiana districts designed to embrace "all the Settlements at present established in Upper-Louisiana."[19] By suggesting districts, Lewis was responding to a similar request sent to Capt. Stoddard as the temporary commandant and William Henry Harrison as the future governor.[20] The information on the map, moreover, would play a crucial role in the council that took place once the delegation reached Washington.

The Osage group departed on May 17, 1804, getting a four-day head start on Lewis and Clark's travels west.[21] The party included fourteen Osages, Pierre Chouteau as their escort, two interpreters, and several young men bound for study at West Point. They traveled south toward Cahokia, then likely followed the post road on an arcing path east to Vincennes, Louisville, and on to Frankfort, Kentucky, where a news item announced their arrival from "near the borders of our new acquisition."[22] More details about their villages, population, and physical stature appeared when they reached Lexington, where a local editor explained that Lewis had sent them "to enter into a treaty with the United States."[23] Whether referred to as "a number of chiefs," a "King, eleven chiefs and two boys," or "Indian Plenipotentiaries," widely published reports on their movement told

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[16] Meriwether Lewis to Thomas Jefferson, 18 May 1804, *LLCE* I, 193.
[17] Donald Jackson, "A new Lewis and Clark map," *Bulletin of the Missouri Historical Society* 17 (Jan. 1961): 117-132.
[18] Meriwether Lewis to Thomas Jefferson, 18 May 1804, *LLCE* I, 195, note 4 (first cartographic…); John Logan Allen, *Passage Through the Garden: Lewis and Clark and the Image of the Northwest* (Urbana, IL: University of Illinois Press, 1974), 156 (not of critical…). For popular works noting its rank, see Ann Rogers, *Lewis and Clark in Missouri* (Columbia, MO, 2002), 21; Stephen E. Ambrose, *Undaunted Courage: Meriwether Lewis, Thomas Jefferson, and the Opening of the Great West* (New York, 1996), 137.
[19] Meriwether Lewis to Thomas Jefferson, 18 May 1804, *LLCE* I, 194.
[20] Amos Stoddard to Henry Dearborn, 3 June 1804 and Amos Stoddard to William Henry Harrison, 3 June 1804, *TUL*, 104-106, 107-110; William Henry Harrison to Thomas Jefferson, 24 June 1804, in Logan Eseray, ed., *Messages and Letters of William Henry Harrison* I (Indianapolis, 1922), 96-99.
[21] "Extract of a letter from a gentleman at Cahokia (I.T.) to the Editor of the Frankfort Palladium dated May, 19, 1804," *The Daily Advertiser* (New York), 6 July 1804, p. 3.
[22] "Indian Plenipotentiaries," *Independent Chronicle* (Boston), 5 July 1804, p. 1. Chouteau's letters of introduction, with addressees in Louisville, suggests the path. The post route appears on Abraham Bradley, Jr.'s *Map of the United States* (1804) discussed in Chapter II. Meriwether Lewis to William Preston, 3 May 1804, *LLCE* I, 179.
[23] "Lexington, June 12," *Alexandria Daily Advertiser* (Alexandria, VA), 26 June 1804, p. 3; also see "Lexington, June 14*," National Intelligencer* (Washington, DC), 29 June 1804, p. 2.

readers that the United States desired to "negotiate a peace" with the Osages.[24] By July 7, Jefferson himself confessed to being "in hourly expectation of the arrival of some Osage chiefs," and as those hours stretched to days, he sent an officer to hasten their arrival.[25] The group soon passed through Frederick, Maryland, on their way "to ascertain and recognize the relation they are to stand in with the United States," before reaching the capital on July 11, 1804 (Fig. 3.2).[26]

After seven weeks of travel from St. Louis, Pawhuska appeared eager to talk. In a welcome meeting with Jefferson, the chief laid out his reasons for coming: he wanted to be "well supplied with merchandise," wished to see the Arkansas band reunited with his own, and complained of attacks on their territory by "distant nations." Urging the United States to take Spain's place as their ally and emphasizing just how perilous their journey had been, he told Jefferson about the "5. killed 2. burnt" on their way to St. Louis.[27] Jefferson, however, was not yet ready to proceed, and asked them to rest a few days, telling them the United States would "spare nothing for your refreshment and comfort."[28]

As the Osage delegation waited in a hotel, their presence caused a stir. Thomas Law, a real estate developer and grandson-in-law of George Washington, reacted with unusual creativity, penning a set of "imaginary Speeches" to the delegation that bluntly envisioned American colonialism as a twinned expansion of people and property. Law celebrated the "perpetual augmentation" of the US population, "whose numbers now exceed six millions," and imagined warning the Osage that the Americans would "gradually overspread all the Country" unless they adopted private landholding, which would stimulate their own growth, enable them to conquer neighbors, and foster legal and artistic development. Travel "enlarges the mind," he mock-lectured them as he invited them to tour northeastern cities so that they might "return to enlighten" their people.[29] Law wrote the speeches for his own amusement, but not for his own eyes. He showed them to his friend, Secretary of State James Madison, who endorsed Law's logic but doubted the Osages could be convinced to adopt private landholding.[30]

Madison surely knew that the Osages had been invited because their strength in the trans-Mississippi West placed them among the region's powers to be courted. "The truth is," Jefferson wrote to the Secretary of the Navy a couple of days after the delegation arrived, that the Osage "are the great nation South of the Missouri, their possession extending from thence to the Red river, as the Sioux are great North of that river. With these two powerful nations we must stand well, because in their quarter we are miserably weak."[31] Historians often quote this letter because Jefferson so clearly

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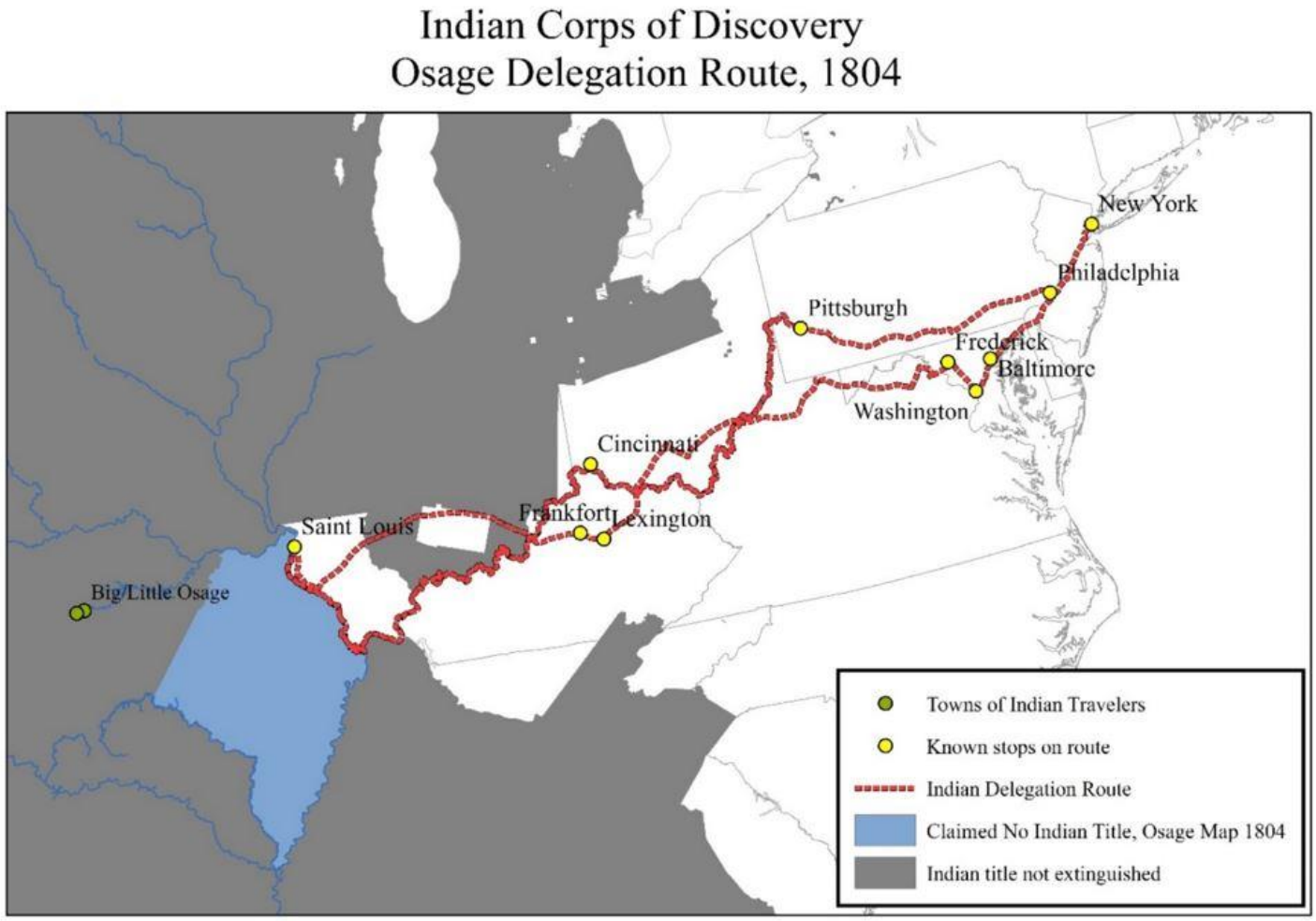
[24] "Domestic News," *Political Calendar* (Newburyport, MA), July 2, 1804, p. 2; "By the Mails," *Newburyport Herald*, July 3, 1804, p. 2; "Indian Plenipotentiaries," *Independent Chronicle* (Boston), 5 July 1804, p. 1.
[25] Thomas Jefferson to William C.C. Claiborne, 7 July 1804, *FO*; Henry Dearborn to Thomas Cushing, 9 July 1804, *LLCE* I, 198.
[26] [The King…], *Hornet* (Fredericktown, MD), July 10, 1804, p. 1; "Washington City," *National Intelligencer* (Washington), 13 July 1804, p. 3.
[27] [Thomas Jefferson notes on speech by Osage Chief White Hair], July 12, 1804, Thomas Jefferson Papers, Library of Congress, Washington DC.
[28] Thomas Jefferson to White Hairs, 12 July 1804," *FO*.
[29] Thomas Law to James Madison, 15 July 1804, *FO*.
[30] Thomas Law to James Madison, 18 July 1804, *FO*.
[31] Thomas Jefferson to Robert Smith, 13 July 1804, *FO*.

Fig. 3.2: Osage Delegation Route (1804)



Drawn by the author

stated the obvious.[32] But the line also unintentionally revealed how seriously Jefferson was thinking about Osage boundaries.

The clue is subtle, but jumps out with the right question: How, just two days after the Osage arrived, did Jefferson know that their lands extended to the Red River? This information was new, at least to him. It was not among the intelligence he had gathered on Upper Louisiana to prepare Congress to accept the Louisiana Purchase or in the materials he sent to Lewis and Clark as they readied to traipse across the continent.[33] The information about the reach of Osage territory might have come orally from the Osages or Chouteau, but it definitely appeared on the map Lewis sent with them, which showed Osage territory stretching to the Red River's upper tributaries.

It is not surprising that Jefferson got acquainted with Osage land claims in the days leading up to their council. The reach of Osage territory was essential to his goals for the meeting, which included not just laying the groundwork for establishing trade relations, but making arrangements "preparatory to the plan of inducing the Indians on this, to remove to the other side of that river."[34] Jefferson's removal plan—a fuller discussion of which appears in Chapter 5—was conceived in the days after he learned about the Louisiana Purchase, and originally involved relocating Upper Louisiana's colonists to the east side of the Mississippi. By the time the Osages arrived, however, dislocating the colonists seemed unlikely, which meant the prospect for exchanging lands with eastern Indians depended on either obtaining cessions from western tribes or identifying actually vacant areas west of the Mississippi.

The prospect of relocating Indians to lands west of the Mississippi gave the map of Osage territory an immediate purpose. Lewis had given the land exchange question his attention upon his arrival in St. Louis in 1803 and apparently revisited the question when making the Osage map.[35] His description of the map flagged an area west of the settlements and east of the Osage line as devoid of "Indian claim."[36] Subsequent notes about the Osage delegation's visit indicate discussions took place with Chouteau about the possibility of a future Osage cession to make room for emigrant Indians. Appreciating the Osage map as a working document used to establish an Indian boundary, rather than an odd curio from an adventure to the Pacific, also helps explain why it survived at all: Dearborn commissioned the large four by two and half foot copy, the only known version, for the War Department shortly after the Osage council.[37] All of this, in turn, points to the Osage council of July 1804 as a boundary-making event, one that affirmed a critical border not far from the western edge of Upper Louisiana's settlements.

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[32] Some examples: William H. Truettner, *Painting Indians and Building Empires in North America, 1710-1840* (Berkeley, 2010), 72; Colin G. Calloway, *One Vast Winter Count: The Native American West Before Lewis and Clark* (Lincoln, 2006), 382; Louis. F. Burns, *A History of the Osage People* (Tuscaloosa, AL, 2004), 140; Stephen E. Ambrose, *Undaunted Courage: Meriwether Lewis, Thomas Jefferson, and the Opening of the American West* (New York, 1996), 342.

[33] Thomas Jefferson, *Account of Louisiana* (Washington, 1803), 26.

[34] Thomas Jefferson to William C.C. Claiborne, 7 July 1804, *FO*.

[35] Meriwether Lewis to Thomas Jefferson, 28 December 1803, *LLCE* I, 148-155.

[36] Meriwether Lewis to Thomas Jefferson, 18 May 1804, *LLCE* I, 194

[37] A receipt for the copy appears as Warrant No. 7719, "Account of Receipts and Expenditures of the War Department from the 1st of July, and ending 30th September 1804, inclusive," *Letter from the Treasurer of the United States, accompanying his General Accounts, 22nd January, 1805* (Washington, 1805), 167.

Perhaps even more striking, the Osage council of July 1804 was the first formal Indian council generated by the Lewis and Clark expedition, beating the captains' meeting with the Missouria and Oto at Council Bluffs on the Missouri by about two weeks. And while it concluded with talk about territory, it began with a plea to obey the future appointees of the superintendency at St. Louis. In his speech on July 16, Jefferson announced that the United States was displacing France and Spain, and asked Pawhuska to withhold retribution against the Sac and Fox so that Harrison could conduct an inquiry into the murders. East of the Mississippi, he insisted, "where our government has been long established, and our authority organized our friends visiting us are safe. We hope it will not be long before our voice will be heard and our arm respected, by those who meditate to injure our friends, on the other side of that river." Near the close of his speech, Jefferson offered to "establish an Agent to reside with you."[38]

The next day, he appointed Pierre Chouteau the "Agent of Indian Affairs for upper Louisiana," making him the first permanent federal appointee of any kind in Upper Louisiana. As originally constituted, Chouteau's agency covered an impossibly large area—all of Upper Louisiana "northward & westward of the river Arkansas"—though his directive to "be particularly attentive to our friends the Osage nation" gave a more accurate picture of its focus. Chouteau's instructions ranged from the generic—pacifying inter-Indian and Indian-white conflict, promoting agriculture, keeping quarterly accounts—to the specific—hiring a blacksmith for the Osages and attempting to persuade the Arkansas band to rejoin Pawhuska.[39] For his efforts, Chouteau would draw an annual salary of $1,500 but would be prohibited from directly participating in the fur trade. To assist him, he could hire the two interpreters with the delegation—Nicholas Boilvin and Noel Mongrain—on a contingency basis. His first order was to build a council house in St. Louis for visiting Indians.[40] Finally, he was directed to operate through the superintendent, that is, to "correspond with Governor Harrison on all subjects relating to your Agency on which you may need his advice."[41]

The day after Chouteau's appointment, the Secretary of War ended the Osage council by giving the delegation a certificate recognizing their territory. Signed, sealed, and adorned with a gold chain, the document announced "that all lands belonging to you, lying within the territory of the United States, shall be and remain the property of your nation, unless you shall voluntarily relinquish or dispose of the same."[42] More than empty rhetoric, the pronouncement served two purposes. First, it declared the United States had the sole authority to purchase Osage land in the future. Second, and difficult to see without the Osage map, it affirmed an Osage line that lay west of Upper Louisiana's existing settlements south of the Missouri River. That boundary would remain until 1808, when Lewis, arguing for the need "of a boundary line…settled by Treaty," pressed for a cession that pushed the line further west. Although invisible in histories of the Louisiana Territory, this short-lived, tacit border was known and understood, at least by federal authorities in Upper Louisiana, as it popped up over a decade later as the eastern "Osage boundary line before the treaty of 1808" on a Quapaw treaty map (Fig. 3.3).

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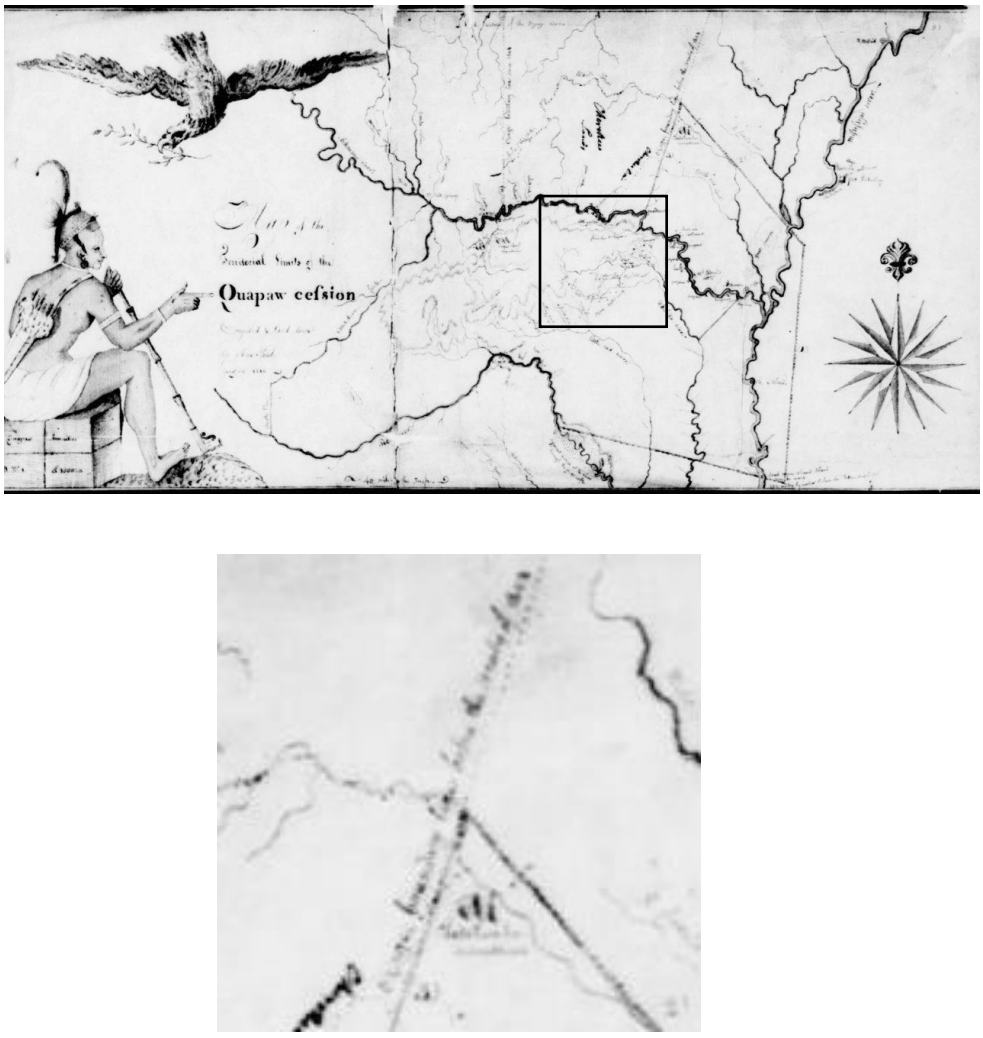
[38] Jefferson to the Osages, [16 July 1804], *LLCE* I, 200, 202.
[39] Secretary of War to Pierre Chouteau, 17 July 1804, *TPUS* XIII, 31-32.
[40] Secretary of War to Pierre Chouteau, 18 July 1804, RG 75, M15, Roll 2.
[41] Secretary of War to Pierre Chouteau, 17 July 1804, *TPUS* XIII, 32.
[42] "Chiefs and Warriors of the Osage nation of Indians," 18 July 1804, RG 75, M15, Roll 2.

Fig. 3.3 Quapaw Treaty Map (1818) with Osage boundary before 1808



Ratified Indian Treaty File, National Archives and Records Administration

The Osage "treaty of amity" was national news, with copies of Jefferson's speech and Dearborn's parchment printed in papers around the country.[43] So were the Osages, who accepted Jefferson's offer to tour eastern cities to gain "the same knowledge of the country on this side the Missisipi [sic], which we are endeavoring to acquire of that on the other side."[44] An army officer brought them to Baltimore, Philadelphia, and New York, where they witnessed military displays. They went to the navy yard in Washington, marched in the funeral procession of Gen. William Irvine in Philadelphia, and saw the

[43] [The king of the Osage nation of Indians], *The Balance and Columbia Repository* (Hudson, NY), p. 7 August 1804, qt. 25. For other examples: "Washington City," *National Intelligencer* (Washington, DC), 3 October 1804, p. 2; "Children, White hairs, Chiefs and Warriors of the Osage Nation," *New York Commercial Advertiser* (New York), 6 October 1804, p. 3; [The following address], *New-York Herald* (New York), 10 October 1804, p. 2.
[44] Jefferson to the Osages, [16 July 1804], *LLCE* I, 201.

"standing and marching salutes" of an artillery company in New York.[45] Meant "to give the Osage chiefs a sample of the military force of the country," the scenes did not seem to awe them.[46] The navy yard "excited in them the least emotion, except an expression of satisfaction at this mark of distinction shewn them."[47] Their disinterest in the New York parade led to reports that they "view everything with a great degree of indifference."[48]

While the Osage delegation kept their reactions private, they offered up their own martial displays. The evening after visiting the shipyard, they performed a war dance for a crowd of nearly 3,000, "under lamp light and accompanied by an Italian band," with Jefferson and Pawhuska sitting together on an elevated platform.[49] They reprised the dance in Baltimore, where a paper war erupted between clergy who could not agree if attending was more like reading *Carvers Travels* or promoting "obscene rites."[50] The most detailed description of the dance came from a spectator at New York's Vauxhall who reacted with a mix of fascination and disgust.[51] The printer William A. Rind, who had seen the dance in Washington, did not care for the negative appraisal, which he argued missed the basic similarities between the Americans and the Osages. "They dance; and shall we ridicule their mode of dancing because they do not kick up so high as we do?"[52] Americans were less tight-lipped in their responses to the Osage visitors, and hardly uniform.

Rind and others had personal encounters with the visitors that have since come to underpin scholarship appreciating the journey more as an ethnographic than a diplomatic event. Such informal meetings, what the officer who guided them through the east called "acts of hospitality," were intended to cultivate goodwill in order to convey "the views and wishes of the Executive."[53] Rind for one showed them "a large map" on which he pointed out "their track from their home to the city of Washington."[54] The polymath Constantine Rafinesque spoke with Pawhuska in Washington, where he took down "a good vocabulary of their language."[55] In New York, the delegation met with missionaries, members of the Tammany Society, and dined on a French frigate in the harbor, all of which generated colorful news items.[56] Most visibly, the Washington-based artist Charles Balthazar Julien Févret de Saint-Mémin made portraits of the delegation's

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[45] [The remains of the late general William Irvine], *Morning Chronicle* (New York), 3 August 1804, p. 2; [On Saturday last], *The Daily Advertiser* (New York), 2 August 1804, p. 3; "Military Parade," *Morning Chronicle* (New York), 13 August 1804, qt. 2.
[46] [Very splendid military parades], *Columbia Sentinel* (Boston), 15 August 1804, p. 2
[47] "Extract of a letter from Washington," *Alexandria Advertiser* (Alexandria, VA), 27 July 1804, p. 3.
[48] [A writer in a *Baltimore* paper], *New-England Palladium* (Boston), 17 August 1804, p. 2.
[49] "Indian Dance," *Otsego Herald* (Cooperstown, NY), 9 August 1804, 3; [On Tuesday evening the Osages chief], *Morning Chronicle* (New York), 24 July 1804, p. 2; [On the evening of the 17th inst.], *The Spectator* (New York), 28 July 1804, p. 3.
[50] "The War Dance No War Whoop," Early American Imprints, Second Series, Shaw & Shoemaker 7691 ([Baltimore, Md.: s.n., 1804]), 8; "The War Dance, no War Whoop, no. 2," Early American Imprints, Second Series, Shaw & Shoemaker 7692 ([Baltimore, Md.: s.n., 1804]), 5.
[51] "Mr. Jefferson's Indians," *Newburyport Herald*, 21 August 1804, p. 2.
[52] W.A. Rind, "The Osage Indians," *The Washington Federalist* (Georgetown), 20 October 1804, p. 3.
[53] Hezekiah Rogers to Thomas Jefferson, 21 August 1804, *FO*.
[54] W.A. Rind, "The Osage Indians," *The Washington Federalist* (Georgetown), 20 October 1804, p. 3.
[55] C.S. Rafinesque, *A Life of Travels and Researches in North American and South Europe* (Philadelphia, 1836), 21. Also see Constantine Rafinesque to John Quincy Adams, 8 July 1824, Constantine Rafinesque Papers, American Philosophical Society, Philadelphia, PA.
[56] "Baltimore, Aug. 13," *Maryland Herald*, 22 August 1804 (Elizabethtown, MD), p. 3.

leading members.[57] Long recognized for their anthropological value as early likenesses of Osages, Saint-Mémin's portraits were also emblematic of US efforts to gain a foothold for their paper claim on the lower Missouri River Valley (Fig. 3.4).

Fig. 3.4 Saint-Mémin's portrait of Pawhuska (1804)

New-York Historical Society, New York, New York

[57] Lockwood, "The St. Memin Indian Portraits"; John C. Ewers, "The Emergence of the Plains Indian as the Symbol of the North American Indian," *Report of the Board of Regents of the Smithsonian Institution for 1964* (Washington, DC, 1965); Miles, "Saint-Mémin's Portraits of American Indians, 1804-1807."

Whether positive or negative, contemporary reactions tied the Osage journey to the Lewis and Clark expedition. Jefferson himself deemed the trip a success, saying "Capt Lewis's conferences with them, their visit, and what has passed here, have I believe fixt their friendship."[58] His supporters took the visit as a sign that "Capt. Lewis has removed all obstacles to his journey."[59] In an oft-repeated item, many praised the "foresight in the arrangement leading to the visit," likening the Osages to "hostages for the safety of the American adventurers."[60] Meanwhile, Jefferson's federalists critics at the *Port-Folio* used the journey to imagine unflattering pages from the president's diary: "Received letter from Lewis, giving account of the Osage Indians—wonderfully curious terrapins—dare say it's a fine country—must have a breed—send commissioners to make a treaty with 'em."[61] Another critic pointed to the frigates moored in the Potomac "to satisfy the curiosity of the Osage *Indians*" as evidence of misplaced priorities, arguing that funds needed for their maintenance had been misspent on the "purchase of a country 'yielding spontaneously' '*Salt-Mountains*,' *Allegators* and *horned* '*Toads*.'"[62]

By the time the Osages returned home, the costs had indeed become considerable. No less than $13,579 left federal coffers to cover everything from presents, to lodging, to $10 for the War Department's reproduction of the map of "Ozage Territory."[63] Their circuit from St. Louis and back spanned more than 2,600 miles, more than doubling the distance traveled by Lewis and Clark in the same period.[64] The trip pushed the Indian boundary line across the Mississippi, installed Chouteau as the Indian Agent for Upper Louisiana, and looped interpreters into the nascent superintendency. The delegation reached St. Louis a few days before Gov. Harrison arrived to become the superintendent, and in under a month, the unintended consequences of the journey contributed to the first Indian land cession treaty in the Louisiana Purchase.

There was a reason the Osage council in Washington came quicker than Lewis and Clark's first Indian council on the Missouri: the lower Missouri was a dangerous border between Osage territory south of the river and hunting grounds shared by the Sac and Fox, and their Iowa allies, to the north. As a result, the Corps of Discovery pushed up the river for nearly two months without meeting any Indians. Instead they found traces—a camp, an abandoned horse, a crossing point on the river—that their boatmen helped them interpret, rightly or wrongly, as Sac and Fox war parties.[65] What they did not realize as they pushed upriver was that their invitation to the Osages had inflamed that conflict.

Officials downriver in St. Louis could not remain aloof from that fact, and soon got caught in the rippling effects of Pawhuska's trip. As the Osages traveled east, a Sac and Fox delegation visited Stoddard in St. Louis, where they inquired about trade goods, warned about encroachment on their hunting grounds, and rebuffed Stoddard's demands that they return Osage captives. Later that summer a report surfaced that the Sac and Fox had tied an American flag to a horse's tail and run it through the dirt. In a better

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[58] Thomas Jefferson to William Dunbar, 17 July 1804, *FO*.
[59] "Communication," *American Citizen* (New York), 24 July 1804, p. 2.
[60] "Osage Indians," *City Gazette* (Charleston, SC), 10 October 1804, p. 2. Also see "Osage Indians," *The Democrat* (Boston), 24 October 1804, p. 2.
[61] "From the Port Folio," *Daily Advertiser* (New York), 22 August 1804, p. 2.
[62] [Reports in circulation], *Connecticut Sentinel* (Norwich, CT), 14 August 1804, p. 2.
[63] Financial Records of the Expedition, [5 August 1807], *LLCE* II, 419-428.
[64] Path distance of path in Fig. 3.2 measured in ArcGIS = 2,647.
[65] [William Clark], 5 June 1804 and 17 June 1804, *JLCE*.

documented incident from late summer 1804, a group of young Sac and Fox murdered three squatters on the Cuivre River, a western tributary of the Mississippi north of the Missouri. Maj. James Bruff, who just arrived to command the military in Upper Louisiana, became convinced that "the distinction paid" the Osages fueled the attack, mainly because that was what the Sac and Fox told him.[66] "Indeed the Saukies ow'd it was on that account principally that their young men" killed the squatters. It may have been the cause, or it may have been an excuse, but either way it set off a crisis that kept Chouteau in St. Louis as the Osages headed home "puffed up with ideas of their great superiority to other nations—on account of the distinction paid them by our government."[67]

The alarm that began with the Cuivre River murders ended with a large Sac and Fox land cession. Chouteau sent a message to the Sac and Fox, summoning them to discuss the incident with Harrison in St. Louis. They responded quickly, as news of the killings had led to the inhabitants of several of their villages to scatter for fear of a reprisal from the squatters, who Bruff described as eager to destroy the first village they came across.[68] A group of seven Sac and Fox reached St. Louis in late October 1804 with one of the killers. Chouteau's message assured them they would be "treated as friends and allies of the United States," and made no mention of potential talks about ceding land.[69] The small size of the delegation, which was composed of middling chiefs, strongly suggests it was neither authorized nor expecting to engage in negotiations for territory. They came to cover the dead, and must have been taken off guard when the talks turned from pardons to land sales.

Unfortunately, no records of the treaty proceedings survive, and claims about it conflict. In 1804, Bruff said the Sac and Fox "were very anxious to make a treaty that wou'd shelter them from their natural enemies—the Osages, now consider'd by them as under the protection of the U. States; and without hesitation [sic], offered to cede an immense tract of country." In 1805, several chiefs countered that they had been "desirous to oblige the United States, but we had never before Sold Land, and we did not know the value of it," and claimed to have been misled by the interpreters.[70] In later years, the Sac and Fox alleged that Harrison plied the delegation with alcohol and misrepresented the meaning of the transaction. Decades later, Quashquame, or Jumping Fish, who was among the signers, recalled that Chouteau had exploited their desire to obtain pardons and obfuscated the extent of the cession. It is impossible to know exactly what Chouteau or Harrison did to secure the signatures, though it is worth noting that Harrison had an otherwise solid record of using questionable tactics to obtain Indian land.[71]

If the methods remain opaque, Harrison's orders and the geography of the cession itself hint at why he pursued the deal. Harrison had received orders to obtain Sac land in the Indiana Territory in 1802 and 1803. A few weeks before the Osage delegation

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[66] Warren Cottle to James Bruff, 9 September 1804, *TPUS* XII, 62-63; Mackay Wherry to Amos Stoddard, 12 September 1804, *TPUS* XIII, 63-64; James Bruff to James Wilkinson, 5 November 1804, *TPUS* XIII, qt. 80.
[67] James Bruff to James Wilkinson, 5 November 1804, *TPUS* XIII, 80.
[68] James Bruff to James Wilkinson, 5 November 1804, *TPUS* XIII, 76.
[69] [Message to the Sac and Fox], 18 October 1804, *PCL*.
[70] Wilkinson to Secretary of War, 27 July 1805, *TPUS* XIII, 168
[71] Robert M. Owens, "Jeffersonian Benevolence on the Ground: The Indian Land Cession Treaties of William Henry Harrison," *Journal of the Early Republic* 22, no. 3 (Autumn, 2002): 405-435.

reached Washington in 1804, the Secretary of War again urged him to pressure the Sac and Fox to cede "a considerable tract" north of the Illinois River, which is exactly what he did.[72] East of the Mississippi, the cession covered an extensive tract from the Illinois to the Wisconsin rivers that embraced all Sac and Fox land in Indiana, including their principal villages.

When it came to the smaller part of the cession jutting west into Upper Louisiana, Harrison took the initiative and acted on local information. A close reading of its boundaries in conjunction with Stoddard's report on the extent of colonial occupation suggests Harrison connected the western boundary of the Sac and Fox cession north of the Missouri to the just-established boundary of Osage territory, then used a rough rule of thumb to create, conceptually at least, a proportional buffer around the settlements. The treaty literally started the cession opposite the Osage boundary line, "at a point on the Missouri river opposite to the mouth of the Gasconade river."[73] Then it shot north to the Jeffreon River, a minor tributary of the Mississippi unfamiliar to officials in Washington. The Jeffreon, moreover, did not seem to have particular significance to the Sac and Fox; they would talk a great deal about this treaty in coming decades, and unlike the Two Rivers or the Missouri, never comment on this stream in the extant documents. About the only thing that stands out about it was the correspondence of its distance from the Mississippi-Missouri confluence to the reach of Euro-American occupation. It roughly doubled the northern limit of the settlements Stoddard had identified, which just so happens to be what the starting point opposite the Gasconade River did for their western limit.[74] If Harrison was looking for such a place, he could have found out about the Jeffreon from the Chouteaus. A few days after signing the treaty, he heaped praise on Auguste Chouteau's "knowledge of this country," and a few months later Pierre Chouteau touted his own role in in facilitating this "purchase of land."[75]

Together, the Osage council in Washington and the Sac and Fox treaty in St. Louis pushed the Indian boundary line across the Mississippi (Fig. 3.5). But these contact points were about more than land. They also concerned jurisdiction and the material reach of federal authority. They involved pledges to establish a trading houses, hire "useful artificers," and deliver annuities, all of which called for planning, hiring, and logistics. Likewise, they sought toleration of US posts, recognition of federal preemption, and attendance at a forthcoming peace council. Both encounters asked future grievances be brought to the "superintendent or other person having charge of the affairs of the Indians."[76] With Harrison's appointment as superintendent and Chouteau's agency, a new engine of diplomacy and dispossession in the Missouri River Valley sputtered to life.

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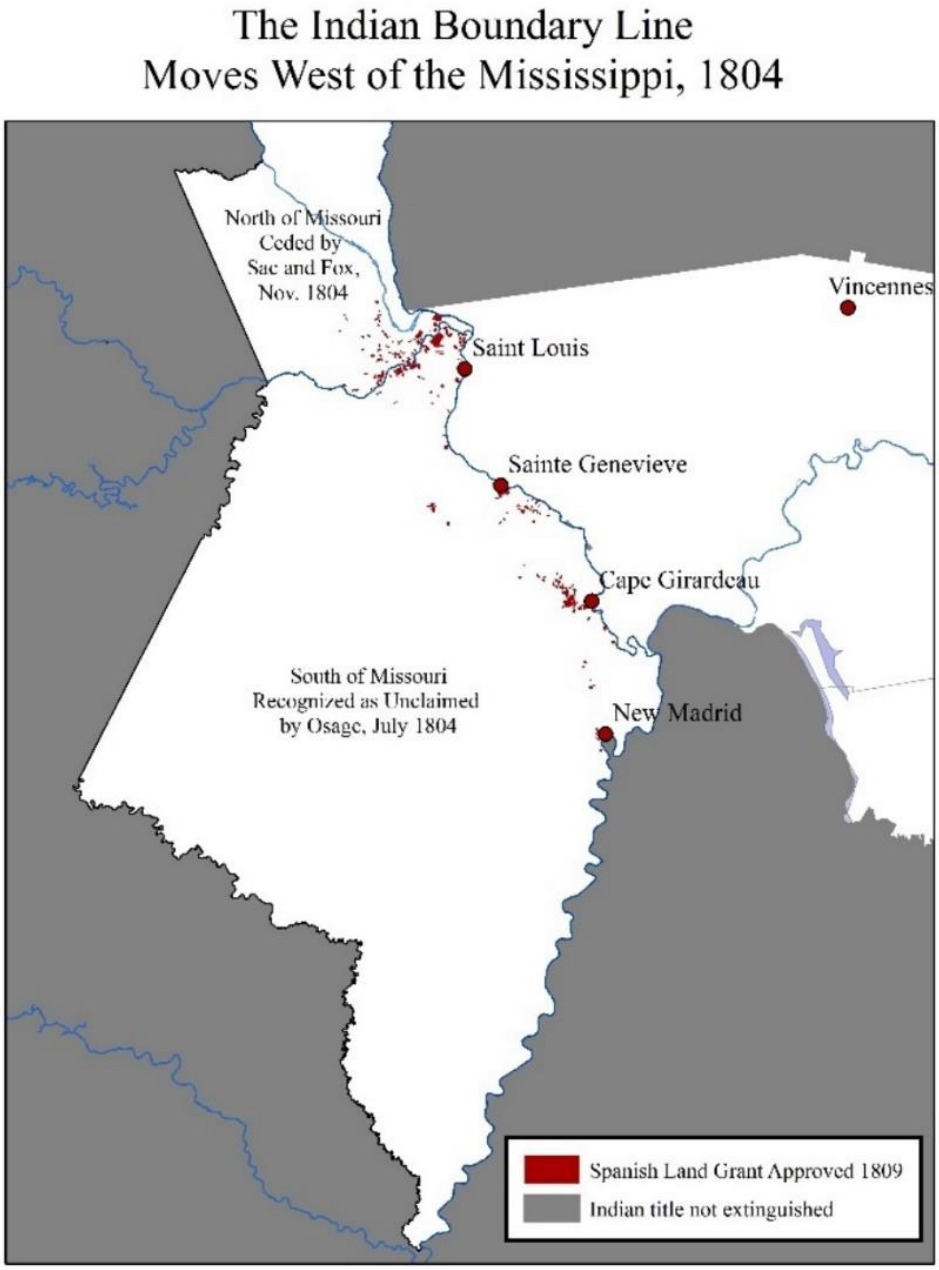
[72] Henry Dearborn to William Henry Harrison, 27 June 1804, in Eseray, ed., *Messages and Letters of William Henry Harrison*, 101.
[73] "Treaty with the Sauk and Foxes, 1804," *KLT*, 74.
[74] The Jeffreon River is ca. 90 miles from the Missouri-Mississippi confluence and the Gasconade River ca 120. Stoddard reported settlements 45 miles north of the Missouri and 60 miles west of its confluence with the Mississippi. Amos Stoddard to Henry Dearborn, 3 June 1804, *TUL*, 105.
[75] William Henry Harrison to Thomas Jefferson, 6 November 1804, Eseray, ed., *Messages and Letters of William Henry Harrison*, 110; Pierre Chouteau to Thomas Jefferson, 31 January 1805, *PLC*.
[76] "Treaty with the Sauk and Foxes, 1804," *KLT*, 74-77.

Fig. 3.5: Indian Boundary Line Crosses the Mississippi (1804)



Drawn by the author

The Multitribal delegation (1805-1806)

After the Sac and Fox treaty, Harrison returned to Vincennes, leaving Chouteau in charge of Indian affairs in St. Louis.[77] Over the next few months, Chouteau's correspondence revealed his agency's emerging work. He hired a blacksmith for the

[77] Pierre Chouteau to Henry Dearborn, 27 July 1805, *PCL*.

Osage and an interpreter for "the nations of the Mississippi"; he heard complaints about traders and reported a murder; he composed reports on the fur trade and the Indian population; he obtained price estimates for goods and forwarded bills; and he sought out regulations for trade and alcohol.[78] Some of his activities grew out of the Osage visit to Washington and the Sac and Fox treaty, while others facilitated a second, multitribal delegation recruited by Lewis and Clark. This second leg of the Indian Corps of Discovery, the largest of the three, brought representatives of ten tribes to Washington.

By the end of 1804, Lewis and Clark had extended invitations to more than a dozen nations. Before departing in May, they sent messengers up the Mississippi to the Iowa and Sioux. As they traveled up the Missouri, they issued many more at meetings between Council Bluffs and the Mandan villages, where they would stop for the winter. They personally spoke with the Oto, Missouria, Yankton and Teton Sioux, Mandan, Hidatsa, and Arikara. And they sent emissaries to other nations, like the Kansas, Omaha, Ponca, and Pawnee, who were gone on summer hunts.[79]

A speech Lewis composed for their first meeting detailed his pitch. Its central themes echoed Jefferson's talk to the Osages. Like Jefferson, Lewis announced the displacement of French and Spanish officials by American, touted trade opportunities, and warned against rejecting US friendship. His overture likewise reflected the demands of the Indian Trade and Intercourse Act—imploring listeners to maintain peace and permit US-sanctioned traders to enter their territory. In addition, he asked that they send representatives to Washington to "see your great father and speak with him," hoping to convince them that the United States was the "only friend to whom you can now look for protection." Delivered under a keelboat sail that doubled as an awning at hastily assembled council grounds, the invitation to "the Seventeen great Nations of America, whose cities are as numerous as the stars of the heavens, and whose people like the grass of your plains" was meant to cow the travelers in ways Lewis and Clark could not.[80]

Lewis and Clark gave out paroles that acknowledged obeisance to the United States.[81] These documents, like one used by a Yankton Sioux named War Char Pa, or the Sticker, granted US protection so long as the carrier "dos acknowledge the authority of the same" (Fig. 3.6).[82] In Washington, the artist William Dunlap met one of the bearers carrying the document in his belt, a "deputy of his nation" who came "from a distant part of the Louisiana territory—200 miles beyond the residence of any tribe that has yet had intercourse with us."[83] Such emblems were hardly unfamiliar in the Missouri River

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[78] Pierre Chouteau to Thomas Jefferson, 7 November 1804, qt.; Pierre Chouteau to Albert Gallatin, 7 November 1804; Pierre Chouteau to Henry Dearborn, 7 November 1804; Pierre Chouteau to Thomas Jefferson, 19 November 1804, Pierre Chouteau to Thomas Jefferson, 31 January 1805, Pierre Chouteau to Henry Dearborn, 16 February 1805, *PCL*.

[79] Ronda, *Lewis and Clark Among the Indians*, 17, 21, 23, 32, 43, 48, 81.

[80] Lewis and Clark to the Oto Indians, 4 August 1804, *LLCE* I, 203, 205, 207. For helpful readings of Lewis' speech see Miller, *Native America, Discovered and Conquered*, 105-106; Ronda, *Lewis and Clark Among the Indians*, 20-23.

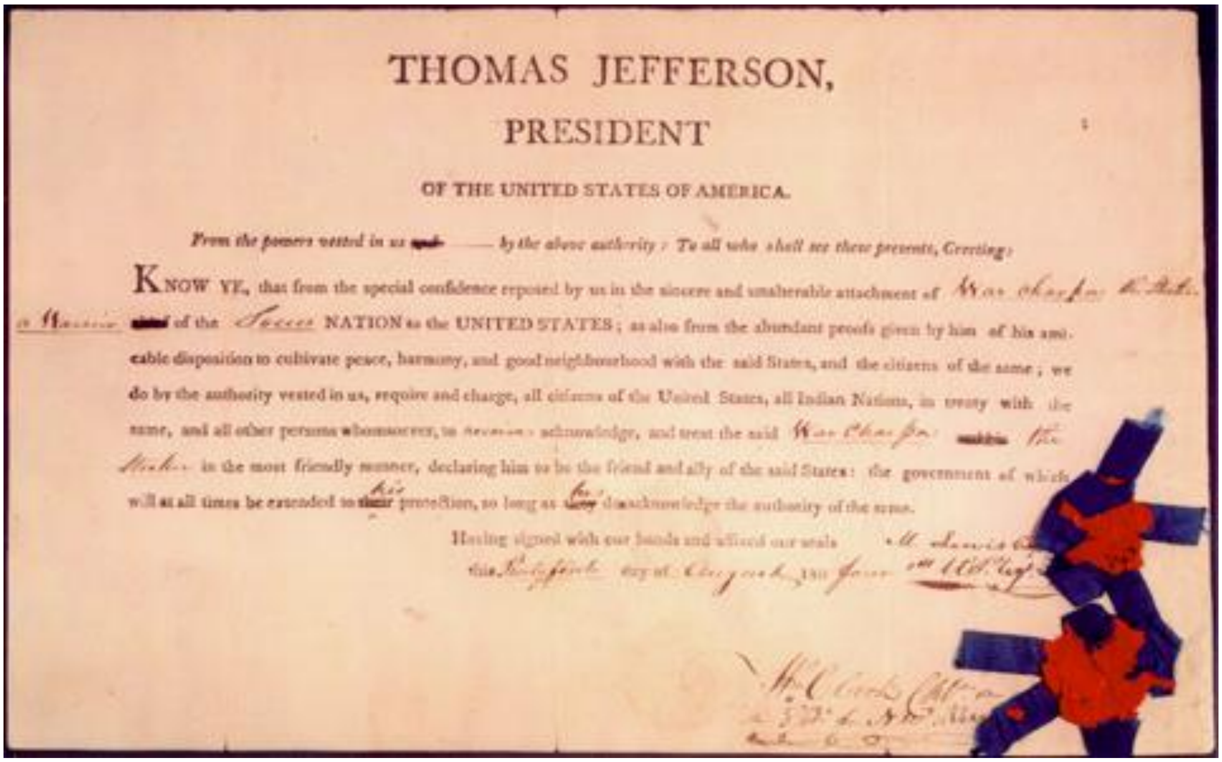
[81] Lewis and Clark to the Oto Indians, 4 August 1804, *LLCE* I, 208.

[82] Certificate by the Authority of the President of the U.S. to War Charpa, the Sticker, a Warrior of the Soues," August 31, 1804, HM13444, The Huntington Library, San Marino, CA.

[83] William Dunlap, *Diary of William Dunlap (1766-1839) the memoirs of a dramatist, theatrical manager, painter, critic, novelist, and historian* II (3 vols.; New York, 1930), 390.

Valley. American flags, medals, certificates simply joined those issued by the Spanish, French, and English that had circulated in the region for at least a century.[84]

Fig. 3.6: US Travel Parole for War Char Pa


THOMAS JEFFERSON,

PRESIDENT

OF THE UNITED STATES OF AMERICA.

From the powers vested in us [illegible] *by the above authority: To all who shall see these presents, Greeting:*

KNOW YE, that from the special confidence reposed by us in the sincere and unalterable attachment of [illegible] of the [illegible] NATION to the UNITED STATES; as also from the abundant proofs given by him of his amicable disposition to cultivate peace, harmony, and good neighbourhood with the said States, and the citizens of the same; we do by the authority vested in us, require and charge, all citizens of the United States, all Indian Nations, in treaty with the same, and all other persons whomsoever, to [illegible] acknowledge, and treat the said [illegible] in the most friendly manner, declaring him to be the friend and ally of the said States: the government of which will at all times be extended to his protection, so long as he [illegible] acknowledge the authority of the same.

Having signed with our hands and affixed our seals this [illegible] day of [illegible] 180[illegible]

Hunting Library, San Marino, California

The travelers gladly took these items without pledging allegiance. They had their own reasons for taking up the offer, which their responses to Lewis suggest mainly concerned access to trade. The Oto and Missouria, for instance, said the French had "never even gave them as much as a knife."[85] The Yankton Sioux emphasized their want of "powder and ball," hoping to get more from a visit to Washington than they had on trips to Spanish authorities in New Orleans.[86] The Iowa sent several representatives, too, though it did not prevent them from holding onto at least one Spanish certificate from the eighteenth century (Fig. 3.7).

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[84] Viola, *Diplomats in Buckskin*, 14-20; Francis Paul Prucha, *Indian Peace Medals in American History* (Madison, WI, 1971).
[85] [Meriwether Lewis journal entry], 3 August 1804, *JLCE*.
[86] [Meriwether Lewis journal entry], 31 August 1804, *JLCE*.

Fig. 3.7: Spanish Certificate to Iowa chief relinquished to Clark in 1816

Hunting Library, San Marino, California

Lewis directed them to Stoddard in St. Louis, who would outfit them "to make your journey from thence to your great father's town Comfortable and safe."[87] He had told Stoddard to expect them, but misjudged the pace of change. By the time the invitees began arriving, Chouteau had become Indian Agent, and preparations fell to him. Two weeks after the Sac and Fox treaty council ended, several Iowa presented themselves to Chouteau ready to travel east "according to the promises which Capt. Lewis had given to them," followed shortly by the Sac and Fox, who asked to send a few men, too.[88] Several months later, seven Sioux chiefs likewise came down the Mississippi.[89]

Here the delegation ran into a bureaucratic delay. Chouteau's general orders required him to obtain permission before sending any Indians to Washington, so he gave the visitors presents and sent them home, asking them to return later. When a large contingent of 45 Missouria, Oto, Omaha, Ponca, Sioux, and Arikara arrived with the keel boat Lewis and Clark sent down in May 1805, Chouteau urgently wrote to Harrison about "the barge of capn. Lewis" filled with "chiefs and *consideres*."[90] Despite news reports

[87] Meriwether Lewis and Clark to the Oto Indians, 4 August 1804, *LLCE* I, qt. 203; Meriwether Lewis to Amos Stoddard, 16 May 1804, *LLCE* I, 190.
[88] Pierre Chouteau to Thomas Jefferson, 19 November 1804, *PCL*.
[89] Pierre Chouteau to Henry Dearborn, 11 March 1805, *PCL*.
[90] Pierre Chouteau to Harrison, 22 May 1805, *PCL*.

that the group were "on their way to see Mr. Jefferson," Chouteau urged a further delay to avoid causalities from traveling in the summer heat. [91] Several Oto, Missouria, and an Arikara chief waited "patiently for permission to visit the President" in St. Louis, but others had already taken ill and most went home, promising to return in fall.[92]

In the course of the delay, the trip became wedded to concerns about intertribal hostilities close to the settlements. In early 1805, rumors swirled that the Sac and Fox were organizing a multitribal force against the Americans to prevent further land sales.[93] In response, Chouteau sent a spy to a gathering of Sac, Fox, Sioux, and Iowa, who discovered the Osage remained the real target of their animosity, which had been exacerbated by "the preference which Captain Lewis showed."[94] Chouteau had previously urged using the delegation to illustrate the "physical superiority" of the United States to the Sac and Fox, and became doubly convinced of the need by summer, when Gen. James Wilkinson succeeded William Henry Harrison as Indian superintendent.[95]

Ongoing pressure from Upper Louisiana's inhabitants prodded Congress to separate the District of Louisiana from Indiana Territory as of July 1805. Following standard practice, the new territorial governor became the *ex officio* Indian superintendent.[96] Chouteau welcomed the change, as Wilkinson would reside in St. Louis where he could be consulted directly.[97] As Wilkinson floated down the Ohio that spring with boats loaded with military stores and Indian goods, Chouteau traveled south to intercept him at Kaskaskia, bringing three Sac chiefs and news that over 150 more were waiting for Wilkinson in St. Louis.[98] The meeting should have been a moment for building goodwill, as Wilkinson carried a pardon for the Sac prisoner being held for the Cuivre River murders. Instead, he had to inform the prisoner's family that the man had recently been shot and killed trying to escape.[99] He gave the pardon to the man's brother "in remembrance," and presents to the delegation in St. Louis.[100]

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[91] "Extract of a letter from a gentleman in the Indiana Territory, to the editor of the Republican Advocate, dated Illinois, St. Clair, May 25, 1805," *The Daily Advertiser* (New York), 26 October 1805, p. 2.
[92] Wilkinson to Secretary of War, 10 August 1805, *TPUS* XIII, 183.
[93] Pierre Chouteau to Thomas Jefferson, 31 January 1805, *PCL*; Pierre Chouteau to Henry Dearborn, 16 February 1805, *PCL*; also see Wilkinson to Secretary of War, 8 October 1805, *TPUS* XIII, 234.
[94] Pierre Chouteau to Thomas Jefferson, 9 March 1805, *PCL* ("ill intentions"); Pierre Chouteau to Henry Dearborn, 11 March 1805, PLC ("the preferences…"); also see James Bruff to James Wilkinson, 12 March 1805, *TPUS* XIII, 102.
[95] Pierre Chouteau to Thomas Jefferson, 19 November 1804, *PCL*.
[96] *An Act Further Providing for the Government of the District of Louisiana*, Public Law 31, *U.S. Statutes at Large* 2 (1805): 331. For a brief discussion of background of creation of the Louisiana Territory, see Foley, *The Genesis of Missouri*, 157-158. Wilkinson received orders from the Secretary of War emphasizing that friendship with "the Indians generally of that extensive Country…is too important an object, to escape your special notice." See Secretary of War to James Wilkinson, 19 April 1805, *TPUS* XIII, 117.
[97] Pierre Chouteau to Henry Dearborn, 27 July 1805, *PCL*. Also see Pierre Chouteau to James Wilkinson, 14 May 1805, *PCL*.
[98] James Wilkinson to Secretary of War, 15 June 1805, *TPUS* XIII, 135; also see James Wilkinson to the Secretary of War 16 May 1805, 127.
[99] Pierre Chouteau to William Henry Harrison, 5 May 1805, *PCL*; Pierre Chouteau to James Bruff, 8 May 1805, *PCL*.
[100] Wilkinson to Secretary of War, 27 July 1805, *TPUS* XIII, 165; also see Wilkinson to Secretary of War, 27 June 1805, *TPUS* XIII, 144.

The considerable costs of Indian affairs, anchored to visiting Indians, quickly emerged as a refrain in Wilkinson's correspondence. He had spoken with Chouteau about Lewis and Clark's second Indian delegation and wrote to the Secretary of War about the lack of funds for the trip. A few weeks later, he defended Chouteau against critics who thought he was overspending. Costs would remain high, Wilkinson argued, "until we have got possession of the interior of the country, and have planted agents in the Several Nations."[101] Until then, Wilkinson noted, the "two grand sources of our present expenses, are the Visits of the Indians to this place and to the Seat of Government."[102] By October, as he geared up to finally send the delegation east, he seemed almost overwhelmed. "On the Score of the Expenses of the Indian department I tremble," he wrote: "The variety of Nations & their numbers which are to be treated with, influenced, instructed & Governed from this point; for Interpreters, Agents, Subsistence, Donations & incidental charges, will inevitably involve expences [sic] which merit the serious attention of Government."[103]

The problem was a disconnect between resources and expectations. Wilkinson received orders to spend no more than $2,000 until the next congressional appropriation, while Chouteau was telling him that the Spanish had expended $14,000 a year on average.[104] When Wilkinson sent that figure to Washington, he added that US efforts already went "far beyond the range of Spanish communications, and we may with some degree of Justice observe, that our intercourse has as yet scarcely passed the threshold of the Wilderness."[105] Historians have wondered if Chouteau was a spendthrift or if Wilkinson's secret double life as a Spanish agent inflected his reports, but neither seems to have been the case insofar as the finances were concerned, as their upright successors got caught in a similar bind. In 1809, Lewis would have his expenditures questioned and his bills denied. In 1810, Clark had a budget rejected for requesting four times as much on Indian affairs as the cost of running Upper Louisiana's civil government.

Pressure to keep costs down and suppress local hostilities left an imprint on Lewis and Clark's second Indian delegation. With orders to send the group to Washington while keeping an eye on "good policy and economy combined," Wilkinson incorporated the Missouri River Indians who elected to return that fall into a peace council between the Osage and their enemies along the Mississippi, then sent a limited number from the larger group on to the capital.[106] Wilkinson and Harrison presided over the council in October, which resulted in an intertribal peace pact signed by 11 nations who pledged to bring future grievances to "one of the Superintendents of Indian affairs, who shall interpose his influence and Authority to effect a reconciliation."[107] Wilkinson and Harrison put no stock in the agreement, concluding that "the Indians of the Mississippi are inimically disposed towards the United States."[108] Not surprisingly then, a third of the delegation

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[101] Wilkinson to Secretary of War, 27 July 1805, *TPUS* XIII, 145, qt. 169.
[102] James Wilkinson to the Secretary of War, 22 September 1805, *TPUS* XIII, 227
[103] James Wilkinson to the Secretary of War, 8 October 1805, *TPUS* XIII, 237
[104] Secretary of War to Wilkinson, 5 August 1805, *TPUS* XIII, 178
[105] Wilkinson to Secretary of War, 22 September 1805, *TPUS* XIII, 227.
[106] Secretary of War to Wilkinson, 5 August 1805, *TPUS* XIII, 179.
[107] "A Treaty Between the Tribes of Indians Called the Delawares, Miamies, Patawatimies, Kickapoos, Sacks, Foxes, Kaskaskias, Scioux of the River Demoin & Iowas, of the one part and the Great and Little Osages of the Other Part," [18 October 1805], *TPUS* XIII, 245.
[108] Governor Wilkinson and Harrison to the Secretary of War, 19 October 1805, *TPUS* XIII, 245.

that departed for Washington a few days later was from the Sac and Fox, who Chouteau had recommended bringing to Washington to "maintain them in that subordination from which they are always ready to emerge."[109] But not all the changes came from Chouteau and Wilkinson. All but one of the Sioux invited refused to go and the Arikara and Oto chiefs dropped out after becoming ill in St. Louis.[110]

On October 22, 1805, a year and half after Lewis and Clark's first invitations went out, the second delegation left St. Louis. They were "equipt each with a course Capot, two shirts, a Hat, leggins & Clout, a blanket, handkerchief for the head, and moccasins."[111] Capt. Stoddard, eager to leave the territory, escorted them east with two interpreters, $1,450 to pay for the journey, and orders to call on the Secretary of War for more funds.[112] In a study of silhouette portraits made of members of this delegation, the ethnologists John C. Ewers identified at least one other $5,000 appropriation made to cover the groups' travel expenses, and reasonably suspected there was more.[113] Given that the party was nearly twice as large as Pawhuska's delegation and underway more than twice as long, it strains credulity to imagine it having cost less than half as much.[114]

It is difficult to reconstruct the entire party precisely. Wilkinson described "twenty six persons from eleven Nations (to wit) The Ottos Missouri, Panis, Canzes, Osage, Sacque, Reynard, Ayoua, Kickapoo, Pottowatttomee, and Miamis, eight of these nations are strangers to us, and the seven last embrace the belligerents among who we have been making Peace."[115] An enclosure sent with the same letter listed 27 individuals from twelve nations. Stoddard recalled "about thirty Missouri chiefs."[116] Early in the trip, various papers reported between eight and twelve nations.[117] Both Thomas Jefferson and Sir Augustus J. Foster, a British diplomat in Washington, said 21 Indians from ten nations reached the city.[118] From the various lists, it appears the Kickapoo and Miami delegates Wilkinson cited dropped out early, along with a few Sac and Fox. An Arikara chief named Ankedoucharo and described as "a great traveler, a warrior & Geographer" was initially too sick to leave St. Louis, but later caught up in the capital.[119]

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[109] Wilkinson to Secretary of War, 22 October 1805, *TPUS* XIII, 243; Pierre Chouteau to Thomas Jefferson, 19 November 1804, *PCL*.
[110] Wilkinson to Secretary of War, 8 October 1805, *TPUS* XIII, 235; James Wilkinson to Henry Dearborn, 30 December 1805, *LLCE* I, 278-280.
[111] Wilkinson to Secretary of War, 22 September 1805, *TPUS* XIII, 228.
[112] James Wilkinson to Amos Stoddard, 21 October 1805, *LLCE* I, 175.
[113] Ewers, "'Chiefs from the Missouri and Mississippi' and Peale's Silhouettes of 1806," 12.
[114] Ewers, "'Chiefs from the Missouri and Mississippi' and Peale's Silhouettes of 1806," 12.
[115] Wilkinson to Secretary of War, 22 October 1805, *TPUS* XIII, 243. An enclosure sent with this letter lists 27 Indian members of the delegation from 12 nations. See Governor Wilkinson to the Secretary of War, 22 October 1805, Register of Letters Received, vol. 2, p. 285, RG 107, Records of the Secretary of War, National Archives, College Park, MD.
[116] Amos Stoddard, *Sketches, Historical and Descriptive, of Louisiana* (Philadelphia, 1812), 429.
[117] "Louisville, Nov. 16," "Frankfort, November 18," "Lexington, Nov., 21," *The Scioto Gazette* (Chillicothe, Ohio), 28 November, 1805, p. 1.
[118] Jefferson to Benjamin Smith Barton, 11 January 1806, *LLCE* I, 289; Dorothy Wollon and Margaret Kinard, "Sir Augustus J. Foster and 'The Wild Natives of the Woods,' 1805-1807," *The William and Mary Quarterly*, Vol. 9, No. 2 (Apr., 1952): 200.
[119] Wilkinson attempted to send Ankedoucharo home, but the party was forced back when the Kansa prevented their passage up the river in a confrontation that killed a US soldier. "Extract of a letter from a correspondent at St. Vincennes to the Editor of the Kentucky Gazette, dated December 21st, 1805," *The New-York Evening Post* (New York, New York), 20 February 1806, p. 3; James Wilkinson to Thomas

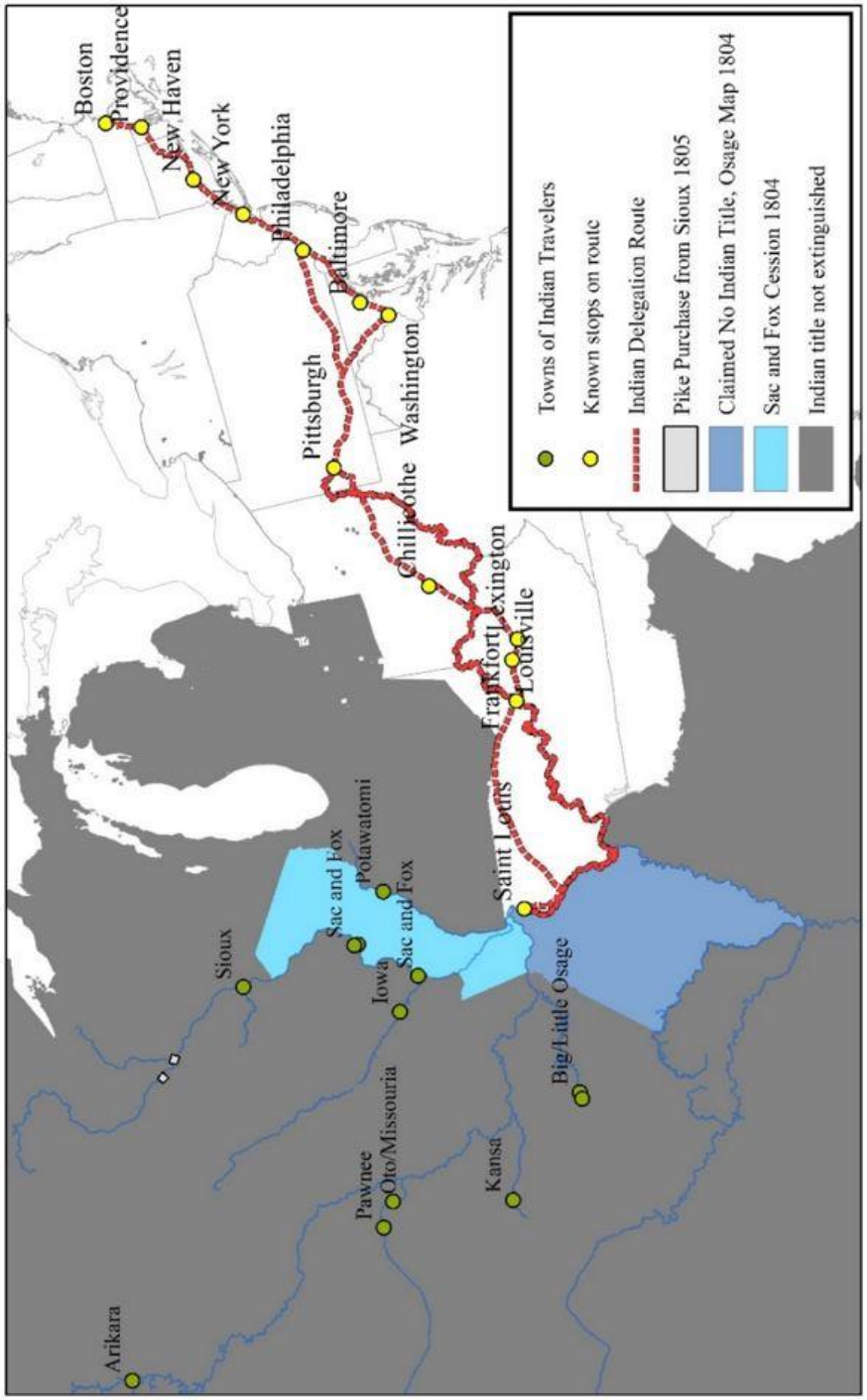

Fig. 3.8: Multitribal Delegation Route (1805-1806)

Drawn by the author

Jefferson, 23 December 1805, *LLCE* I, qt. 272; "Carlisle, (Penn.), February 11," *Otsego Herald* (Cooperstown, New York), 6 March 1806, p. 2.

Their route followed the one taken by the Osage delegation into Kentucky (Fig. 3.8). As Lewis and Clark approached the Pacific in mid-November 1805, this delegation passed through a "thinly populated" region. A couple of days after the Corps of Discovery saw the ocean, their eastward-facing counterparts stopped at Louisville and Frankfort, where they performed war dances, visited a wax museum, and went to homes of several citizens. John Wood, a teacher in Frankfort, wrote to Jefferson about meeting a young Sac in the party who he sketched and quizzed about language.[120] Wood was so impressed with the young man's "amiable disposition, delicacy of Taste, and niceness of discernment," he asked if Jefferson could have him placed at the nearby Versailles Academy, and even offered to pay his way.[121]

Friendly visits aside, these travelers undertook this journey at considerable personal risk, marked by a steady stream of deaths. A Lexington newspaper described many of the group as "old men of very large stature," which may help explain the high mortality rate in addition to pointing to the gravity of the mission. An Oto chief who had waited through the summer in St. Louis was too sick to leave with the group and died in St. Charles trying to get home.[122] One of the Iowa died after "a few days sick" somewhere between Lexington and Chillicothe.[123] Shortly after reaching Washington, an Osage died of "a apoplectic fit," reportedly induced by excessive alcohol consumption.[124] By April 1806, Secretary of War Henry Dearborn noted "Several have died," including Ankedoucharo, the "very respectable & amiable Ricara Chief," whose illness had returned while in Washington.[125] According to Augustus Foster, the party experienced much illness and four deaths in Washington.[126] The grim toll meant roughly a fourth of delegation never made it home.

The group's entry to the capital, singing and playing music after seventy-eight days underway underscored their diplomatic purpose. Foster witnessed this grand procession of the "Louisianans," led by Stoddard and the interpreters. Next came "the Orator" carrying a calumet, and behind him, men shaking rattles and "singing or rather bawling all the while as loud as they could."[127] Struck by the shaved heads, ornamented deer skin pantaloons, and painted bodies, Foster overstated the novelty of the presentation. He seems to have unwittingly recorded parts of a calumet ceremony—a

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[120] "Frankfort, Nov. 18," *The United States Gazette* (Philadelphia, Pennsylvania), 9 December 1805, 2.
[121] John Wood to Thomas Jefferson, 26 November 1805, *FO*. An extract of a letter from Wood about his letter to Jefferson also circulated in the press, see "Extract of a Letter to the Editor from a gentleman now at Versailles, near Frankfort, state of Kentucky, dated 9th December, 1805," *The Enquirer* (Richmond, VA), 9 January 1806, p. 3.
[122] James Wilkinson to Secretary of War, 29 October 1805, *TPUS* XIII, 247.
[123] "Chillicothe, Nov. 28," *National Intelligencer* (Washington, DC), 9 December 1805, p. 3. This article refers to the man as Sioux. Stoddard recalled that he was an Iowa. Given that Wilkinson reported only one Sioux as a member of the delegation and Jefferson later made one of his addresses to the group including a Sioux, it appears Stoddard was right. See Amos Stoddard, *Sketches, Historical and Descriptive, of Louisiana* (Philadelphia, 1812), 425; Jefferson to Benjamin Smith Barton, 11 January 1806, *FO.* See "Jefferson to the Indian Delegation," [4 January 1806], *LLCE* I, 280.
[124] Wollon and Kinard, "Sir Augustus J. Foster and 'The Wild Natives of the Woods,' 1805-1807," 204.
[125] Henry Dearborn to James Wilkinson, 9 April 1806, *LLCE* I, 303.
[126] Wollon and Kinard, "Sir Augustus J. Foster and 'The Wild Natives of the Woods,' 1805-1807," 207.
[127] Wollon and Kinard, "Sir Augustus J. Foster and 'The Wild Natives of the Woods,' 1805-1807," 200.

common site on the plains when strangers sought entry to a hostile village to make peace or engage in trade.[128] The most unusual feature of the procession was its location.

In Washington, the visitors engaged in a range of sightseeing and social activities. Like the Osage the previous year, they visited an American frigate. They also attended a Christmas mass, visited the capitol, and performed a war dance at a theater.[129] On New Year's Day, the group went to a gala at the White House, where the amount of attention Jefferson paid them offended a British diplomat enough to leave the party. Less formal meetings happened at their boarding house, where they played cards and smoked, and the Sac and Osage made a point of dining separately.[130] On a visit to these temporary quarters, Senator Samuel Mitchell obtained translations of two of their songs, one of which framed the journey as a mission to "hear the talks of Jefferson."[131]

At a council held in early January, Jefferson used his speeches to encourage trade and cultivate fealty as he presented a mix of opportunities and veiled threats. He spoke with the Osages, Missouria, Kansa, Oto, Pawnee, Iowa, and Sioux members of the delegation first, explaining that the English, French, and Spanish had agreed to depart the region "never to return again. We are as numerous as the leaves of the trees, and, tho' we do not boast, we do not fear any nation. We are now your fathers; and you shall not lose by the change." He suggested establishing trade factories to sell goods at cost and implored the visitors to maintain peace with each other and bring their grievances to US agents or superintendents, or as he put it, to "apply to the beloved man whom we shall place nearest you."[132] A couple of days later, Jefferson spoke to the Sac, Fox, and Pottawatomie, echoing much of his first speech, but adding that he wanted them to stop crossing the Mississippi in pursuit of enemies.[133] When he talked of peace he had first and foremost "the safety of our settlements" in mind. As he wrote to William Henry Harrison a few days later, if the Pottawatomie failed to return Osage captives, he might encourage the Osages to "take such revenge as will glut them."[134]

The travelers were eager to establish commercial relations but otherwise pushed back. They aired concerns about getting exploited by traders who underpaid for furs and openly questioned how much the United States could control intertribal violence. Glad to hear the Americans were "as strong as numerous," they asked Jefferson to leverage that power to "tell your white Children on our lands, to follow your orders, & do not as they

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[128] Donald J. Blakeslee, "The Origin and Spread of the Calumet Ceremony," *American Antiquity* Vol. 46, No. 4 (Oct., 1981): 759-768.

[129] Wollon and Kinard, "Sir Augustus J. Foster and 'The Wild Natives of the Woods,' 1805-1807," 201; "From Washington, Jan. 1," *Newburyport Herald* (Newburyport, Massachusetts) 14 January 1806, p. 3; [We understand, that the chiefs from the waters of the Missouri], *National Intelligencer and Washington Advertiser*, 30 December 1805, p. 2; "For One Night Only," *The National Intelligencer and Washington Advertiser* (Washington, District Of Columbia), 27 December 1805, p. 3; Wollon and Kinard, "Sir Augustus J. Foster and 'The Wild Natives of the Woods,' 1805-1807," 205.

[130] Wollon and Kinard, "Sir Augustus J. Foster and 'The Wild Natives of the Woods,' 1805-1807," 193, 201.

[131] "Philadelphia *Aurora*" *General Advertiser*, 22 February 1806 cited in Ewers, "'Chiefs from the Missouri and Mississippi' and Peale's Silhouettes of 1806," 18.

[132] Thomas Jefferson to the Indian Delegation, [4 January 1806], *LLCE* I, 280-283. For the eastern tour, they demanded Stoddard be replaced by Maj. Hezekiah Rogers. See "Indian Speech to Jefferson and the Secretary of War," [4 January 1806], *LLCE* I, 288.

[133] [Speech to the chiefs of the Foxes, Sacs, & Poutewatamies], 6 January 1804, *FO*.

[134] Jefferson to Harrison, 16 January 1806, *FO*.

please, for they do not keep your word." They noted that the president's representative on the ground—his "beloved man"—was too distant to hear their complaints. And besides, they preferred their own methods of intertribal diplomacy. Like Jefferson, they professed a preference for peace, while insisting that they too were "powerful & strong."[135]

As with the Osage delegation of 1804, Jefferson arranged a tour of seaboard cities.[136] Perhaps due to the sickness among the party, federal penny-pinching, or some combination of both, only about half the group piled into stage coaches to head north "at the national expense," federalist papers scolded.[137] Their itinerary reprised the types of activities the Osage delegation had experienced the year before, only they went further. They traveled to Baltimore then Philadelphia, where Charles Willson Peale made silhouettes of several in the group at his museum.[138] Then they pushed north to New York and on to New Haven, where they performed "a variety of feats, and dances, &c. peculiar to the aborigines of the country."[139] While Lewis and Clark were hunkered down at Fort Clatsop near the Pacific coast, the second leg of the Indian Corps of Discovery was the talk of town in Boston, their furthest point east.

They reached Boston in late February 1806, some of them having come "a distance of 1800 miles," the papers noted.[140] The visit brought them to the theater, a museum, the defense works at Fort Independence, and the state house, where Speaker Timothy Bigelow and the Osage Tatschata—speaking on behalf of the delegation—declared their friendship through double translations (from English to French to Osage and back again).[141] Secretary of War Dearborn kept tabs on the journey. "I presume the whole will return home, with a general knowledge of our population and strength, and satisfied with their reception," he wrote Wilkinson as the delegation readied to go west.[142] On the way, the Boston group reunited with the Washington group in Philadelphia before making their way to Pittsburg, down the Ohio, and on to St. Louis in the summer of 1806. This circuit from St. Louis covered more than 3,100 miles.[143]

The world of the St. Louis Superintendency they returned to had not been radically remade, but there were notable, incremental changes. To the north, the interpreter Nicholas Boilvin had received an appointment to reside at the Sac village at the Des Moines as their Assistant Agent.[144] To the south, Lois Lorimier, a half-French leader of the Delaware and Shawnee community that lived at Apple Creek near Cape Girardeau had received an appointment as their Subagent. Chouteau had likewise hired five more full and part-time interpreters to communicate with the nations represented in

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[135] "Indian Speech to Jefferson and the Secretary of War," [4 January 1806], *LLCE* I, 285-287.
[136] Jefferson to the Indian Delegation, [4 January 1806], *LLCE* I, 280-283. They demanded Stoddard replaced by Maj. Hezekiah Rogers for the eastern tour. See "Indian Speech to Jefferson and the Secretary of War," [4 January 1806], *LLCE* I, 288.
[137] [Eleven Chiefs of the Osage and Stock tribes of Indians], *Connecticut Gazette* (New London, Connecticut), 5 March 1806, p. 3.
[138] Ewers, "'Chiefs from the Missouri and Mississippi' and Peale's Silhouettes of 1806," 1-26.
[139] "New Haven, Feb. 25," *The United States Gazette* (Philadelphia), 3 March 1806, p. 3.
[140] "Boston, March 1," *Salem Gazette* (Salem, MA), 4 March 1806, p. 2.
[141] [In the House of Representatives], *Columbian Centinel* (Boston), 5 March 1806, p. 2.
[142] Secretary of War to James Wilkinson, 14 March 1806, *TPUS* XIII, 453.
[143] Path distance in Fig. 3.8 measured in ArcGIS = 3,136 miles.
[144] Secretary of War to Nicholas Boilvin, 10 April 1806, *TPUS* XIII, 488; Secretary of War to Wilkinson, 9 April 1806, *TPUS* XIII, 488.

Washington.[145] On the Missouri, twelve miles from St. Louis, Fort Bellefontaine, the first US factory and trading house west of the Mississippi, had opened. The factor, Rudolph Tillier, and his assistant, George Sibley, were already on hand, presiding over the largest single concentration of Indian trade goods in the region.[146] The factory gave a physical presence to Lewis and Clark's predictions and Jefferson's promises, but the location, a compromise between servicing the Osage to west and Sac and Fox to the north, was too far from either to attract much business and functioned more as a distribution point.[147]

Some of the returning travelers received items from Fort Bellefontaine's stockroom, though not necessarily with the intended effect. Capt. Zebulon M. Pike met the Pawnee and Osage delegates there in July. Pike had recently returned from the Upper Mississippi, on one of four sister expeditions to Lewis and Clark's trip launched in the wake of the Louisiana Purchase. Up north, Pike had announced the arrival of American sovereignty, too. In one heavy-handed display, he had blasted a Union Jack off a flagpole with a shotgun. With greater tact, he had recruited the Sioux who attended Wilkinson's peace council, though they refused to go on to Washington. Following orders to obtain a site for a military installation among the Sioux, Pike had also negotiated a cession of two small tracts straddling the Mississippi above Prairie du Chien, on the site of modern-day Minneapolis-St. Paul, though the military tracts would go unused until 1819, when a fort and agency added to the St. Louis Superintendency would be installed at the remote site. In the summer of 1806, Pike's next expedition was headed to the southwest, where Spanish forces, who had already turned back an American expedition up the Red River, would illustrate the limits of US sovereignty by seizing Pike, marching him to Mexico City, and sending him home.[148]

On his way to capture, Pike accompanied the Osage and Pawnee delegates to their villages. He delivered presents from Bellefontaine to the family of the Osages who had died and returned captives redeemed from the Potawatomi, but soured any goodwill by insisting on taking horses without compensation. Further west, Pike saw the Pawnee delegates home safely, but failing to recognize their position within the larger community, erred when he gave an insultingly small medal to their chief.[149] Elsewhere on the Missouri, $200 worth of gifts from the Bellefontaine factory reached the Arikara village in an attempt to cover the death of Ankedoucharo, a gesture that fell flat and initiated two decades of acrimony.[150] Fortunately, for Lewis and Clark, they passed Ankedoucharo's village unseen in the fall of 1806 as they floated homeward with a Mandan chief just beginning the third leg of the Indian Corps of Discovery.

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[145] Pierre Chouteau to James Wilkinson, 12 April 1806, *PCL*.

[146] Henry Dearborn to Rudolph Tillier, 24 May 1805, and Henry Dearborn to George Sibley, 26 September 1805, RG 75, M15, Roll 2.

[147] Russell M. Magnaghi, "The Belle Fontaine Indian Factory, 1805-1808," *Missouri Historical Review* 75 (1981): 396-416; Kate L. Gregg, "Building of the First American Fort West of the Mississippi," *Missouri Historical Review* 30 (1936): 345-364; W.T. Norton, "Old Fort Belle Fontaine," *Journal of the Illinois State Historical Society* 4 (1911): 334-339.

[148] Jay H. Buckley, "Jeffersonian Explorers in the Trans-Mississippi West: Zebulon Pike in Perspective," in Matthew L. Harris and Jay H. Buckley, ed. Zebulon Pike, *Thomas Jefferson, and the Opening of the American West* (Norman, 2012), 101-138.

[149] Ewers, "'Chiefs from the Missouri and Mississippi' and Peale's Silhouettes of 1806," 24.

[150] Secretary of War to James Wilkinson, 9 April 1806, *TPUS* XIII, 487

The Mandan-Osage Delegation (1806-1809)

The last delegation Lewis and Clark invited was the smallest and the longest. The pair returned to St. Louis in September 1806 with Sheheke, a Mandan chief and his family. There they joined Chouteau with a delegation of Arkansas Osages and, like the previous travelers, made a circuit to Washington and back to St. Louis. Lewis returned as governor and Indian superintendent and Clark became Indian agent for the territory. Clark's first order was to get Sheheke home to his village up the Missouri, but opposition from the Arikara blocked the initial attempt. The three delegations had not cowed the peoples of the Missouri River Valley, the explorers-turned-administrators learned. As Sheheke waited to go home, Lewis and Clark heard complaints of depredations and intertribal violence, and moved to expand the region's trade factories and push back the Osage boundary line. In 1809, as Sheheke traveled home, Lewis would take his own life while heading to Washington to defend his expenditures on the chief.

This final delegation was smaller than Lewis and Clark had hoped. After coming east across the continental divide, Clark hired a trader to recruit "some of the most influensial Chiefs" of the Teton Sioux bands "to visit the Seat of our Government."[151] The plan was to rendezvous at the Mandan villages, where they would invite more delegates before going downriver. But none of the Sioux responded and most of the Mandan chiefs declined, saying the trip was too dangerous. With the interposition of the trader Rene Jusseaume, Sheheke, or White Coyote, changed his mind.[152] Sheheke, a civil chief of one of the lower Mandan villages, was well known to Lewis and Clark, as they had regularly talked, traded, and hunted together during the winter of 1804/05.[153]

Sheheke, his wife, and their son, along with Jusseaume as interpreter, his wife, and their two children reached Fort Bellefontaine with Lewis and Clark on September 22, 1806. Clark got Sheheke western clothes from its stockroom and Lewis reported the chief "in good health and sperits, and very anxious to proceede" in a letter announcing their homecoming that spread across the nation.[154] In St. Louis, they attended balls and prepared to head for Washington with Pierre Chouteau, who was then readying another a delegation of the Arkansas Osages.[155] They all travelled to Frankfort together. From there, Chouteau and Osages opted for the faster northern route; Sheheke and his family went south with Lewis and Clark, so the two could visit their families in Virginia. On Jefferson's invitation, they stopped to show Sheheke the "Indian Hall" at Monticello, which displayed "tokens of friendship" from western tribes collected by the president.[156]

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[151] William Clark to Hugh Heney, 20 July 1806, *LLCE* I, 309.

[152] Elliot Coues, *History of the Expedition Under the Command of Lewis and Clark* (4 vols.; New York: Francis P. Harper, 1893), III: 1179.

[153] William E. Foley and Charles David Rice, "The Return of the Mandan Chief," 4; Tracy Potter, *Sheheke: Mandan Indian Diplomat* (Helena, MT, 2003), 83-105.

[154] Lewis to Jefferson, 23 September 1806, *LLCE* I, 323; Coues, Lewis and Clark Expedition III, 1186-1187.

[155] According to Donald Jackson, the entire party that left St. Louis included: Lewis, Clark, York, Ordway, Francis Labiche, Pierre Chouteau, the Osages, Sheheke, his wife and son, Jusseaume, his wife and two children, and perhaps Pierre Provenchere. See Meriwether Lewis to Thomas Jefferson, 23 September 1806, *LLCE* I, 325, nt. 7.

[156] Thomas Jefferson to Meriwether Lewis, 26 October 1806, *LLCE* I, 351.

In late December, the travelers reunited a few days apart in Washington, where they made the typical round of events. For the second year running, western Indians were at the White House on New Year's Day. On other days, they attended parties with diplomats and high-ranking government officials, and went to the theater, where they saw a rope dance and the Osages performed a war dance.[157] In January, Sheheke attended the White House dinner celebrating Lewis and Clark's homecoming.

In the midst of these events, Jefferson held councils with the Osages and Sheheke. As in previous years, his speeches talked about peace, trade, and bringing grievances to the agents and superintendent he would place among them. And he invited them to see cities along the eastern seaboard, so that they might see the size and might of the United States. [158] Unlike the two previous delegations, little is known about the delegation's travels. They were in Philadelphia sometime in late January or early February, and, according to Sheheke's biographer, likely visited New York and Baltimore.[159] More than anything, the dearth of news reports suggests that these visits had become routine enough to not raise excitement. Still, the group covered much ground. On their loop to and from St. Louis, the Mandan and Osage travelers covered over 3,000 miles (Fig. 3.9).[160]

Before the delegation's return, two major new additions to the personnel of the St. Louis Superintendency took place. Lewis received an appointment as territorial governor and Indian superintendent, and Clark became Indian agent for the territory, his jurisdiction applying to all Indians except the Osages, who remained in Chouteau's now more limited agency.[161] Clark's first order of business—delivered with his commission—was to arrange for Sheheke's safe return. The order authorized him to spend "such Sum as may be found indispensably neccessary [sic] in fitting out the party," and in the name of thrift, to offer exclusive trade licenses to an outfit of traders as compensation for joining them on the way up the river to bulk up the escort's manpower.[162]

Nothing the new federal presence in the West attempted during the early years of the St. Louis Superintendency was more time-consuming or expensive than Sheheke's return. Clark began making plans as soon as he reached St. Louis in May 1807.[163] He commissioned Sergeant Nathaniel Pryor, a member of the Corps of Discovery, to command a party composed of "48 men which will be fully sufficient to pass any hostile band."[164] As it turned out, the group was nearly ten times too small, at least according to Pryor. As the party pushed upriver that September, they met stiff opposition at the lower Arikara villages. Gunshots rang out as they approached, and soon roughly 650 Arikara and Sioux revealed themselves and beckoned the party ashore. A council took place where Pryor learned that the Arikara and Sioux were then engaged in a war with the Mandan. Attempting to negotiate safe passage, Pryor reminded the leaders of the "former

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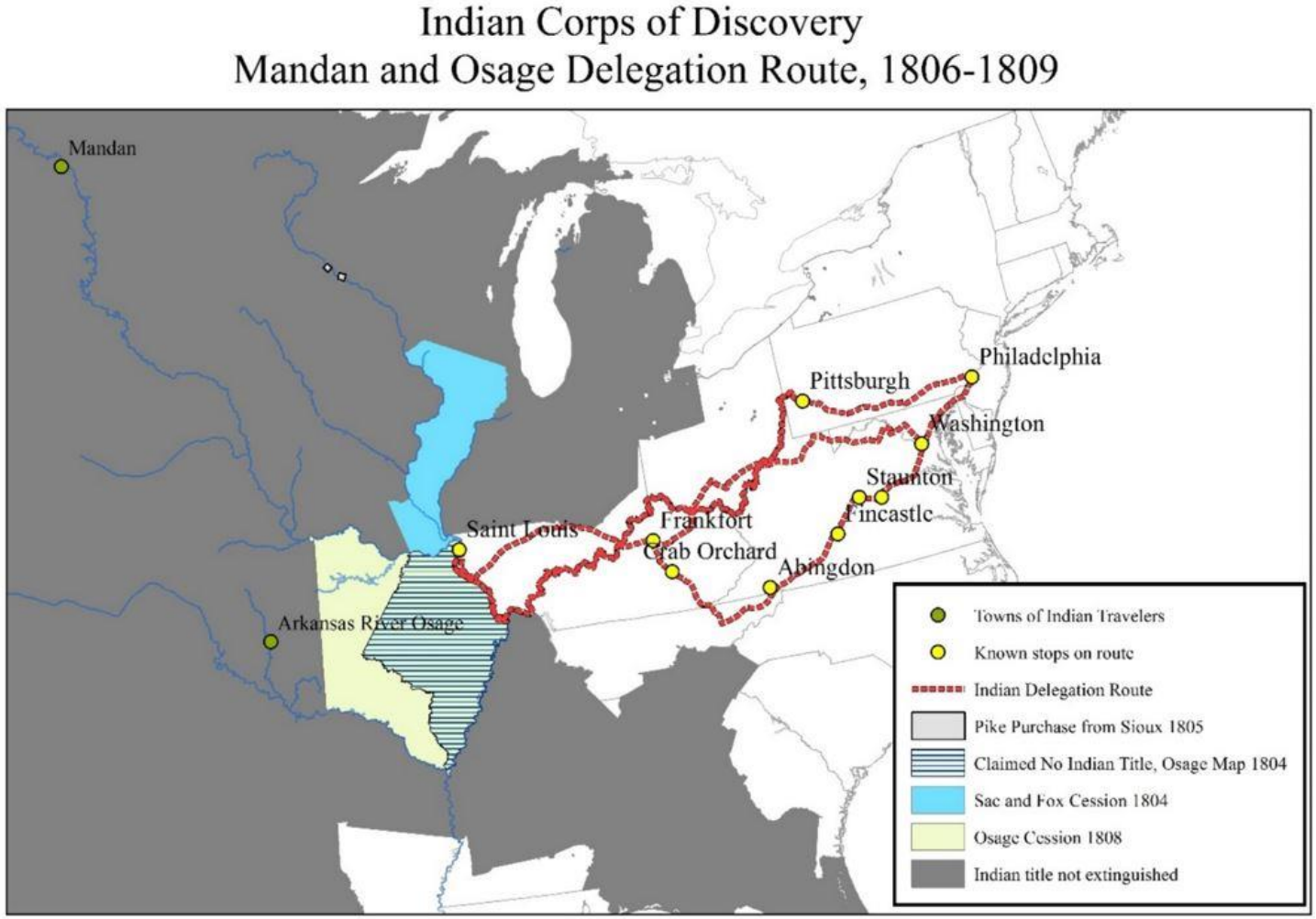
[157] Wollon and Kinard, "Sir Augustus J. Foster and 'The Wild Natives of the Woods,' 1805-1807," 196, 198; Everett S. Brown, ed., *William Plumer's Memorandum of Proceedings in the United States Senate, 1803-1807* (New York, 1923), 553-554.
[158] From Thomas Jefferson to Chief Wolf and People of the Mandan Nation, 30 December 1806, *FO*.
[159] Potter, *Sheheke*, 136.
[160] Path distance in Fig. 3 measured in ArcGIS = 3,090 miles.
[161] William Clark's Commission as Indian Agent, [7 March 1807], *TPUS* XIV, 109.
[162] Secretary of War to William Clark, 9 March 1807, *TPUS* XIV, 109.
[163] William Clark to Henry Dearborn, 18 May 1807, Box 2, Folder 4, Clark Family Collection, Missouri History Museum Archives, St. Louis, Missouri.
[164] William Clark to the Secretary of War, 1 June 1807, *TPUS* XIV, 126.

Fig. 3.9: Mandan and Osage Delegation Route (1806-1809)



Drawn by the author

occasion" when they "extended to Louis & Clark the hand of friendship," repeated a talk by "their Great Father, whose counsels they will in future pursue," and conferred a medal on Grey Eyes, one of the Arikara principal chiefs.[165]

Pryor's entreaties failed. The Arikara were angry about Ankedoucharo's death and opposed to the aid given to Sheheke, whose people had just killed two of their own.[166] The next day, they prevented Pryor's party from moving and demanded half the traders' goods and all their ammunition. That sparked the violence, a firefight that killed three of Pryor's party, injured ten, and forced the rest to retreat in the face of superior numbers.[167] Jusseaume got hit and lost his leg.[168] Sheheke and his family laid low in the boat and survived unscathed. Shortly after they took up temporary residence back at Fort Bellefontaine, Jefferson decried the failure as a black mark on the "faith & reputation of the nation."[169]

Sheheke and his family stayed at Bellefontaine and St. Louis for over a year and a half, an embodiment of the limited authority of the United States in the Louisiana Purchase, and not the only one. Other challenges revealed that the visits to Washington had failed to cow the nations of the Missouri River Valley. In particular, problems emerged from the failure to deliver on promises made. Jefferson, for instance, had promised Pawhuska a corn mill in Washington in 1804. Pawhuska complained loudly and often when it failed to materialize. The Sac and Fox, too, aired grievances. In late 1807, Frederick Bates, the territorial secretary serving as acting superintendent as he waited for Lewis to arrive, reported that the Sac and Fox "carefully preserve" their copy of Jefferson's talk, in which the president had promised to establish "convenient" trading posts, and made clear that Bellefontaine's location did not fit that description. They would show Jefferson's speech "in their councils, and allege that the convenient time has already elapsed."[170]

Bates, who lamented his temporary duties as all "perplexity & embarrassment," recorded a number of affronts during his short tenure.[171] The nations represented in the delegations seemed to have listened politely to calls for intertribal peace and non-interference with settlers, then promptly ignored them. In May 1807, he reported that Indians in the St. Charles District north of the Missouri were breaking into settlers' "enclosures, and insist on planting corn."[172] Several Sac and Fox had been killed, and even more alarming, he believed they were trying to organize a multitribal alliance "for some warlike purpose" against the settlements. In a reactionary version of the speeches

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[165] Nathaniel Pryor to Clark, 16 October 1807, *LLCE* II, 437, 434.
[166] Pierre Chouteau offered another explanation for their truculence: "The unfortunate incident…confirms the opinion I have held for a long time, that the savage nations are almost all influenced by traders or the English government…and the Ricara nation is one of those which has the most intercourse with the English posts established on the Red River." See Pierre Chouteau to Thomas Jefferson, 14 November 1807, *PCL*.
[167] Nathaniel Pryor to William Clark, 16 October 1807, *LLCE* II, 435.
[168] William Clark to Henry Dearborn, 26 October 1807, Box 2, Folder 4, Clark Family Collection, Missouri History Museum Archives, St. Louis, Missouri; Nathaniel Pryor to William Clark, 16 October 1807, *LLCE* II, 436.
[169] Thomas Jefferson to Meriwether Lewis, 17 July 1808, *LLCE* II, 444.
[170] Frederick Bates to Meriwether Lewis, 7 November 1807, *LPFB* I, 229; also see Frederick Bates to William Henry Harrison, 16 September 1807, *LPFB*, I, 191.
[171] Frederick Bates to Auguste Chouteau, 9 April 1807, and Frederick Bates to Meriwether Lewis, [28] April 1807, *LPFB*, 103, 106.
[172] Frederick Bates to Meriwether Lewis, 15 May 1807, *LPFB* I, 118

Lewis and Clark had made along the Missouri, and Jefferson had given in Washington, Bates threatened these groups not to dare "disclaim the protection of the U States," warning them that the Spanish and French had "abandoned this country to the Americans" before trying to conciliate them with gifts from Fort Bellefontaine.[173] He hoped they would return happy, but noted their anger at the United States' failure to erect "certain establishments" and to restore captives as promised.[174]

As Sheheke and his family waited, Lewis took up his post amidst reports of broken promises, intertribal violence, and depredations against Upper Louisiana's inhabitants.[175] Increasingly in 1807 and 1808, the Osage, whose bands had representatives in Washington with each of the eastern delegations, emerged at the heart of the complaints. On the heels of reports of depredations by the Arkansas band in the spring of 1808, Lewis angrily declared them "out of the protection of the United States."[176] Later that summer, he made arrangements to build a trade factory on the Missouri more convenient to the Osage River band. The approach reflected Lewis' stark view that Indian policy, at root, revolved around opening and closing trade access. "The *love of gain* is the Indian's ruling passion," he wrote, "and the fear of punishment must form the corrective."[177]

Lewis penned that line in a 10,000-word essay called "Observations on the State of Upper Louisiana," an unfinished treatise on how to exercise governmental authority to wring advantage from the Louisiana Purchase, at least in terms of fur trade policy. Lewis wanted to avoid the fate of Spain, namely of being "taxed with the defence of a country" while failing to funnel the benefits to the United States and its citizens. In particular, he recommended banning British traders and installing centralized trade posts under the watch of Indian agents and clerks, whose regulation of the fur trade would give the "superintendant of St. Louis" real influence in his sprawling jurisdiction. To make his office more effective, Lewis also urged expanding the "discretionary power lodged in the superintendant" to punish those who "bring our government into disrepute" or encourage the violation of the Indian Trade and Intercourse Act by inciting Indians to plunder other merchants, wage intertribal war, or attack the settlements.[178]

Lewis wrote the essay in late 1807 and 1808, when the prospectus for his travel account indicated he should have been working on a narrative of his journey to the Pacific. He would never get around to the latter, but this piece, informed by lessons from "fort Mandan" in the winter of 1804/05 and traders he met on his return found its way

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[173] Frederick Bates to Meriwether Lewis, 15 May 1807, *LPFB* I, 120. Also see Frederick Bates to Thomas Hunt, 22 July 1807, Frederick Bates to William Clark, 25 July 1807, Frederick Bates to Henry Dearborn 2 August 1807, Frederick Bates to Henry Dearborn, 12 August 1807, *LPFB* I, 163, 166, 169, 171.

[174] Frederick Bates to Meriwether Lewis, 15 May 1807, *LPFB* I, 121. Also see Frederick Bates to Thomas Hunt, 4 September 1807, 179; Frederick Bates to William Clark, 15 September 1807, Frederick Bates to William Henry Harrison, 16 September 1807, "The Speech of an Osage Indian]," [15 May 1807], *LPFB* I, 179, 188, 190, 123-124.

[175] Frederick Bates to Henry Dearborn, 13 February 1808, Robert Dickson to Frederick Bates, 1 April 1808, *LPFB* I, 283, 335.

[176] Frederick Bates to John B. Treat, 26 May 1808, *LPFB* I, 344.

[177] Meriwether Lewis, "Observations on the State of Upper Louisiana" in Nicholas Biddle, *History of the Expedition Under the Command of Lewis and Clark II* (2 Vols.; Philadelphia: Bradford & Innkeep, 1817), 578.

[178] Lewis, "Observations on the State of Upper Louisiana," 565, 573, 574.

into print.[179] It appeared in Nicholas Biddle's *History of the Expedition Under the Command of Lewis and Clark* (1814), the preeminent source on the Lewis and Clark expedition until the late nineteenth century. Biddle's work noted at the outset—in the very first line—that the Louisiana Purchase stimulated a burst of efforts "toward exploring and improving the new territory."[180] *Improving* in this sense meant cultivating or developing land—it was what Thomas Law was talking about in his mock-speeches to the Osages about the expansion of populations and property—but readers got little of this aspect of the story from Biddle, whose account was admittedly restricted to "only the narrative of the journey."[181] After providing over 1,000 pages of day-by-day *exploring*, he tucked Lewis' essay on governing Upper Louisiana into an appendix at the end, deeming it "too important to be omitted," but letting it float unmoored from the larger complex of activities aimed at occupying Louisiana in which it figured.[182]

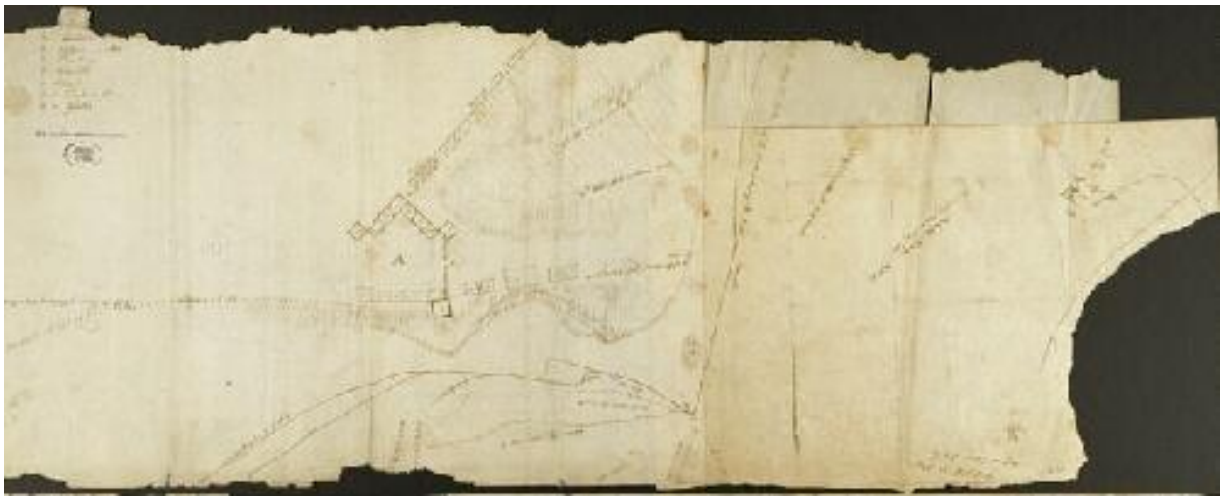
Those activities penetrated Biddle's text in one other place, in a footnote telling readers that the "United States built, in September 1808, a factory and fort" on a high bluff on the Missouri the expedition had passed by in 1804. In the midst of waiting to return Sheheke, Clark received orders to erect Fort Osage on the southern banks of the Missouri seventy feet above a large eddy in the river. The Corps of Discovery had passed the site on June 23, 1804, noting that the location, 240 miles from the Missouri's confluence with the Mississippi, featured an "extensive bend in the river" but nothing particularly distinctive. A decade later, after having spoken with Clark, Nicholas Biddle turned the moment into a faux-premonition. His version of the entry for the day referred to the "commanding position" giving the "spot many advantages for a fort, and trading house with the Indians.*"[183] He left out that Lewis and Clark also used the opportunity to push back the Indian boundary line.

In August 1808, 160 men, half soldiers from Fort Bellefontaine and half militia from St. Charles County headed upriver to build this post at Fire Prairie. The soldiers came in six keel boats, four of the them packed with $20,000 worth of Indian trade goods under the supervision of George Sibley, the assistant factor at Bellefontaine, now promoted to factor; the militia under Clark went by land. Construction began in early September and followed Clark's design (Fig. 3.10). Meanwhile, Clark had dispatched Nathan Boone, a militia captain, and Paul Loise, an Osage interpreter, to the Osage River villages, to call on them to relocate to the fort's vicinity. A few days later, a delegation of 77 Osages arrived, and by September 14, Clark had negotiated a treaty that extracted a massive land cession using threats that a failure to comply would open a path to attacks by the Osages' indigenous enemies. A contingent of the Arkansas band soon came down to St. Louis claiming the agreement was illegitimate, but Lewis would not budge. He ordered Pierre Chouteau to press them into confirming the cession, permitting a larger

[179] Lewis, "Observations on the State of Upper Louisiana," 564, 566.
[180] Biddle, *History of the Expedition Under the Command of Captains Lewis and Clark* I, 1.
[181] Biddle, *History of the Expedition Under the Command of Captains Lewis and Clark* I, iv.
[182] Meriwether Lewis, "Observations on the State of Upper Louisiana," in Biddle, *History of the Expedition Under the Command of Captains Lewis and Clark* II, 583.
[183] Biddle, *History of the Expedition Under the Command of Captains Lewis and Clark* I, 17. Several historians have been taken in by Biddle's maneuver, putting his words from 1814 into Clark's mouth in 1804. See, for example: Kate L. Gregg, "The History of Fort Osage," *Missouri Historical Review* 34, no. 4 (July 1940): 439-440; R. Douglas Hurt, *Nathan Boone and the American Frontier* (Columbia, MO, 1998), 56.

annuity and round of gifts in return, and threatening that he would cease to recognize their title to any land at all if they resisted.

Fig. 3.10: William Clark's Plan for Fort Osage (1808)



Clark Family Collection, Missouri History Museum Archives

As Lewis saw it, the Osage border that he had recorded in 1804 was insufficient. The Osage had robbed and plundered Louisiana's inhabitants south of the Missouri and not responded to the "regular and unsuccessful demand" for the return of property. The situation had deteriorated to the point when Lewis had urged the Shawnee and Delaware to attack the Osage and planned to cut off trade goods to them insofar as he was able. The treaty fulfilled what Lewis described as "the want of boundary line between our frontiers and the Indians," projecting a straight eastern line running due south from the Missouri River at the newly constructed Fort Osage to the Arkansas River.[184]

A few months after the construction of Fort Osage, an army contingent headed up the Mississippi to build another fort and factory just above the Des Moines River among the Sac and Fox. They built a temporary picket and completed Fort Madison the next year, when the factory opened under John Johnson. Pierre Dorion, who had served as an interpreter to the Corps of Discovery and accompanied the Yankton Sioux, Omaha, Oto, and Missouria with invitations to Washington down to St. Louis in 1805, became the subagent to the Sac, while Nicholas Boilvin's agency moved up to Prairie du Chien. Whereas George Sibley at Fort Osage quickly found himself "busily engaged" since his arrival, threats and rumors of impending violence engulfed Fort Madison.[185] The Sac and Fox welcomed the factory but were suspicious of the size of the fort, which had been positioned as part of an effort to shut out British traders.[186]

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[184] William Clark to William Eustis, 20 February 1810, *ASPIA* I, 765.
[185] George C. Sibley to Samuel H. Sibley, 13 December 1808, George Champlain Sibley Papers, Missouri History Museum Archives, St. Louis.
[186] Alpha Kingsley to Henry Dearborn, 19 April 1809, quoted in "Fort Madison," *Annals of Iowa* 3, no. 2 (1897): 101.

As these forts were under construction, Lewis began mobilizing another effort to get Sheheke home. He drew up a contract with the newly formed St. Louis Missouri Fur Company—a joint venture between Manuel Lisa, Pierre and Auguste Pierre Chouteau, Clark, and Rueben Lewis (Meriwether's brother)—to escort Sheheke on their maiden fur trade voyage. The price was $7,000 and the deal required the company to hire and outfit 125 militiamen, and to transport a host of Indian trade goods for distribution along the Missouri. Lewis' instructions emphasized the need to punish the Arikara and advocated recruiting several hundred Indian fighters to aid with the passage past their villages.[187]

As the company pushed upriver, the newly appointed Secretary of War rebuked Lewis for his exorbitant expenditures. Like all bonded public officials with the power of purse, Lewis was personally responsible for making sure the payments he authorized were legal and appropriate, and like others in such a position, he faced financial ruin should his bills be denied by the Treasury Department. To defend his decisions, and in hopes of arranging plans to turn his and Clark's fieldnotes into a publishable travel narrative, Lewis set out for Washington in the fall of 1809. Clark was not surprised by what happened next. "I fear the waight of his mind has overcome him," he told his brother when rumors began filtering in that Lewis had committed suicide at an inn on route to Nashville.[188] Jefferson's memorial described Lewis as subject to "hypochondriac affections" that had resurged "after his establishment at St. Louis in sedentary occupation."[189] The timing of Lewis' death meant he never learned how the last leg of the expedition he began in 1803 ended.[190]

The party charged with returning Sheheke and his family in 1809 stopped at Fort Osage, then becoming known as "the last settlement of whites," before it headed into a series of tense situations.[191] Along the way, they heard complaints from the Kansa, Oto, and Pawnee about the dearth of traders. The Yankton Sioux threatened the group for past failures to bring previously promised goods, and refused entreaties to become mercenaries for the outfit.[192] Squabbling between the French traders and American officers nearly came to blows on at least one occasion, too. The easiest part, it turned out, was getting past the Arikara. The heavily-armed party approached ready to fight but met no resistance; the Arikara sued for peace. By late September 1809, after over three years away, Sheheke and his family reached home.[193] Reports placed the cost of the whole operation at roughly $20,000.[194] Together the known payments on the three legs of the Indian Corps of Discovery added up to about $40,000. There was almost certainly more, but even this amount exceeded the cost of getting the Corps of Discovery to the

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[187] Meriwether Lewis to Pierre Chouteau, 8 June 1809, *LLCE* II, 451-56.
[188] William Clark to John Clark, 28 October 1809, *Dear Brother*, 218.
[189] Thomas Jefferson, "Life of Captain Lewis," in Biddle, *History of the Expedition Under the Command of Captains Lewis and Clark*, I: xxi-xxii
[190] The exact circumstances of Lewis' death has caused more conspiratorial argument among historians than it did among contemporaries. See John D. W. Guice, *By His Own Hand?: The Mysterious Death of Meriwether Lewis* (Norman, OK, 2006).
[191] H.M. Brackenridge, *Journal of a voyage up the river Missouri in 1811* (Baltimore, 1816), 63.
[192] Pierre Chouteau to William Eustis, 14 December 1809, *PCL*.
[193] Foley and Rice, "The Return of the Mandan Chief," 9-12.
[194] David Aungst, "The Captains Grand Plan: Was it Really Downhill from There," *The Desert Dispatch* 13, no. 3 (July 2010): 6.

Pacific.[195] The total distance for all three delegations was over 8,800 miles. The members of Pryor's party killed brought the total deaths to fourteen, unless Lewis counts, too.

Conclusion

Clark inherited Lewis' responsibility over Indian affairs in the Missouri River Valley, as well as the work of monumentalizing their journey. Not a literary man, he outsourced the writing to Nicholas Biddle in Philadelphia while agreeing to draw a map for the book. The result was a masterpiece, a document that historians have praised as the most accurate small small-scale map of the trans-Mississippi West composed in the early nineteenth century. What they have missed is that, despite being drafted to illustrate the Corps of Discovery's path to the Pacific, the most accurate collection of features on the most accurate map of the American West from the early republic were the landmarks of the St. Louis Superintendency.

With Lewis' death, Kentucky congressman Benjamin Howard became the next territorial governor and superintendent of Indian affairs at St. Louis. But Howard preferred Kentucky, and delegated most Indian relations to Clark. When Howard resigned in 1813, Clark became governor and superintendent, the latter a post he held for the rest of his life. Lewis's death also forced Clark to leave St. Louis briefly in early 1810, to travel east to take possession of Lewis records and salvage their publication project. It was then that he contracted with Biddle to pen the history of the expedition, and agreed to furnish a map to illustrate the book.

By the end of 1810, Clark had completed a sprawling map of the American West that was nothing if not ambitious (Fig. 3.11). Working nights in his St. Louis office, he sketched more than 1,000 identifiable landmarks across 2.6 million square miles of North America from the Great Lakes to the Pacific on a sheet of paper 52″ wide by 32″ high.[196] Clark drafted it to trumpet the Corps of Discovery's accomplishments and promptly sent it east for publication with Biddle's *History of the Expedition* (1814), telling him to "annex as much of it to the book as you think best."[197] In other words, Clark knowingly made his map more expansive than necessary. Among its seemingly extraneous features, he added a portrait of the emerging world of the St. Louis Superintendency, pictured as a constellation of treaty lines, trade factories, military installations, and Indian towns.

No one has bothered to ask why Clark included these features. Instead, historians and geographers lavished praise on Clark's accurate depiction of the expedition's route west. Charting that path was, after all, the impetus for its composition and the part amplified in the cropped and lightly-edited copy retitled "A Map of Lewis and Clark's Track, across the western portion of North America" in Biddle's history. Since the

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[195] Financial Records of the Expedition, [5 August 1807], *LLCE* II, 419-428.

[196] "A Map of part of the Continent of North America from Longitude [5] W of Washington City to the Pacific Oc[ean] and between Lattitude 35 and 52 North," [hereafter "Clark Map of 1810"], Lewis and Clark Expedition maps and receipt, ca. 1803-1810, WA MSS 303, Beinecke Library, Yale University, New Haven. Digitized version available here: http://brbl-zoom.library.yale.edu/viewer/1053073, accessed July 1, 2017. I determined the area by digitally tracing the land area in Clark's map, georectifying it, and calculating the area in a US National Atlas Equal Area Projection. The figure excludes the Great Lakes, lakes Winnipeg, Winnipegosis, Manitoba, Cedar Lake, Lake of the Woods, the Bay of California, and the Pacific Ocean.

[197] William Clark to Nicholas Biddle, 20 December 1810, *LLCE* II, 565.

Fig. 3.11: William Clark's Master Map of the American West (1810)

Beinecke Library, Yale University

manuscript's rediscovery among Clark's personal papers as a forgotten treasure from "the most romantic chapter in the history of American exploration," it has garnered acclaim for rendering the far west with a precision unrivaled until the 1840s.[198] Admirers have hailed "this monumental representation of his and Lewis's adventures" as "remarkably accurate," touted its "superlative craftsmanship," elevated it to "cartographic masterpiece," and dubbed it "William Clark's Master Map of the American West."[199]

By contrast, the features disconnected from that cross-country adventure have barely registered.[200] These overlooked elements include the points threaded into place as the three legs of the Indian Corps of Discovery traveled to Washington and back. There was the Sac and Fox treaty line of 1804, the Osage line adjusted in 1808, and even Pike's two small tracts purchased in 1805, clearly marked but unlabeled. Clark added Fort Bellefontaine and Fort Osage on the Missouri, and Fort Madison on the Mississippi. Of course, St. Louis appeared, too, as well as the towns and villages of the Indians who had traveled at Lewis and Clark's request between 1804 and 1809. Given that Biddle admittedly constrained his history to the Corps' western travels, it is not surprising that the published version of Clark's map mangled this portrait.

When closely examined on the original, however, these extra features divulge an important fact about this famous map. Clark not only included a complete picture of the St. Louis Superintendency's emerging landmarks, as a group he drew them as accurately as the track of the Corps of Discovery, slightly better even. A cartometric analysis of the accuracy of these features reveals that, on average, the treaty lines, forts, factories, and Indian villages of the superintendency lay about 35 miles away from their known locations, while points along the Corps of Discovery's route average about 37.[201] All the 1,000-plus sites across the entire manuscript—a rich collection of rivers, mountains, trade posts, missions, towns, villages, boundaries, capes, rapids, and more—average roughly 60 miles off (Fig. 3.11). The most accurate point of all actually falls on the starting point of the Sac and Fox cession negotiated in St. Louis in 1804; Clark placed it less than two miles from its known location. Achieving this kind of accuracy was not easy. It could not have been accidental. And it means, quite simply, that Clark had a solid working knowledge of these locations and a strong desire to plot them as faithfully as he could.

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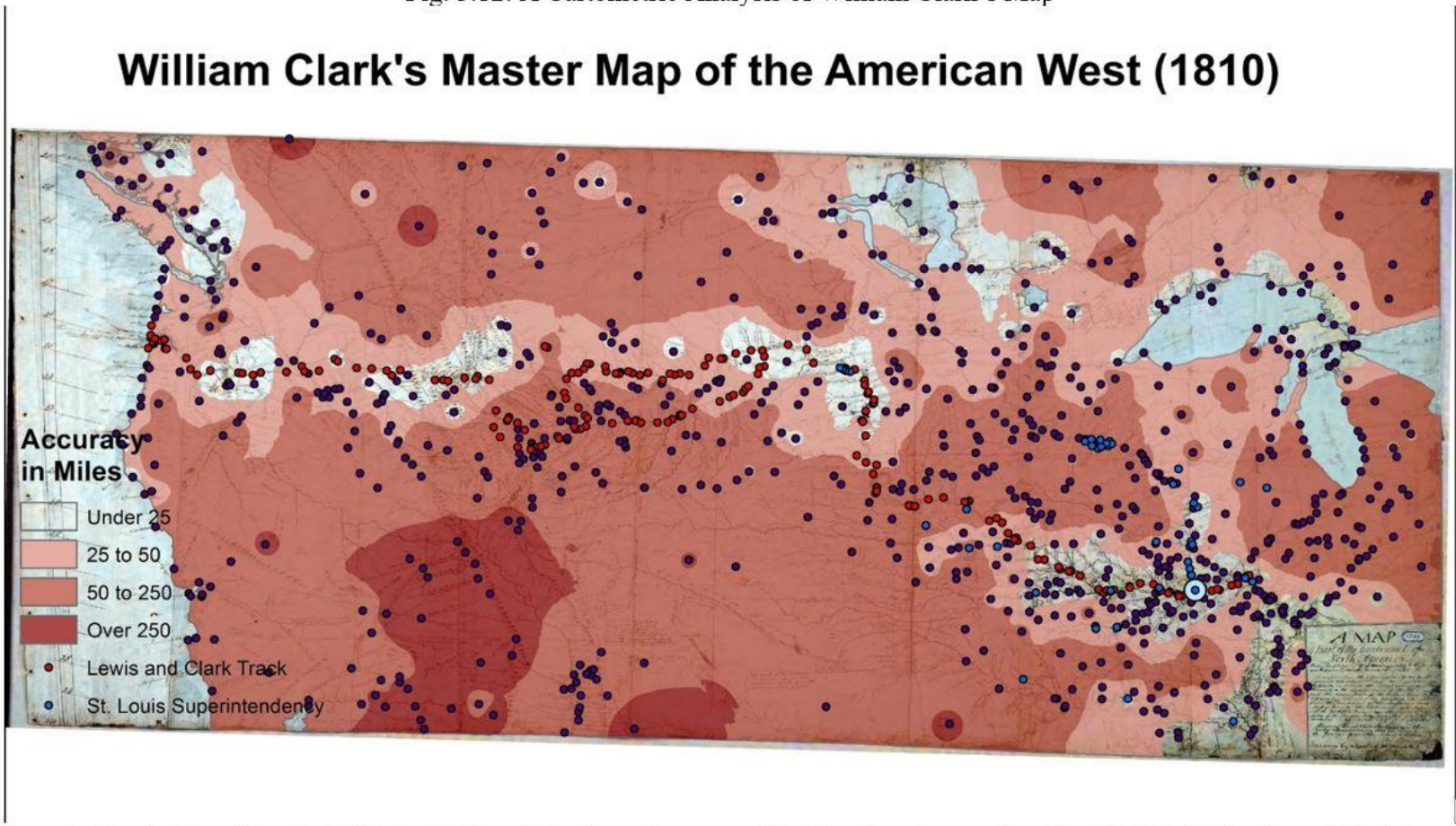
[198] The map was owned by Clark's granddaughter when Rueben Gold Thwaites brought its attention to the scholarly community. It did not receive close scrutiny until Yale University acquired it in the mid-twentieth century. Reuben Gold Thwaites, "Newly Discovered Personal Records of Lewis and Clark," *Scribners* (June 1904): 685.

[199] Carl I. Wheat, *Mapping the Transmississippi West* (5 vols.; San Francisco, 1957-1963), II: 56 ("this monumental…"); John Logan Allen, *Passage Through the Garden: Lewis and Clark and the Image of the Northwest* (Urbana, IL, 1974), 375 ("superlative…"; William E. Foley, *Wilderness Journey: The Life of William Clark* (Columbia, MO, 2004), 188 ("cartographic…"); Peter J. Kastor, *William Clark's World: Describing America in an Age of Unknowns* (New Haven, 2011), 150 ("William Clark's Master…").

[200] Recent studies focusing on Clark's post-expeditionary life offer useful context for the connection between the map and Clark's work as Indian superintendent, without mentioning the map's non-expeditionary features and continuing to treat its production as singularly about illustrating the expedition. See Foley, *Wilderness Journey*, 160-269, esp. 185-188; Buckley, *William Clark*, 65-233, esp. 83-84; Kastor, *William Clark's World*, 13-26, 126-190; Allen, *Passage through the Garden*, 375-394.

[201] Cartometry, or the measurement of maps, can identify the accuracy of points on historical map that (like Clark's) presume to display the surface of the earth in terms of longitude and latitude. The method involves digitally extracting the coordinates of mapped features on a historical map, then comparing them to the known coordinates of those locations, i.e. measuring how far, in miles, are from their actual locations. I have done this for every identifiable location on Clark's map to globally assess its (in)accuracy.

Fig. 3.12: A Cartometric Analysis of William Clark's Map



Drawn by the Author. Blue dots (St. Louis Superintendency) average 35 miles from known location. Red dots (Lewis and Clark's path to the Pacific) average 37 miles from known locations. All points (n = 1,038) average 60 miles from known location.

This has gone unreported but it should not be surprising given the context of the map's production. In 1810, Clark's daily responsibilities revolved around counseling with Indians, distributing annuities, keeping accounts, and serving as an intermediary between agents, policy-makers, Indians, and squatters. His home in St. Louis, where he drew his master map, included a stone building used as a council house, making it the physical hub of Indian relations in the region. The job took such "a great a po[r]tion of my time," he griped, "that I have not leasure to attend to my private affairs," which included publishing the expedition's history.[202] Significantly, if unspectacularly, the crowning cartographic achievement of the Lewis and Clark expedition was an after-hours project subordinated to Clark's duties as the *de facto* head of Indian affairs in Upper Louisiana. And he seems to have taken its composition as an opportunity to multi-task. He certainly treated it like something more than a mere precursor to the version Biddle published. After receiving it back from Philadelphia, Clark occasionally penciled in new information that came through his office. Once he even floated the idea of totally revising it, not to improve its depiction of the Corps track, but because it pictured a "fine Country Calculated for rich & populous Settlements" that he contended was "tolerably well understood but not in Sufficient use."[203] This memorial of Lewis and Clark's exploration of the Missouri River Valley was a testament to their work toward its occupation.

Clark's map offered a useful guide to both his expedition's route and the forts, factories, and treaty lines crossing the Mississippi because both were part of an effort to heave an apparatus for conducting Indian affairs into Upper Louisiana. If that seems far-fetched given Lewis and Clark outsized reputation as explorers, look away for a moment from the last continental map generated by their expedition and back to the first: the composite map created by Nicholas King in 1803 for Lewis and Clark's adventure (Fig. 3.13). Clark used King's work as his base map, literally filling in the huge blank King left before carefully filing it away. Today Clark's copy lies in a Washington vault as part of the "Lewis & Clark Collection," a title affixed in the early twentieth century when the pair's reputation for heroic exploration took off. Before that, it had a long, quiet shelf life among the retired files of the Indian Office in a folder marked "Maps &c of Indian Country" retained from the St. Louis Superintendency.[204]

The records from the Indian official that survive as the official records of the St. Louis Superintendency begin *in media res* just after Clark became superintendent in 1813. They start with an inventory of Indian trade goods from Fort Osage, which makes no sense without appreciating that something came before to build and stock the fort.[205] In 1813, the whole lot was evacuated, along with the fort's personnel, as the Sac and Fox threatened the post's destruction. This of course happened during the War of 1812, but was not part of it. The attacks came neither on orders from the British nor as part of the multitribal resistance effort organized by Tecumseh and Tenskwatawa in the Ohio River

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[202] William Clark to Jonathan Clark, 1 March 1809, ("public business") and William Clark to Jonathan Clark, 5 October 1808, ("a great"), Holmberg, ed., *Dear Brother*, 197, 154.
[203] William Clark to Thomas Jefferson, 10 October 1816, *FO.*
[204] Annie Heloise Abel, "A New Lewis and Clark Map," *Geographical Review* 1, no. 5 (May 1916): 329-345, esp. 330, nt. 4; *Report of the Librarian of Congress for the Fiscal Year ending June 30 1925* (Washington, 1925), 85-86. Also see the Nicholas King map catalog record, Library of Congress, https://www.loc.gov/item/98687178/, accessed July 1, 2017.
[205][Received at St. Louis], 15 September 1813, RG 75, M856, Roll 2.

Valley. Rather the war the Sac and Fox waged had a deeper history and an unheralded link to a population boom that brought about the Missouri Compromise of 1820.

Fig. 3.13: Nicholas King Map of Western North America (1803)

Library of Congress, Map Division

Chapter 4

The Demographic Origins of the Missouri Crisis

Introduction

In 1824, after years of lobbying, the Sac chief Keokuk got a delegation of Sac, Fox, and Iowa to the capital to talk about conquest. Once in Washington, Keokuk discussed a war the Sac and Fox had fought two decades earlier to secure hunting territory north of the Missouri River. With their Iowa allies, they had seized land from the Little Osage and Missouria, who "were driven across the troubled water." Several years later, in 1808, the Osage sold an interest in these same lands to the United States. After the War of 1812, Missouri's territorial governor used that sale to deny the Sac and Fox claim, triggering a burst of American emigration that propelled Missouri toward statehood. Keokuk denied wanting the hunting territory back, but he did not want the Osage to "receive pay for that, which by right is ours." How had Americans obtained their land, he asked, "did not the mouths of your big guns proclaim that you were masters of the soil. by the same right we claim the country we conquered."[1] The delegation did not end Osage payments, but it settled the grievance by reselling the land to the United States.[2] The Sac and Fox conquest quickly slid into obscurity, and never got credit for its inadvertent role in setting the stage for the Missouri Crisis.

Keokuk's assertion about an Indian boundary at a river echoes claims that cut across centuries. In 1643, Roger Williams described the Narragansett as "punctuall in the bounds of their Lands…(even to a River, Brooke) &c."[3] A century later, David Zeisberger observed that Indian territories "are fixed along rivers and creeks."[4] In 1785, a Cherokee named Tassel had no trouble producing a map of their domain bounded by rivers, ridges, and roads.[5] An Iowa named Frank Kent interviewed in the twentieth century explained that his ancestors knew "as you say, as you call it a boundary line…They sometimes mark these by trees, by river, or stones."[6] They had agreements for joint use with neighboring nations, Kent explained, but that did not prevent anyone from knowing whose rights extended where.

Such descriptions remind historians that Indian polities had borders, even if their locations, purposes, and histories often remain opaque. These boundaries could be laced with a variety of jurisdictional meanings that lasted generations, a lifetime, or less. They were no less real for not covering the continent like a jigsaw puzzle, for being porous in some places and

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[1] [Speech by Keokuk] transcribed with "Sock & Fox speaches made to the Secy of War" under "Ratified Treaty No. 121: Documents Relating to the Negotiation of the Treaty of August 4, 1824, with the Sauk and Fox Indians," RG 75, T494, Roll 1.

[2] "Treaty with the Sauk and Foxes, 1824" and "Treaty with the Iowa, 1824," *KLT*, 207-209.

[3] Roger Williams, *A key into the language of America: or, An help to the language of the natives in that part of America, called New-England* (London, 1643), 93. Nancy Shoemaker persuasively shows that this, and other examples, demonstrate that "Indians throughout North America, at the time of European contact and presumably earlier, conceptualized land as the property of groups of people—as sovereign territories." See Nancy Shoemaker, *A Strange Likeness: Becoming Red and White in Eighteenth-Century North America* (New York, 2004), 17-18.

[4] Archer Butler Hulbert and William Nathaniel Schwarz, ed., *David Zeisberger's history of northern American Indians* (Ohio State Archeological and Historical Society, 1910), 147.

[5] *ASPIA* IV, 40.

[6] "Deposition [of Frank Kent through Mr. Blaine (Nawanoway) Kent, Interpreter] taken at Iowa Community House, Perkins, OK, Pursuant to Notice Dated Jan. 29, 1952," 5, transcription in "Sauk & Fox/Iowa et. al. v. U.S. Docket No. 138 (1952)," Series IXA, Anthony F.C. Wallace Papers, American Philosophical Society, Philadelphia, PA.

sharply demarcated in others. They might be hotly contested, altered by negotiation, or left unchallenged. After Europeans arrived, Indian boundary making continued, becoming enmeshed with and eventually overshadowed by the possessive ambitions of colonizing powers, none in the end more relentless than the United States. In the historians' lexicon, Indian Country is shorthand for this mosaic in motion, better known for how it collapsed at the edges than roiled within.[7] No great mystery shrouds why. Much intertribal boundary making happened beyond the horizon or interest of Euro-American observers whose writings predominate in archives.

This makes the traces that do remain—and many do—all the more worthwhile to locate, not just to fill in Indian Country's history, but to recover how indigenous interests influenced events where their role has been muted. Research along these lines has focused on large and powerful tribes like the Sioux, Iroquois, Osage, Comanche, and Odawa, though more recent studies have turned to smaller nations.[8] And the results have been startling. Bacon's Rebellion, it now seems clear, had more to do with the Susquehannock War than generations of historians allowed. Stories of the transformation of the plains in the eighteenth and nineteenth centuries that leave out the expanding Sioux, we now know, distort histories of the peopling of the American West. A full accounting of the course of the Mexican-American War can no longer omit raids from Comancheria. Given that Indian domains expanded, contracted, and reconstituted across the continent from the seventeenth to the nineteenth centuries, it is safe to say that much remains unknown about how Indian territoriality shaped North American colonization.

So it should hardly come as a surprise that accounts of the Missouri Crisis have never said a word about the Sac and Fox.[9] This is partly because the scattered records of their invasion

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[7] Studies touching on Indian territoriality have grown recently, especially as part of calls for continental histories. See Sami Lakomäki, "'Our Line': The Shawnees, the United States, and Competing Borders on the Great Lakes 'Borderlands,' 1795-1832," *Journal of the Early Republic*, 34, no. 4 (Winter 2014): 597-624; Lissa K. Wadewitz, *The Nature of Borders: Salmon, Boundaries, and Bandits on the Salish Sea* (Seattle, 2012): 6, 11-29; Juliana Barr, "The Red Continent and the Cant of the Coastline," *The William and Mary Quarterly*, 69, No. 3 (July 2012): 521-526, esp. 522; Juliana Barr, "Geographies of Power: Mapping Indian Borders in the 'Borderlands' of the Early Southwest," *The William and Mary Quarterly*, 68, no. 1 (2011): 5-46; DuVal, *The Native Ground*. For a valuable anthropological guide, see Bradley J. Parker, "Toward an Understanding of Borderland Processes," *American Antiquity* 71, no. 1 (Jan., 2006): 77-100.

[8] In addition to items in note 7, see Richard White, "The Winning of the West: The Expansion of the Western Sioux in the Eighteenth and Nineteenth Centuries," *The Journal of American History* 65, no. 2 (Sep., 1978), 319-343; Willard H. Rollings, *The Osage: An Ethnohistorical Study of Hegemony on the Prairie-Plains* (Columbia, MO, 1992); Brian DeLay, *War of a Thousand Deserts: Indian Raids and the U.S.-Mexican War* (New Haven, 2008); Pekka Hämäläinen, *The Comanche Empire* (New Haven, 2008); Jon Parmenter, *The Edge of the Woods: Iroquoia, 1534-1701* (East Lansing, 2010); James D. Rice, "Bacon's Rebellion in Indian Country," *Journal of American History* 101, no. 3 (2014): 726-750; Robert Michael Morrissey, "The Power of the Ecotone: Bison, Slavery, and the Rise and Fall of the Grand Village of the Kaskaskia," *The Journal of American History* 102, no. 3 (2015): 667-692; Michael McDonnell, *Masters of Empire: Great Lakes Indians and the Making of America* (New York, 2015).

[9] The vast literature on the Missouri Compromise follows the congressional debate and backroom politics, assesses the contributions of individuals, identifies key players, and contextualizes the crisis in relation to the politics of slavery, abolition, popular sovereignty, and the coming Civil War. When these works have looked earlier than 1818, it has been to frame discussions of slavery in national politics. One major study by Floyd Shoemaker (1916) addressed the of coming of statehood from the territorial perspective without mentioning the Sac and Fox. See John Robert Van Atta, *Wolf by the Ears: The Missouri Crisis, 1819-1821* (Baltimore, MD, 2015); Matthew W. Hall, *Dividing the Union: Jesse Burgess Thomas and the Making of the Missouri Compromise* (Carbondale, IL: 2016); Matthew Mason, "The Maine and Missouri Crisis: Competing Priorities and Northern Slavery Politics in the Early Republic," *Journal of the Early Republic* 33, no. 4 (Winter 2013): 675-700; Christopher Childers, *The failure of popular sovereignty: slavery, manifest destiny, and the radicalization of southern politics* (Lawrence, KS, 2012); Robert Pierce Forbes, *The Missouri Compromise and its aftermath: slavery & the meaning of America* (Chapel Hill,

of the Missouri River Valley, often tinged by visions of aimless Indian warfare, have reduced it to a nonevent. More importantly, however, historians of the Missouri Crisis have not tread where this invasion unfolded, seldom looking either backward from 1820 or westward from Washington. As a result, the conventional outline of the crisis starts when a statehood petition reached Congress in 1818, inspiring a bill that moved along smoothly until 1819, when James Tallmadge, Jr.—a one-term congressman—added an abolition amendment. The unexpected move sparked a roaring debate that ended in a deal that made Maine a free state, Missouri a slave state, and Missouri's southern border—the infamous 36°30' line—a dividing line for slavery's future. The compromise pushed slavery's expansion to the forefront of antebellum politics, and later emerged as a textbook case of high contingency in high politics.

Set in Washington and oriented forward to the Civil War, over a century of writing about the Missouri Compromise has sidestepped a key question. How did Missouri achieve the population growth needed for a credible statehood petition by 1818? The territory had less than 20,000 people in 1810. By 1820, it had more than enough with over 66,000.[10] Neither the timing nor the placement of this development should be taken for granted. While the US grew at an impressive rate in the decade before 1820, Missouri's population increased more than seven times as fast, driven by a rush to a part of central Missouri known as Boon's Lick and situated on land conquered by the Sac and Fox. For a few critical years, this was the fastest growing place in the United States. Enabled by the expulsion of the Little Osage and Missouria and the denial of the Sac and Fox title, its growth accelerated Missouri's progression to statehood. In other words, the Missouri Compromise of 1820 followed not just from Tallmadge's surprising political maneuver in Washington, but from an unlikely demographic event born in the making and unmaking of an Indian boundary along the Missouri River.

The Sac and Fox Migration

When Keokuk was born in 1767, Sac and Fox bands had towns near the Mississippi River between the Des Moines and Wisconsin rivers. This had not always been their home. They arrived a generation before, after a series of migrations led them on an arcing path through the *pays d'en haut*. According to an account from 1820, their history began in the St. Lawrence

2007); Sean Wilentz, "Jeffersonian Democracy and the Origins of Political Antislavery in the United States: The Missouri Crisis Revisted," *Journal of the Historical Society* 4, no. 3 (Sep. 2004): 375-401; Joshua Michael Zeitz, "The Missouri Compromise Reconsidered: Antislavery Rhetoric and the Emergence of the Free Labor Synthesis," *Journal of the Early Republic* 20, no. 3 (Autumn, 2000): 447-485; Chandra Miller, "'Title Page to a Great Tragic Volume': The Impact of the Missouri Crisis on Slavery, Race, and Republicanism in the Thought of John C. Calhoun and John Quincy Adams," *Missouri Historical Review* 94, no. 4 (July 2000), 365-388; Don E. Fehrenbacher, *Sectional crisis and Southern constitutionalism* (Baton Rouge, LA, 1995); Ronald C. Woolsey, "The West Becomes a Problem: The Missouri Controversy and Slavery Expansion as the Southern Dilemma," *Missouri Historical Review* 77, no. 4 (July 1983), 409-432; Don E. Fehrenbacher, "The Missouri Controversy and the Sources of Southern Separatism," *Southern Review* 14, no. 4 (June 1978): 653-667; David, D. March, "The Admission of Missouri," *Missouri Historical Review* 65, no. 4 (July 1971): 427-449; Zed H. Burns, "Sectional Controversy and the Missouri Compromise," *Southern Quarterly* 5 no. 3 (Spring 1967): 335-345; Alfred Lightfoot, "Henry Clay and the Missouri Compromise," *Missouri Historical Review* 61, no. 2 (Jan. 1967): 143-165; Glover Moore, *The Missouri controversy, 1819-1821* (Gloucester, MA, 1953); Floyd Calvin Shoemaker, *Missouri's Struggle for Statehood, 1804-1821* (Jefferson City, MO, 1916); Louis Houck, *A History of Missouri from the Earliest Explorations and Settlements Until the Admission of the State Into the Union*, Volume 3 (R. R. Donnelley & sons Company, 1908), 243-272; Susan Bullitt Dixon, *The True History of the Missouri Compromise and its Repeal* (Cincinnati, 1899).

[10] Minnesota Population Center, *National Historical Geographic Information System: Version 2.0.* (Minneapolis, MN: University of Minnesota, 2011).

River Valley.[11] When and why they left remains unknown, but by the early seventeenth century, they were in modern-day Michigan near the Saginaw Bay, with the Fox, or Mesquakie, to their southwest.[12] Organized in patrilineal clans, politically oriented by villages, and speaking Algonquian dialects, the Sac and Fox had cultural affinities but had not yet forged the alliance that would make twinned references to them ubiquitous.[13]

That alliance came after both nations fled west to Green Bay. According to an Ojibwe account, the Sac were "driven from the Saginaw Bay" as the Iroquois pressed into the Great Lakes region.[14] The Sacs escaped to the eastern shore of Lake Michigan before crossing to the other side. The Foxes moved in a similar direction, settling on the Fox River in modern day Wisconsin.[15] In the mid-1660s, French missionaries first met these "strangers on the Bay des Puans [Green Bay]," where they displayed less interest in conversion than in rebuilding their communities.[16] By the early eighteenth century, Fox efforts to bend the fur trade in their favor instigated the Fox Wars with the French and their indigenous allies. They ended disastrously for the Fox, who survived by allying with the Sac. In the 1730s, the Menominee, with French aid, expelled both the Sac and Fox from Green Bay.[17]

Displaced for the second time in a century, the allies crossed the Mississippi into modern-day Iowa for a few years before crossing back to settle in villages along the Wisconsin River. By the mid-eighteenth century, Keokuk's parents' generation were building new towns on confluents of the Mississippi in modern-day Illinois, Iowa, and Wisconsin. In 1766, Jonathan Carver marveled at the spacious streets and expertly constructed multi-family homes in a "Great Town of the Saukies." Struck by their fields filled with corn, pumpkins, beans, and melons, he imagined himself in the most important provisioning market for hundreds of miles. Carver not only called it "the largest and best built Indian town I ever saw," he gave it about the highest praise he could muster: "it appears more like a civilized town than the abode of savages."[18]

Backhanded compliments aside, Carver witnessed the Sac and Fox entering an era of prosperity built on their own terms. Women tended their impressive fields, following conventional gender norms and agricultural techniques. Their planting and harvesting punctuated seasonal rounds in which the men left the village for short summer hunts, and almost everyone left in family groups for longer winter hunts. The sowing, gathering, sugaring, hunting, and

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[11] Jedidiah Morse, *A Report to the Secretary of War of the United States, on Indian Affairs* (New Haven, 1822), Appendix, 138 [hereafter *A Report*].
[12] *A Report*, 123.
[13] Michael D. Green, "'We Dance in Opposite Directions': Mesquakie (Fox) Separatism from the Sac and Fox Tribe," *Ethnohistory* 30 (No. 3, 1983); Charles Callender, "Fox" and "Sauk" in *Handbook of North American Indians*, Vol.15, *Northeast*, ed. Bruce G. Trigger (Washington, DC, 1978), 636-655; William T. Hagan, *The Sac and Fox Indians* (Norman, OK, 1958); Alanson Skinner, "Observations on the Ethnology of the Sauk Indians," *Bulletin of the Public Museum of the City of Milwaukee*, 5, no. 1 (Aug. 1923): 1-57.
[14] George Johnston, "Osawgenong—A Sac Tradition," *Wisconsin Historical Collections,* vol. XV (1900): 448.
[15] David B. Stout, Erminie Wheeler-Voegelin, Emily J. Blasingham, "Appendix II: The Fox Prior to 1730," in *Sac, Fox, and Iowa Indians* II (New York, 1974), 279. These settlements formed part of the "refugee centers" discussed in Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes. Region, 1650-1815* (Cambridge, 1991), 11.
[16] Rueben Gold Thwaites, ed. *The Jesuit Relations and Allied Documents: Travels and Explorations of the Jeusit Missionaries in New France, 1610-1791* (Cleveland, OH, 1896-1901), LV, 159 [hereafter *Jesuit Relations and Allied Documents*]; *Jesuit Relations and Allied Documents*, LI, 43-45, qt. 45.
[17] R. David Edmunds and Joseph L. Peyser, *The Fox Wars: The Mesquakie Challenge to New France* (Norman, OK, 1993); *A Report*, 57.
[18] Jonathan Carver, *Travels Through the Interior Parts of North-America in the Years 1766, 1767* (London 1778), 46-47.

trading would have been familiar to Keokuk's ancestors near the Saginaw Bay, but they took place in different locales with new opportunities. Lead deposits, for instance, enabled several bands to begin mining. As they adjusted to life on a landscape with more prairie, they also increased the range of their horse-born hunts and raids, which expanded their access to trade goods and captives. They regularly marketed produce, too. Like Carver, only forty years later, Zebulon Pike said that the Fox "sell many hundred bushels per annum."[19]

Prosperity brought the Sac and Fox more market activity, and it swayed their interests toward the Missouri River southwest of their towns. In 1773, the traveler Peter Pond offered a snapshot of this transition when he reported Sac and Fox hunts south to the country of the Illinois and west to the Pawnee. British and Spanish officials documented the move. Thomas Hutchins, a captain in the British Army, lamented that the Spanish commandant had been courting Sac and Fox trade.[20] While Englishmen worried about Sac and Fox hunts on the "Spanish side" of the Mississippi, Spanish officials tried to persuade the newcomers to give up English medals and banners.[21] Spanish records show that the Sac and Fox visited St. Louis as early as 1768, and soon became annual visitors.[22] When one St. Louis trader applied for a license in 1796, he placed their hunting territory west of the Mississippi down to the Missouri River, and possibly below.[23] Trade reports bookending this era starkly document their appearance on the scene. The Sac and Fox went from nonexistent on a 1785 list of nations trading in the Louisiana Territory to the region's largest consumers of Indian trade goods by 1804.[24]

Population growth in these years provides an important indicator of Sac and Fox prosperity in the late eighteenth century. Despite small pox outbreaks that emptied whole towns, they appeared to be "very numerous," "much increased," and "the strongest" nation north of St. Louis.[25] Though seldom reliable in isolation, population estimates offered by travelers and colonial administrators reveal a trend supporting those claims (Fig. 4.1). After hitting a nadir around the time of their expulsion from Green Bay, the Sac and Fox population rebounded, perhaps as much as tripling by the early nineteenth century. Their changing fortune adds context to a history Keokuk gestured at when he told the Secretary of War that the "country we were driven from on Fox River we do not claim because our Fathers were conquered and it fell into the hands of other people."[26] The comment was terse, likely because Keokuk had not gone to Washington to dwell on a past generation's loss. He invoked it to distinguish the legitimacy of the gains his people had made as they prospered, multiplied, and transitioned from refugees to aggressors in the Missouri River Valley.

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[19] Zebulon M. Pike, *An Account of Expeditions to the Sources of the Mississippi* (Philadelphia, 1810), 56-57.
[20] Thomas Hutchins, *A topographical description of Virginia, Pennsylvania, Maryland, and North Carolina* (London, 1778), 38.
[21] "The Haldimand Papers: Pertaining to the Year 1786," *Historical Collections of the Michigan Pioneer and Historical Society*, vol. 11 (1888), 486; "Letters of Cruzat to Galvez, Dated December 1780, relating to English Intrigues, etc." in Louis Houck, ed. *The Spanish regime in Missouri; a collection of papers and documents relating to upper Louisiana*, vol. 1 (Chicago, 1909), 175.
[22] *BLC* I, 66, 120.
[23] *Collections of State Historical Society of Wisconsin*, 18, 404-405, 411; *BLC* II, 420.
[24] *BLC* I, 51-55 and II, 759.
[25] *BLC* I, 150, 318-319; E.A. Cruikshank, ed., *The correspondence of Lieut. Governor John Graves Simcoe: with allied documents relating to his administration of the government of Upper Canada,* vol. 1 (Toronto, 1923), 390.
[26] [Speech by Keokuk].

Fig. 4.1: Sac and Fox Population Surge

Estimates compiled by A.F.C. Wallace, APS, Wallace Collection, Box 196, Folder 9, p. 18; Sac, Fox, and Iowa Indians I, p. 24; Forsyth Papers, Vol., 4 Draper Collection, State Historical Society of Wisconsin, letter dated May 12, 1822

War for Northern Missouri

The Sac and Fox targeted the lands of the Little Osage and Missouria. These two nations lived in towns along the Missouri River in modern-day central Missouri, and appeared as neighbors, allies, and trade partners on the northeastern reaches of the dominion of the Big Osage, the region's dominant power.[27] Just as Keokuk described the Sac and Fox's Iowa allies as "under there [sic] wing," the Little Osage and Missouria allied with the Big Osage.[28] Positioned between the Sac and Fox (to their northeast) and the Big Osage (to their southwest), the Missouria and Little Osage towns were particularly exposed. Records of the fighting that engulfed them survive in moments that grabbed the attention of travelers and colonial officials, on maps and stories that circulated in the region, and in scattered Indian commentary. There are too few of these fragments to render the whole conflict, but enough to trace its outline. What Keokuk called a "war against the Osages & Missouries who then were hunting in this tract of Country which we now claim" went back to at least the 1770s and reached a tipping point with the expulsion of the Missouria and Little Osage in the 1790s.

The Sac and Fox appear to have been enemies of the Missouria, Little Osage, and Big Osage since at least the Fox Wars. The enmity spilled into the founding of St. Louis in 1764, when a group of Missouria sought asylum at the post. Auguste Chouteau hired some of them to help build a trading house before sending them away to avoid an attack by a force of Sac, Fox, Kickapoo, Patowatomie, and Ottawa.[29] When Peter Pond visited the Sac and Fox, he noted that the Sac "Men often join War parties with other Nations and Go against the Indians on the Miseure & West of it."[30] Joint war parties appeared throughout the conflict, though observers discerned a Sac and Fox led effort. "A war commenced some years ago between the Sauks and Foxes against the Osages," recalled Thomas Forsyth in 1826, "The Sauks being a very politic and cunning people, managed matters so well that they procured the assistance of the Ihowais, Kicapoos, and Pottawatimies."[31] Their closest allies were the Iowa, a nation reduced by small pox and squeezed southeastward by the expansion of the Sioux.[32] Like Keokuk, Zebulon Pike described the Iowa as under the "special protection" of the Sac and Fox, whose "wars and alliances are the same," though he did not say when those wars began.[33]

A clear indication of hostilities appeared in a pair of documents from 1777. Francisco Cruzat, the Spanish Commandant in Upper Louisiana, drafted a report on tribes who visited St. Louis. Entries for the Little Osage and Missouria indicated fighting with "the tribes located on the Misisipy." While he did not specify which, his entries for the Sac and Fox placed them

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[27] DuVal, *The Native Ground*. On the Little Osage and Missouria as allies, see, for example, *Collections of State Historical Society Wisconsin* 18, 177-78.

[28] [Speech by Keokuk]; Grant Foreman, ed., "Notes of August Chouteau on Boundaries of Various Indian Nations," *Glimpses of the Past* VII no. 9-12 (October-December 1940), 137, 139.

[29] Michael Dickey, *The People of the River's Mouth: In Search of the Missouria Indians* (Columbia, MO, 2011), 85, 88.

[30] "Journal of Peter Pond," Rueben Gold Thwaites, ed., *Collections of State Historical Society of Wisconsin*, vol. 18 (Madison, 1908), 336.

[31] Thomas Forsyth, "Manners and Customs of the Sauk and Fox Nations of Indians," in Blair, Emma Helen, *The Indian Tribes of the Upper Mississippi Valley and Region of the Great Lakes* (Cleveland, 1911-1912), II, 204.

[32] On Iowa strategies of alliance and adaptation to colonial regimes, see David Bernstein, "'We are not now as we once were": Iowa Indians' Political and Economic Adaptations during U.S. Incorporation," *Ethnohistory* 54, no. 4 (Fall, 2007): 605-637, esp. 608-613.

[33] Pike, *An Account*, 57.

uniquely "on the banks of the Misisipy" and "on the shors of the Misisipy itself."[34] The connection might have remained veiled if not for a letter Cruzat wrote the same year, describing his attempt to ransom captives held by the Sac and Fox in hopes of brokering a peace between them and the Missouria and Little Osage.[35]

The most robust account of the action in the late eighteenth century comes from Black Hawk, the Sac chief whose stand against Americans in 1832 looms larger in American memory than his battles against the Osage as a young man. His autobiography, dictated while a prisoner, recalled participating in his first scalp dance at age fifteen after killing an Osage. In the early 1780s, he gathered 180 men to fight the "the Osages, on the Missouri." At nineteen, after "many outrages on our nation and people," he led a force that killed one hundred Osages. Sometime in the 1790s he was among "five hundred Sacs and Foxes, and one hundred Ioways" who "fell upon *forty-lodges*, and killed all their inhabitants, except *two squaws*!" Black Hawk's self-proclaimed valor, careful accounting of causalities, and proud recollection of war rites placed him firmly within a culture in which men aspired to prove themselves in combat. But those goals did not conflict with territorial interests. Black Hawk said his efforts "caused the balance of their nation to remain on their own lands, and cease their aggressions upon our hunting grounds."[36]

As Black Hawk suggested, and Spanish records corroborate, the war intensified in the 1790s. Manuel Perez, the Lieutenant Governor of Spanish Illinois, reported in 1790 that the Little Osage expected retaliation after attacking the Sac.[37] In 1791, two traders were killed on the Missouri by a Sac party as rumors swirled about a coalition against the Osage.[38] A 1792 attack captured two Osage and killed three. "There is no doubt," Perez added, "if the Sauk, Renard, and Kickapoo wish to continue making war on the Osage, they will succeed in terrorizing them."[39] The same year, his successor, Zenon Trudeau, noted the Osage were warring with the Iowa, Sac and Fox.[40] On a Little Osage diplomatic visit to St. Louis in 1793, over 200 Sac, Fox, Mascouten, and Patowatomie surrounded the house where the delegation was staying, forcing them into hiding.[41] In 1794, the Sac crossed the Missouri "*en parole*" as high up the Missouri as modern-day Nebraska.[42] In 1795, they "killed ten or twelve Osages, after having shaken hands with them and promised peace."[43] In 1798, 240 Sac went "to war upon the Osages."[44] Perez and Trudeau interpreted the raids as petty grabs for personal glory, though their scale and frequency suggest more was at stake.

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[34] "Report of the Indian Tribes who Receive Presents at St. Louis, Dated November 15, 1777," in Houck, *The Spanish regime in Missouri*, 141-142, qt. 142, qt. 146.
[35] "Letter of Cruzat to Galvez…Dated November 26, 1777," in Houck, *The Spanish regime in Missouri*, 134-135.
[36] Black Hawk, J.B. Patterson, ed., *Life of Ma-ka-tai-me-she-kia-kiak Or Black Hawk* (Boston, 1834), 20-23. For additional hints on the conflict from this era, see John Long's report of a war party of Fox with 200 men around 1780 and Sir John Johnson report indicating Sac and Fox wintering grounds extended to "the lower parts of the Mississippi," in the "The Haldimand Papers," 486-487.
[37] Gilbert C. Din and Abraham P. Nasatir, *The Imperial Osages: Spanish-Indian Diplomacy in the Mississippi Valley* (Norman, OK, 1983), 197, nt. 43.
[38] Lawrence Kinnaird, *Spain and the Mississippi Valley, 1765-1794* (4 vols.; Washington, 1946-1949), II, 410; Din and Nasatir, *The Imperial Osage*, 207. Michael Dickey also suggests the Missouria were hunting with the Kansa in the winter of 1791-1792 "to avoid the Sac and Fox." See Dickey, *The People of the River's Mouth*, 102.
[39] Kinnaird, *Spain and the Mississippi Valley, 1765-1794* III, 35.
[40] Din and Nasatir, *The Imperial Osage*, 233, n. 17, 237. Also see *BLC* I, 168, nt. 3.
[41] *BLC* I,168.
[42] Ibid., 264.
[43] Ibid., 318.
[44] Zenon Trudeau to Manuel Gayoso de Lemos 20 June 1798, St. Louis, Abraham Nasatir Papers, Carton 9, MSS 92/50, Bancroft Library, Berkeley, CA.

So does a war bundle story from a Ho-Chunk named Black Otter, retold in an interview by his grandson in 1920. Born in the early 1780s, Black Otter joined a Sac war party against the Osage as a young man. On their way, they destroyed a large village on the Missouri River. One captive revealed that they had just destroyed a Missouria settlement downriver from the Little Osage. The news apparently dismayed Black Otter, but not the Sac. Historian Michael Dickey, argues Black Otter's story described one of a series of attacks that led to their exile from central Missouri in the mid-1790s.[45]

Travelers heard about the violence and retold the stories for decades. In 1804, William Clark learned of a battle when upwards of 300 Missouria "fell a Sacrifise to the fury of the *Saukees*."[46] In 1811, John Bradbury reported that the Missouria had fled and no longer "claim the property of the land on which they live, nor any other tract."[47] In 1819, the members of the Long Expedition heard that the Missouria were "conquered and dispersed, by a combination the Sauks, Foxes, and some other Indians."[48] As late as 1833, the German naturalist Prince Maximilian zu Wied wrote that "the Saukie and Fox Indians, and, perhaps, some other nations, formerly attacked and nearly extirpated, the tribe of the Missouris."[49] They all were reacting to ruins of "antient" Missouria and Little Osage towns along the Missouri River that became part of the region's cartography through James Mackay's 1797 map of the river (Fig. 4.2).[50]

Lost in a wealth of detail, the sites evoked a war turning in the Sac and Fox's favor. With a copy of Mackay's map and orders to assess the "extent & limits of [Indian] possessions," Lewis and Clark heard the most vivid version of events from their hired *engagés* while camped across from ruins in 1804.[51] The Sac and Fox had routed the Missouria, and the survivors fled to a Little Osage village nearby, where they stayed a few years "under the protection of the *Osarges*," until "the war was So hot & both nations become So reduced that the Little Osage & a fiew of the Missoures moved & built a village 5 ms near the Grand Osage." Sargent Charles Floyd struggled to spell out the exodus in his journal: "Saukies beng two trobelsom for them was forst to move and take protections under the Gran ossags as they war Redused Small."[52] In the aftermath, the Little Osage joined the Big Osage. Most of the Missouria fled north to the Oto. Lewis and Clark reported the effect of this cascading evacuation: "Saukee and Renaurs, or Foxes…claim, by conquest, the whole of the country belonging to the ancient Missouries."[53]

That result also appeared on a map "haistily corrected by the information obtained from the Osage Indians" that Lewis and Clark sent east before leaving St. Louis.[54] The Big Osage had received an invitation to travel to Washington, and arrived in St. Louis shortly before the Corps

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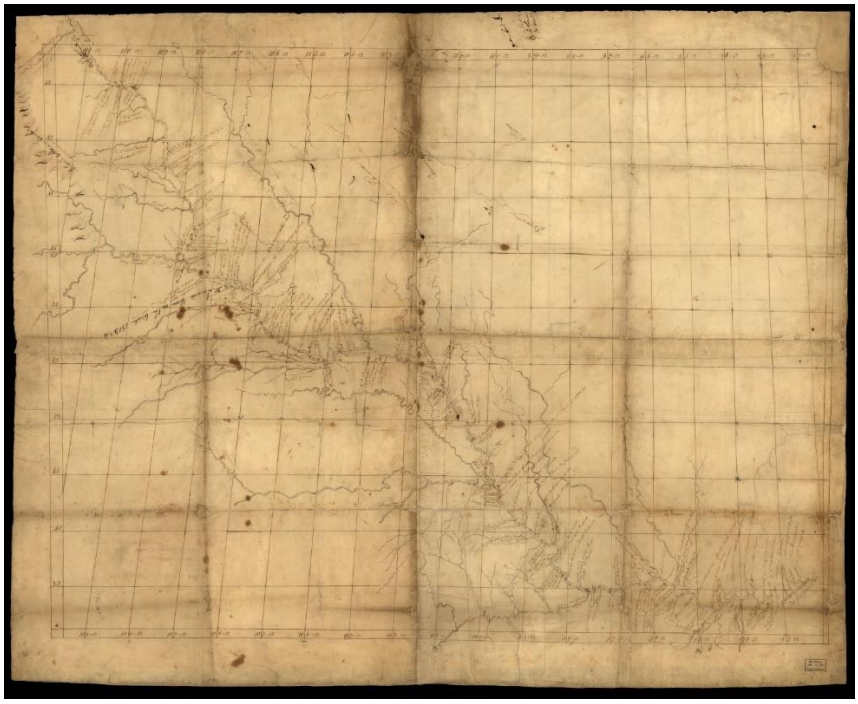
[45] Dickey, *People of the River's Mouth*, 105-107.
[46] [Journal Entry], 13 June 1804, *JLCE*.
[47] John Bradbury, *Travels in the interior of America, in the years 1809, 1810, and 1811* (Liverpool, 1817), 31, 58.
[48] Edwin James, *An Account of an Expedition from Pittsburgh to the Rocky Mountains Performed in the Years 1819 and '20* (2 vols; Philadelphia, 1823), I, 341.
[49] Maximilian Prinz zu Wied, *Travels in the Interior of North America* (London, 1843), 117
[50] James Mackay and John Evans, [Map of Missouri River and vicinity from Saint Charles, Missouri, to Mandan villages of North Dakota : used by Meriwether Lewis and William Clark in their 1804 expedition up Missouri River][1798], Geography and Map Division, Library of Congress, Washington DC. On the map's history, see Thomas C. Danisi and W. Raymond Wood, "Lewis and Clark's Route Map: James MacKay's Map of the Missouri River" *Western Historical Quarterly* 35, no. 1 (Spring, 2004): 53-72.
[51] "Jefferson's Instructions to Lewis" [20 June 1803], *LLCE* I, 62.
[52] [Journal Entry], 15 June 1804, *JLCE*.
[53] "A statistical view of the Indian nations inhabiting the territory of Louisiana, and the countries adjacent to its Northern and Western boundaries," 1805, *ASPIA* I, 711.
[54] Lewis to Jefferson, 18 May 1804, *LLCE* I, 193.

Fig. 4.2: Mackay's map and detail (1797)



[Map of Missouri River and vicinity from Saint Charles, Missouri, to Mandan villages of North Dakota : used by Meriwether Lewis and William Clark in their 1804 expedition up Missouri River], Library of Congress Geography and Map Division Washington, D.C. Note: The detail has been turned 90 degrees clockwise to make the writing along the river easier to read. As pictured here, the Missouri River flows west (on the top) to east (on the bottom). The "antient" Missouria and Little Osage villages, noted in French and English, appear as triangles on the southern bank (left of the Missouri River)

of Discovery departed. The map they helped compose showed the "Territory of the Ozages" as an immense tract south of the Missouri River, its borders generalized except where it met the western edge of the district of St. Louis before following crisply along the Missouri until its confluence with the Kansas River (Fig. 3.1 in previously chapter). Historians have made surprisingly little of the fact that the first map of the trans-Mississippi West produced by American authorities in the Louisiana Territory depicted an Indian domain. And they have never noticed that its most carefully drawn border was largely the product of a recent Sac and Fox invasion. That fact was not likely lost on the Osage delegation. A few weeks before, a Sac party intercepted another Osage group on the river, killed several, and took the rest captive.[55]

Shortly thereafter the Sac had their first meeting with the new American administrators in St. Louis. Capt. Amos Stoddard had heard the "Saucks are the implacable enemies of the Osages," and hoped to redeem the recently taken captives.[56] The meeting, however, was unproductive, mainly because Stoddard struggled with the "double interpretation" from Sac to French to English. He heard complaints about intrusive settlers and desires for a convenient trade outlet, but on the whole, the visitors only made one point "certain, their claim extends back to the Missouri, where some of the whites have settled. They conquered the lands on the Missouri from the Little Osage."[57]

War of 1812 in Missouri

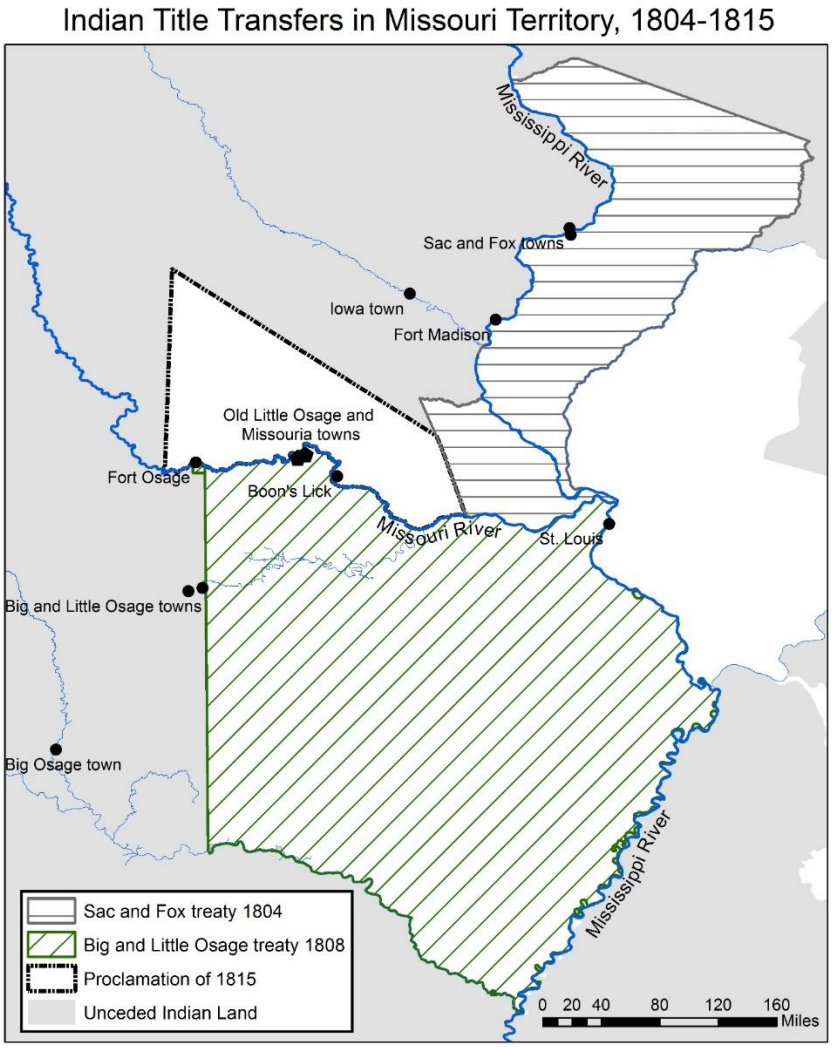
After 1804, the Sac and Fox became entangled in US treaty relations. Initially, American officials recognized the Sac and Fox conquest, but interlopers soon intruded on the hunting grounds. In response, the Sac and Fox, and their Iowa allies, launched a barrage of attacks on American squatters who had occupied a place called Boon's Lick, a community named for a salt lick near the old Little Osage and Missouria towns. This led territorial authorities to abandon their recognition of the Sac and Fox claim. Using an artful reinterpretation of an 1808 Osage treaty, they proclaimed that the United States had extinguished Indian title north of the Missouri River.

The first US-Indian treaty west of the Mississippi came after a party of Sacs killed three squatters on a Mississippi tributary north of the Missouri River in the summer of 1804.[58] Major James Bruff believed the murders stemmed from a fear that the Osages had obtained preferred access to trade goods.[59] If that was the reason, the action was not widely countenanced. By November, the Sac and Fox had sent a delegation to St. Louis to cover the dead and, according to Bruff, "to make a treaty that would shelter them from their natural enemies—the Osages." [60] William Henry Harrison, the territorial governor, used the opportunity to obtain a large land cession straddling the Mississippi (Fig. 4.3). The treaty would become famous for sparking the Black Hawk War of 1832, but its immediate goals were to extinguish Sac and Fox title north the Missouri where pre-Louisiana Purchase settlements existed, and to curtail their "bloody war" with the Osage.[61] Like efforts to keep unlicensed traders, whiskey dealers, and squatters out of

[55] Amos Stoddard to Henry Dearborn, 3 June 1804, *LLCE* I, 197.
[56] Amos Stoddard to Henry Dearborn, June 3, 1804, *TUL*, 111.
[57] Amos Stoddard to Henry Dearborn, June 22, 1804, *TUL*, 114
[58] Amos Stoddard to Henry Dearborn, June 22, 1804, *TUL*, 114; Governor Lewis to the President, August 27, 1809, *TPUS* XIV, 295-296.
[59] Makay Wherry to Amos Stoddard, 12 September 1804, *TPUS* XIII, 63.
[60] James Bruff to James Wilkinson, November 5, 1804, *TPUS* XIII, 80, qt. 76.
[61] "Treaty with the Sauk and Foxes, 1804," *KLT*, 75-76.

Indian Country, US attempts to suppress intertribal conflicts generally floundered, and this time was typical.[62] After an intertribal peace council held in 1805, reports surfaced that the Sac had killed traders on the Mississippi and Missouri, sent a force of 400 across the Missouri in search of Osage, and destroyed "the Salt works of Boon."[63]

Fig 4.3: Indian Land Transfers in Missouri Territory, 1804-1815



Territorial Papers of the United States XV, Charles Royce, *Eighteenth Annual Report of the Bureau of American Ethnology to the Secretary of the Smithsonian Institution, 1896-1897*. Drawn by the author.

[62] Francis Paul Prucha, *American Indian Policy in the Formative Years*.

[63] Half the signers at the multitribal council came from the Sac, Fox, Iowa, and Big and Little Osage, see "A Treaty Between the Tribes of Indians Called the Delawares, Miamis, Patawatimis, Kickapoos, Sacks, Foxes, Kaskaskias, Scioux of the River Demoin & Iowas, of the one part and the Great and Little Osages of the Other Part," *TPUS* XIII, 246. For reports after, see *The Palladium*, Frankfort, Kentucky, June 1, 1805, quoted in Kate L. Gregg, "The War of 1812 on the Missouri Frontier: Part I," *The Missouri Historical Review* 33, no. 1 (Oct. 1938): 4; Governor Wilkinson to the Secretary of War, December 10, 1805, *TPUS* XIII, 299; Governor Wilkinson to the Chiefs of the Sauk Nation, December 10, 1805, *TPUS* XIII, 300, qt. 301.

Nathan Boone, Daniel Boone's son, had found a salt lick about twenty miles downriver from the former Missouria and Little Osage villages and installed boilers there in 1805. Before the year's end, the Sac broke up the works, but Boone rebuilt. The operation was not conceived as the cradle of community, but it became one in 1808, when Benjamin Cooper, his wife, and their sons built a cabin two miles from the works. Almost immediately, the family was ordered downriver by Meriwether Lewis, then governor, for locating in Indian Country.[64] They complied, Cooper recalled, for their own safety, and not without reason.[65] That summer an Iowa party killed two hunters while crossing the Missouri in search of Osages. To stave off reprisal the culprits surrendered themselves in St. Louis, where they received a trial and death sentences before being released because the encounter took place beyond US jurisdiction, west of the line "established by Treaty with the Sacs and Foxes."[66]

The release of the Iowa infuriated Lewis and affected an Osage treaty negotiated later that year. In late 1808, William Clark played on the Osages' fear of "eastern Tribes whom they knew wished to destroy them & possess their Country" in order to obtain a land cession south of the Missouri down to the Arkansas River (Fig. 4.3).[67] Soon after signing, however, a group of Osages arrived in St. Louis arguing that they had meant to share hunting rights south of the Missouri, not cede land. Lewis, who had complained bitterly of the subversion of American justice by the "hunting ranges of the 'Sovereign' savages," exploited the protest to *enlarge* the cession.[68] He demanded not only Osage land below the Missouri, but that they relinquish claim to "all lands situated northwardly of the river Missouri."[69] His instructions alluded to the recent murders and framed the deal as a means to reduce intertribal conflict. If the Osage refused, he would cut off trade at the newly constructed Fort Osage. If they agreed, he would quadruple the presents offered, double one of the annuities, and temporarily reserve their hunting rights south of the Missouri.[70] Divided by rivalries between villages and beleaguered by enemies on multiple fronts, the Osages consented.[71] The marginal improvement to the treaty cost them nothing more than a meaningless claim to their enemies' land.

The 1808 treaty relinquished Osage title to lands north of the Missouri River, but did not challenge the Sac and Fox claim to the same land, a lesson the Coopers learned when they tested the meaning of the cession by returning to Boon's Lick with several other families in 1810. By 1812, the colony, which had grown to roughly 75 households, were rebuffed when they asked Gov. Benjamin Howard, Lewis' successor, for inclusion

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[64] "A Proclamation" [April 20 1808], "Reproductions: 1806 to May 1808," *Meriwether Lewis Papers*, Missouri History Museum Archives, St. Louis, Missouri.
[65] "Testimony of Col. Benjamin Cooper," Draper Manuscript 22S, Drapers Notes, Wisconsin Historical Society, MF Reel 50.
[66] Governor Lewis to the President, August 27, 1809, *TPUS* XIV, qt. 294, 312; Thomas McKenney and James Hall, *History of the Indian tribes of North America: with biographical sketches and anecdotes of the principal chiefs* II (2 vols.; Philadelphia, 1872), 82-83; William E. Foley, "Different Notions of Justice: The Case of the 1808 St. Louis Murder Trials," *Gateway Heritage* 9, no. 3 (Winter 1988-89): 2-13.
[67] Kate Gregg, ed., *Westward with Dragoons: The Journal of William Clark on his Expedition to Establish Fort Osage, August 25 to September 22, 1808* (Fulton, MO, 1937), 41.
[68] Governor Lewis to the President, August 27, 1809, *TPUS* XIII, 294.
[69] "Treaty with the Osages," *KLT*, 96.
[70] "Copy of instructions by his Excellency Governor Lewis to Peter Chouteau [1808]," *ASPIA* I, 766. For comparisons to the first version, see Kate L. Gregg, ed., *Westward with Dragoons*, 41.
[71] Rollins, *The Osage*, 213-256.

under the territory's laws. Howard refused to sanction their settlement, stating plainly that it violated the Sac and Fox treaty of 1804. At the same time, he cited a loophole in that treaty to avoid dispersing the squatters: "'Tis true, that by the treaty between the U: States, and the Sacs & Foxes, The Superintendent, of Indian affairs, is empower'd, to remove settlers on their lands, in case they make complaint…but as it respects the settlement, at Boone's Lick near the Missouri, no complaint has been made."[72] The mixed response indicated that the Osage cession north of the river had not ended federal recognition of Sac and Fox title, even if Howard was loathe to respect it.[73]

While the Sac and Fox never formally requested the removal of the Boon's Lick squatters, they sent other messages indicating their dissatisfaction with the intrusion on their hunting territory. In 1811, a wave of attacks began. The Sac and Fox stole horses, slaughtered livestock, destroyed fields, and wrecked homes. The Boon's Lick squatters retreated to block houses for protection, and later filed claims for their losses under the Indian Trade and Intercourse Act (1802). The vast majority of the Indian depredation claims from Missouri's territorial-era accused the Sac and Fox or Iowa of attacks in central Missouri from 1811 to 1814 (Fig. 4.4). In fact, almost a third of them trace directly to families who arrived with the Coopers in 1810.[74] With the Sac and Fox conquest of this land unwritten, historians framed the barrage as part of the War of 1812, even as they acknowledged its awkward fit. The raids predated that conflict, during which the Sac and Fox avoided firm alliances with both the British and Tecumseh's pan-Indian movement.[75] Instead, they prioritized their own interests, which included challenging the squatters at Boon's Lick.

The raids looked different to Americans. In particular, they linked wartime assaults on Fort Osage (on the Missouri) and Fort Madison (at the confluence of the Des Moines and Mississippi rivers) into a common front. At Fort Osage, Sac and Fox attacks began in 1811 and became so intense that they cut off Osage hunts and forced the trade factory to relocate downriver.[76] The move angered several chiefs, who feared "that the Sacque & Foxes are to take possession of their Country."[77] The Sac and Fox began menacing Fort Madison's shortly after its construction in 1808, and continued through 1813, when the garrison burned it down themselves and fled.[78] As Black Hawk later explained, they had welcomed a trade establishment, but feared the fort would cut them

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[72] Governor Howard to the Secretary of War, June 14, 1812, *TPUS* XIV, 568

[73] The territorial assembly also acknowledged this as unceded Indian land in 1813. See, Henry S. Geyer, *A Digest of the Laws of Missouri Territory* (St. Louis, 1818), 131.

[74] *History of Chariton and Howard Counties, Missouri* (St. Louis, 1883), 151.

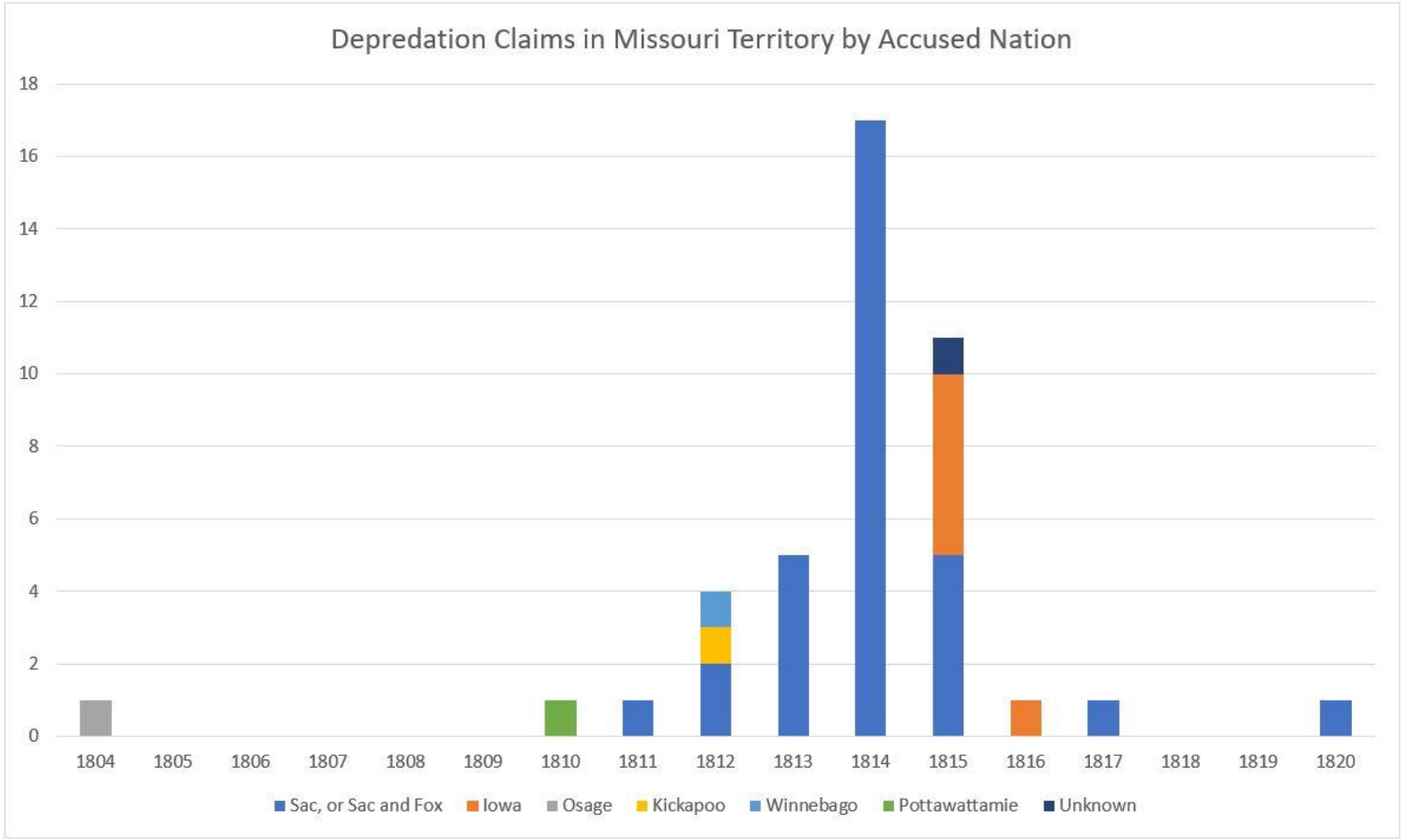
[75] Gregg, "The War of 1812 on the Missouri Frontier: Part I," 3-22; Stephen Aron, *American Confluence: The Missouri Frontier from Borderland to Border State* (Bloomington, IN, 2006), 153-154. For other examples of attacks on Americans and war parties against the Osage prior to the see, Meriwether Lewis to Secretary of War, 1 July 1808, *TPUS* XIV, 202; Bradbury, *Travels*, 23.

[76] George C. Sibley, March 11, 12, 19, 1811, "Diary of George C. Sibley, 1808-1811," Lindenwood College Collection, Missouri History Museum Archives, St. Louis; George C. Sibley to William Clark, May 4, 1811, Letter Book of George C. Sibley, 1808-1811, Lindenwood College Collection, Missouri History Museum Archives, St. Louis; Daniel Bissell to the Secretary of War, July 22, 1812, *TPUS* XIV, 588.

[77] George Sibley to William Clark, 28 November 1813, RG 75, M856, Roll 2.

[78] Kate Gregg, "The War of 1812 on the Missouri Frontier: Part II," *The Missouri Historical Review* 33, no. 2 (Jan. 1939): 201.

Fig. 4.4: Indian Depredation Claims in the Missouri Territory



Memorial of the State of Missouri, and Documents in Relation to Indian Depredations Upon Citizens of that State, March 6, 1826, 9th Cong. 1st Sess. Doc. 55 (Washington: Gales & Seaton, 1826)

off from "our best hunting ground."[79] Shortly after these events, a band of Sac and Fox, who American officials had persuaded to relocate to Missouri to distance them from the British, launched a burst of attacks on Boon's Lick. For the Sac and Fox, they were part of a longer campaign to hold their territory.

For the squatters, the attacks were fodder for yet another appeal to come under the territory's legal jurisdiction.[80] In 1814, the squatters admitted having squatted "beyond the Indian boundary, on the north side of the river Missouri" and asked William Clark, who had succeeded Howard as governor and Indian superintendent, to obtain Indian title.[81] Clark obliged, and sought permission to pursue a cession of the "lands Claimed by the Socks & Ioways."[82]

When no response came, Clark unilaterally overturned a decade-old policy recognizing the Sac and Fox title north of the river. In March 1815, he issued a proclamation declaring the boundaries of the previously undefined northern reach of the Osage cession of 1808 were known. Asserting that "pretentions of other nations of Indians…are utterly unsupported," the decree disclaimed the Sac and Fox right to territory north of the Missouri River and projected civil authority over Boon's Lick.[83] Clark, whose own reports had recognized the Sac and Fox conquest, never said why he issued the proclamation, at least not in any surviving documents. Given the surrounding events, it looked suspiciously like a punishment for Sac and Fox truculence and a salve for the squatters.

The proclamation ran in the *Missouri Gazette* next to an announcement that the Treaty of Ghent had ended the War of 1812. Of course, that war's official end meant little to the Sac and Fox, who stepped up their raids along the Missouri in early 1815.[84] The peace did, however, reduce their pool of allies and exposed internal tensions.[85] By September 1815, treaty commissioners had negotiated fourteen Indian peace treaties at a council at Portage des Sioux, including agreements with the Iowa and the Sac and Fox band that had relocated to Missouri in 1814. After Clark threatened to prevent the other bands from hunting in Missouri, they too signed a peace treaty in 1816.[86] On paper, it looked like the commissioners had faithfully followed their instructions, pursuant to the Treaty of Ghent, to restore to "Tribes all the rights and privileges to which they were entitled previous to the war."[87] On the ground, they circumvented those orders by using Clark's proclamation to rewrite history. By redefining the vague and partial Osage cession of 1808 as definite and complete, eight million acres of land north of the river suddenly appeared in the US public domain.

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[79] Black Hawk, *Life of Black Hawk*, 61.
[80] "Memorial to Congress by the Territorial Assembly" and "Petition to Congress by Citizens of the Territory of Missouri," *TPUS* XV (Washington, 1951), 196, 594-595.
[81] "Resolution of the Territorial Assembly," [January 17, 1814], *TPUS* XIV, 731.
[82] Governor Clark to Secretary of War, 6 January 1814, *TPUS* XIV, 728.
[83] "A Proclamation by Governor Clark," [March 9, 1815], *TPUS* XV, 41.
[84] [Extract of a Letter from Wm Clark, Governor of the Missouri Territory, to the Secretary of War, dated St. Louis, 17 April 1815], Box 1, Folder 4, Indians Collection, Missouri History Museum Archives, St. Louis, MO; Gregg, "The War of 1812 on the Missouri Frontier: Part III," 341.
[85] Thomas Forsyth to the Secretary of War, 30 April 1815, "Letter-book of Thomas Forsyth—1814-1818," *Wisconsin Historical Collections*, XI, 338.
[86] A. Smith to William Clark, 12 October 1815, Pierre Chouteau Collection, in Papers of the St. Louis Fur Trade, Roll 8.
[87] Secretary of War to the Indian Commissioners, 11 March 1815, *TPUS* XV, 14.

The Land Rush

Clark's proclamation triggered a land rush to Boon's Lick, where the population skyrocketed from less than 1,000 to over 20,000 between 1815 and 1820. The emigrants straddled the river in Howard County, erected in 1816 and subdivided along the Missouri into Howard and Cooper counties in 1819. By 1820, they accounted for 44% of the territory's decennial population increase and encompassed nearly a third of Missouri's total population. While the Sac, Fox, and Iowa continued to hunt in the area, the new arrivals effectively erased the Indian boundary at the river as they propelled Missouri toward statehood.

Glowing reports of land around Boon's Lick certainly encouraged Clark's proclamation. In 1811, Braxton Cooper praised the rich soil and abundant game in the area, apparently unaware that the latter was a common characteristic of intertribal war zones.[88] The traveler John Bradbury spread stories of squatters' fields with fourteen foot cornstalks.[89] Gov. Howard placed the squatters "on the finest, body of land I believe, in Louisiana."[90] In 1814, William Rector, the federal surveyor for Missouri and Illinois, got a tip that these lands would "sell rapidly" if "the Indian title (the Sacs) should be extinguished to a small tract of Country on the Missouri, called Boon's Lick Settlements."[91] The next year, Clark told him this area was "admirably calculated for settlements" and assured him that the Sac and Fox "pretentions are not well founded."[92] A month after Clark's proclamation appeared, Rector forwarded a copy to Washington with a survey plan that projected the Osage cession of 1808 north of the Missouri River.

The survey conformed to Rector's orders to locate good land without violating Indian boundaries. As a bonded official, Rector risked financial ruin if his expenditures were rejected by the General Land Office, which would not authorize straying into Indian Country.[93] To secure his plans, he dismissed the Sac and Fox claim to his superiors and delayed the survey until after the Portage des Sioux negotiations affirmed the proclamation's reinterpretation of the Osage cession. The treaty commissioners, which including Gov. Clark and Auguste Chouteau, used a rough map indicating the "Boundary of the Osage claims North of the Missouri" to impress the claim on the Indian delegations (Fig. 4.5). They also recruited Osage attendants to assist Rector's men, who ran the line "with their approbation" in 1816.[94] The line followed Clark's proclamation north from the mouth of the Kansas River for about 100 miles, then turned due east, running until it hit the Des Moines River near the Mississippi (Fig. 4.6). This eastern portion extended over lands that Chouteau argued the Illinois Indians had abandoned (see Fig. 4.8). Echoing the

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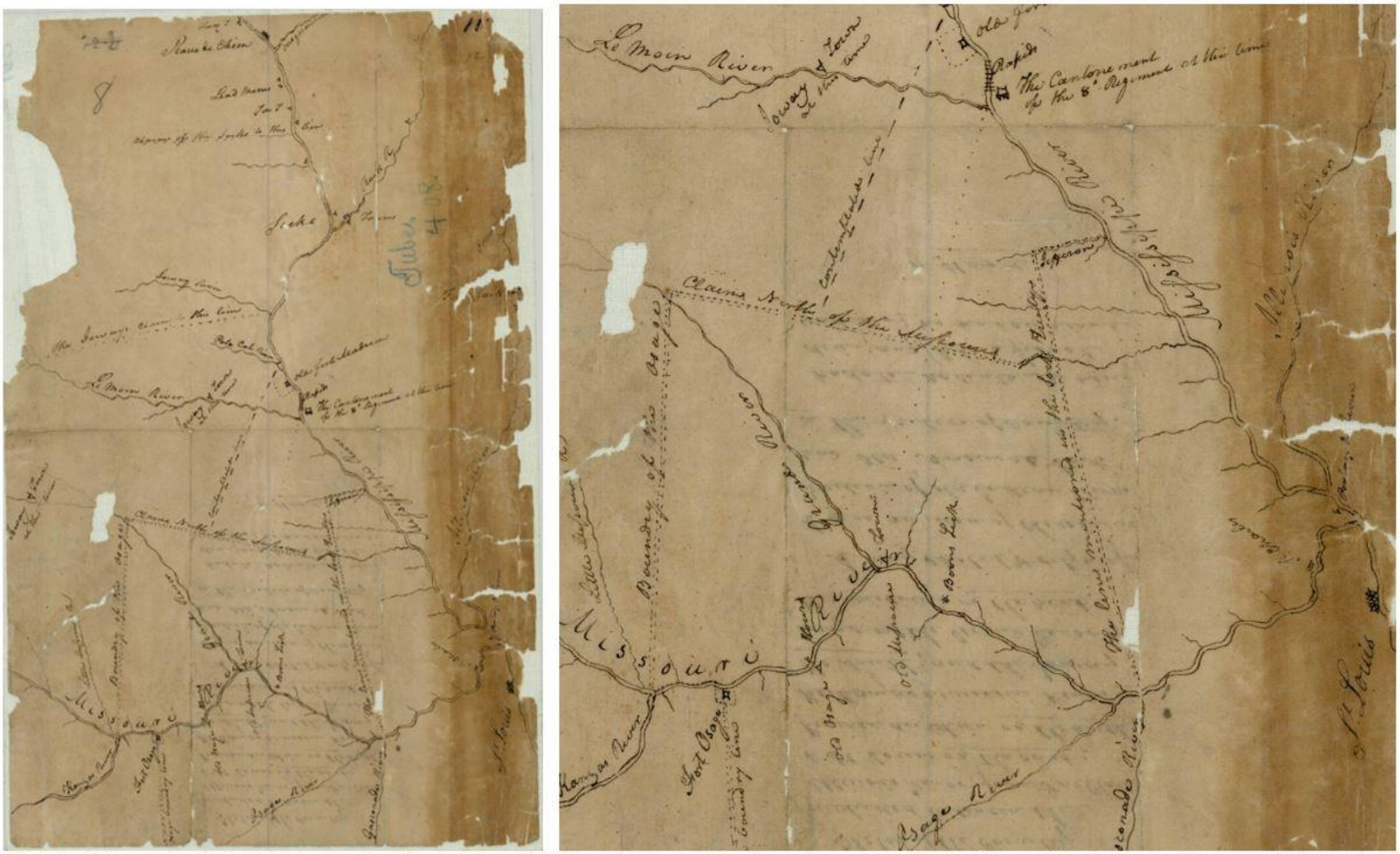
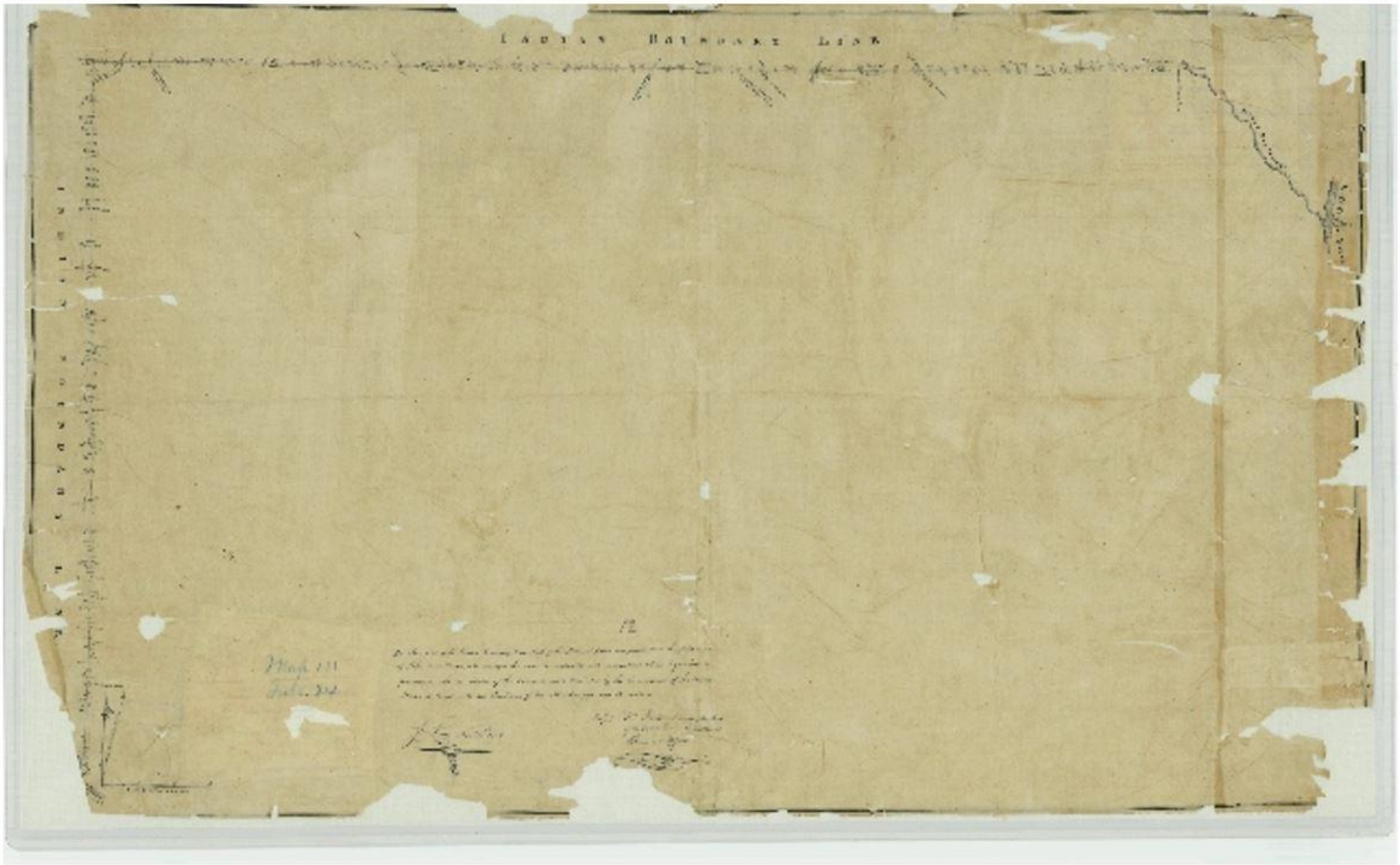
[88] Henry M. Brackenridge, *Journal of a Voyage up the Missouri River in 1811* (2nd ed.; Baltimore, 1816), 49.
On the relationship between intertribal war zones and elevated game populations, see Paul S. Martin and Christine R. Szuter, "War Zones and Game Sinks in Lewis and Clark's West," *Conservation Biology* 13, no. 1 (Feb. 1999): 36-45.
[89] Bradbury, *Travels*, 195.
[90] Governor Howard to the Secretary of War, June 14, 1812, *TPUS* XIV, 567.
[91] William Russell to William Rector, 20 April 1814, *TPUS* XIV, 752.
[92] William Rector to Josiah Meigs April 17, 1815, RG 49, M1323, Roll 1.
[93] William Rector to William Clark, Ninian Edwards, and Auguste Chouteau, 12 July 1816, RG 49, M1323, Roll 1.
[94] William Rector to Josiah Meigs, 22 July 1816 and 12 August 1816, RG 49, M1323, Roll 1; Indian Commissioners to the Secretary of War, 11 November 1816, *TPUS* XV, qt. 202.

Fig. 4.5: Map showing "Boundary of the Osage Claims North of the Missouris" (1815)



"Sketch of the country included between the Illinois River, from Fort Clark, & St. Louis on the east, Prairie du Chien on the North, the Kansas and Missouri Rivers on the South and the Ioway towns on the Grand River by the Missouri on the West" [ca. September 1815] CMF 140, Cartographic and Architectural Records, National Archives.

Fig.4. 6: Indian Boundary survey north of the Missouri River (1816)



[Rector's northern Missouri survey line of 1816], CMF 140, Cartographic and Architectural Records, National Archives.

logic in Clark's proclamation, Chouteau admitted the Sac, Fox, and Iowa were "in the habit of hunting" here, but denied "their claims by right of conquest" as too recent to be valid.[95]

Rector's "Indian boundary" functioned as an important lure for many emigrants. Some, like the Coopers, intruded before Indian title was extinguished, but their numbers paled in comparison to those who waited for safer opportunities to obtain public domain lands.[96] In 1816, for instance, an article about "Boone's Lick, now Howard County" told readers around the country that "the Osage boundary line" marked off 30,000 square miles of good land north of the Missouri.[97] "The Indian title has been extinguished" another reported as it detailed the "line between the whites and the Indians" that augured military bounties and public land sales.[98] In Ste. Genevieve, a dry goods dealer clarified that "Boon's Lick & settlement are one & the same thing" for a curious friend in Kentucky who wanted to know when a land office would open and if he should fear Indians.[99]

Officials expected the acquisition of Indian title to attract migrants, but with tens of millions of acres of unappropriated public domain land around the United States, no one could really predict how many would come, where, or how fast. So when Boon's Lick actually started attracting "vast numbers" of families drawn by the "prospects of a speedy sale," many took notice.[100] George Sibley, the factor at Fort Osage, described "immense swarms of emigrants" arriving at rates "beyond all former example."[101] John Mason Peck, an itinerant preacher, said "they came like an avalanche" in 1816, animated by a "terrific excitement about getting land."[102] The writer Timothy Flint recalled a hundred emigrants a day heading to Boon's Lick, and struggled to explain the attraction. "From some cause," he mused, "it happens in the western and southern states, a tract of country gets a name as being more desirable than any other…I have heard at least a dozen points come into fashion, and go out again, as places of immigration."[103] Such commentary has made this rush a common feature of histories of Missouri, but miscast it as somehow typical of postwar migration.

Simply put, Boon's Lick was the fastest growing place in the United States for a few years before 1820. As the national population rose by 33% between 1810 and 1820, and Missouri's by 236%, Boon's Lick ballooned by over 1,700% between 1815 and 1820 alone. The influx was so intense that even after Howard County's subdivision in 1819, the portion of the county that remained north of the river debuted in the federal census of

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[95] Grant Foreman, ed., "Notes of August Chouteau on Boundaries of Various Indian Nations," *Glimpses of the Past* VII, no. 9-12 (October-December 1940): 135-136; "A Proclamation by Governor Clark," [March 9, 1815], *TPUS* XV, 41; William Rector to Edward Tiffin, April 20, 1815, *TPUS* XV, 36.

[96] See, for example, William Darby, *The emigrant's guide to the western and southwestern states and territories* (New York, 1818), 108-110, 112, 114, 115, 124, 127, 130-132, 213, 214, 219-221, 223, 267, 301, 306.

[97] John G. Heath, "To the Editor of the National Register," II, no. 11 (November 9, 1816), p. 162.

[98] "Soldiers' Bounty Lands," *Niles' Weekly Register* XII, no. 6 (April 5, 1817), 82.

[99] James Clemens, Jr., to Isachar Pawling, 4 October 1816, in "Notes on Missouri," *Glimpses of the Past* III, no. 7-9 (July- September, 1936), 135-137.

[100] William Rector to Josiah Meigs, July 7, 1817, RG 49, M1323, Roll 1.

[101] George Sibley to James G. Mask, 29 March 1817, in Darby, *The emigrant's guide*, 303

[102] Rufus Babcock, ed., *Forty Years of Pioneer Life. Memoir of John Mason Peck, D.D., edited from his journals and correspondence* (Philadelphia, 1864), 146.

[103] Timothy Flint, *Recollections of the Last Ten Years* (Boston, 1826), 202-204.

1820 having made larger absolute population gains than 97.6% of counties in the United States. To accomplish this, its numbers had to double more than 13 times, which meant it had the fastest growth rate of all 761 counties enumerated in the 1820 census. In less than five years, Howard's population surpassed what St. Louis County had taken over fifty years to accumulate, giving it more inhabitants than 90% of counties west of the Appalachians, and making it the most populous county west of the Mississippi. To find comparably superlative growth requires looking to places like El Dorado County, the epicenter of the California gold rush, which first appeared in the census of 1850 after gaining more people than 98.5% of US counties and doubling over 14 times.[104] As a demographic lodestone on the landscape of the North American history, Boon's Lick had more in common with the Sierra foothills of 1850 than the Ozarks of 1820.

Except the emigrants came for land, and in this sense, this "pole-star of attraction" had rivals.[105] Fig. 4.7 shows zones of significant demographic growth in the United States between 1810 and 1820. It highlights areas with large population gains and high growth rates by identifying counties that added more inhabitants than the national average, then scaling them by how frequently their populations doubled *after* reaching that threshold. The sites of Indian land cessions, converted to public domain land and brought to market, form a common link between the growth centers. Lands from the Holland Purchase attracted emigrants to western New York. Public land in Ohio acquired before the War of 1812, and newly secured after, sold briskly. Sections of Alabama ceded via the treaty of Fort Jackson became a hotbed for the redemption of Yazoo scrip. An Illinois county carved out of the Sac and Fox cession of 1804 boomed from speculation in military bounties. Fig. 4.7 strongly suggests that if Boon's Lick did not suddenly attract so many emigrants, the newcomers would not have automatically diffused elsewhere in Missouri. It also indicates that if Clark's proclamation had not seized Indian title, Howard County would have had little chance of becoming the single strongest magnet for emigration of its time. No one could have anticipated why that would matter so much, but it did.

Toward Statehood

The timing and placement of the migration set the stage for the Missouri Crisis. Driven by a "zeal to purchase," emigration surged in 1816, 1817, 1818, resulting in two-thirds of the acres patented in Missouri by 1820 falling within Howard County's original boundaries.[106] The distribution of public land, mapped in Fig. 4.8, gives the clearest picture of "the country usually denominated *Boon's Lick* settlement."[107] The newcomers fanned out from the salt works and spilled across and up the Missouri River, with a large

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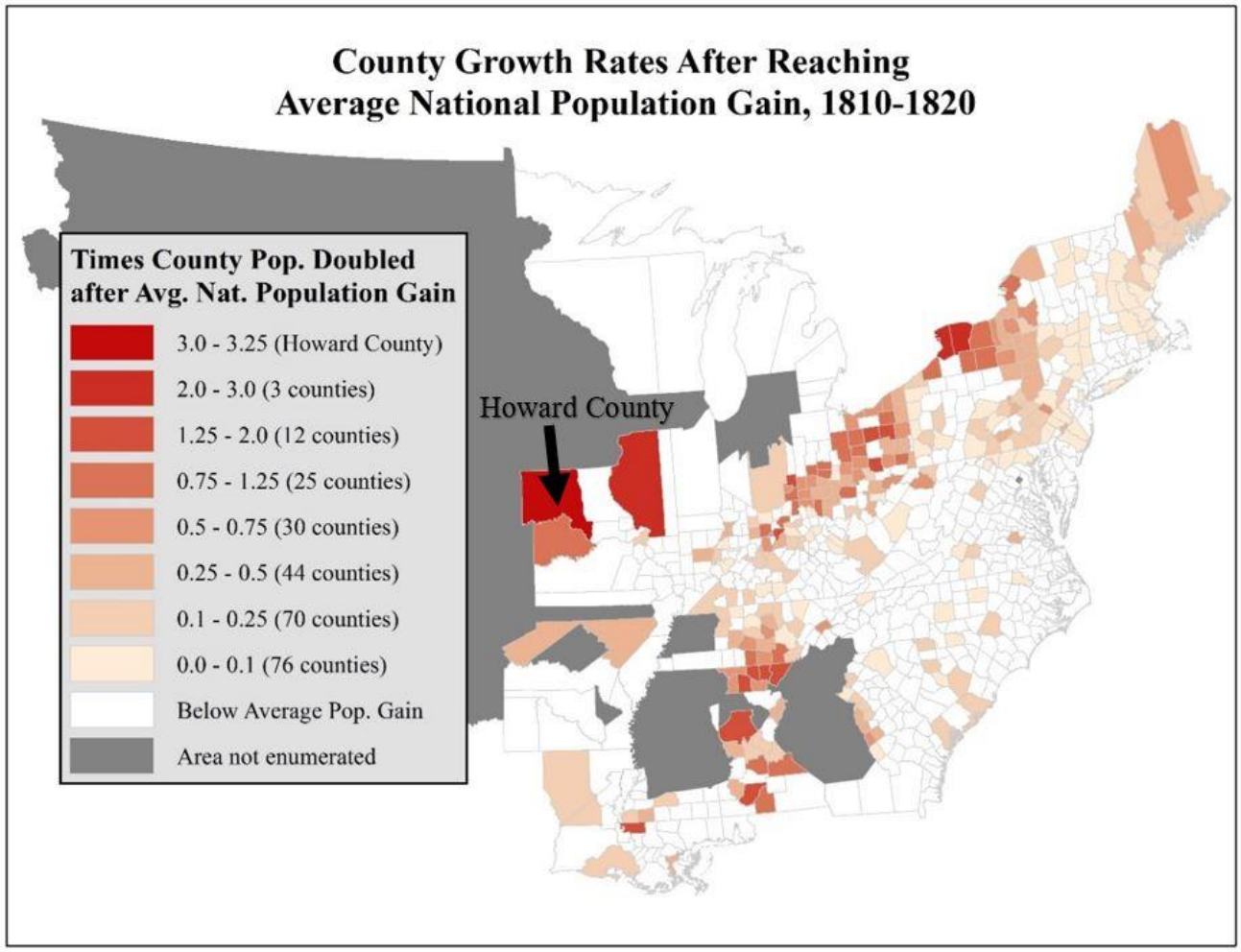
[104] Minnesota Population Center, *National Historical Geographic Information System: Version 2.0.* (Minneapolis, MN: University of Minnesota, 2011). The Boon's Lick population that appeared in the 1820 census (20,385) was synonymous with the combined populations of Howard and Cooper counties, see, for example: "Petition to Congress by Citizens of the Territory of Missouri," [March 14, 1820], *TPUS* XV, 594.

[105] Flint, *Recollections*, 204.

[106] 335,784 of 496,073 acres patented in Missouri. See Bureau Land Management, Eastern States Office, www.glorecords.blm.gov, accessed June 10, 2017.

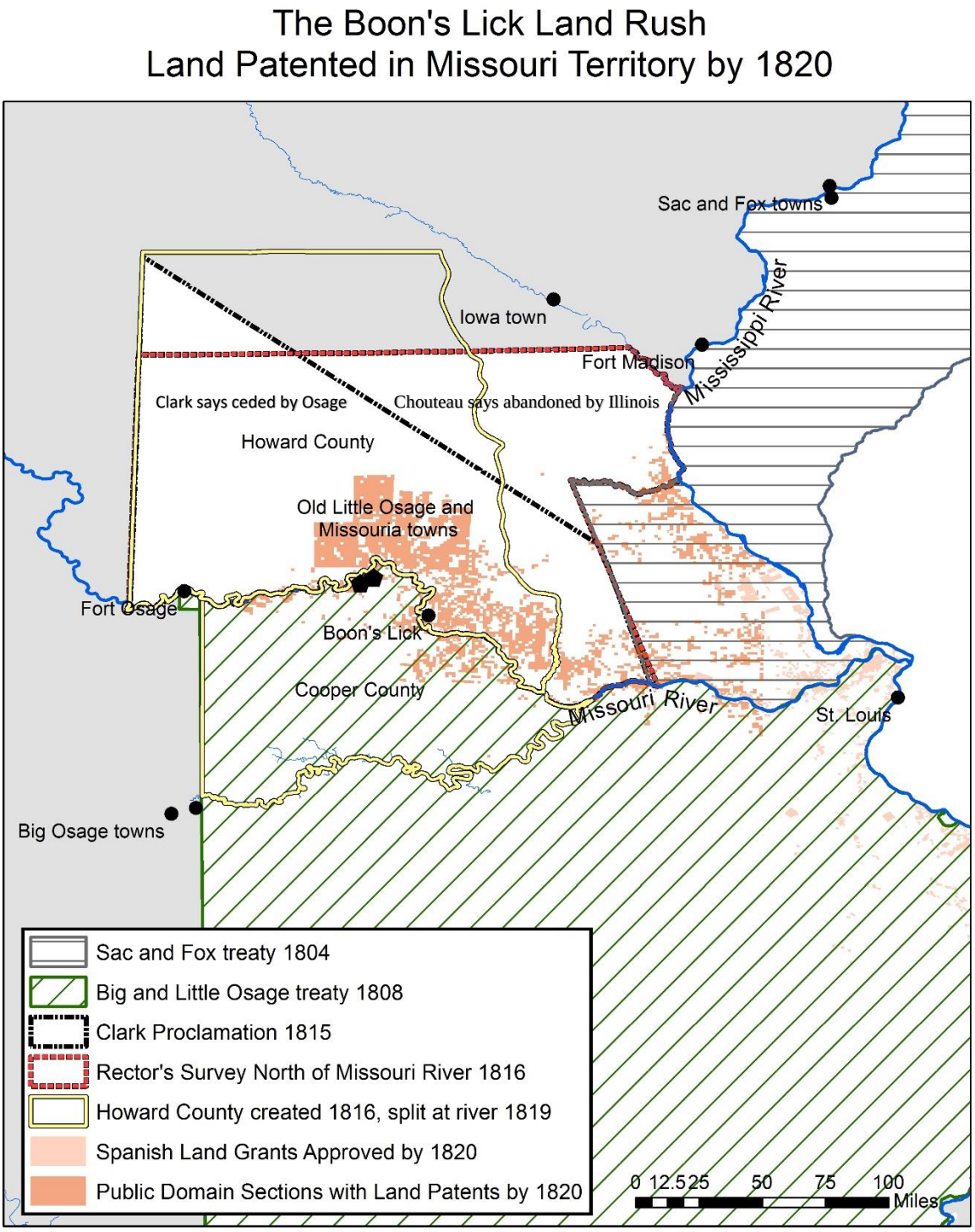
[107] [Petition to Congress by Citizens of the Missouri Territory], 14 March 1820, *TPUS* XV, 594. Howard County as erected in 1816 contained 14,353,280 acres (measured from shapefile in the Newberry Library *Atlas of Historical County Boundaries Project*).

Fig. 4.7: County Growth Rates After Reaching Average National Population Gain by County, 1810-1820



Federal Census 1810; Federal Census 1820, drawn by the author.

Fig. 4.8: Boon's Lick Land Rush



Bureau Land Management, Eastern States Office, www.glorecords.blm.gov.; *Territorial Papers of the United States* XV, Charles Royce, *Eighteenth Annual Report of the Bureau of American Ethnology to the Secretary of the Smithsonian Institution, 1896-1897*. Drawn by the author.

mass settling on the north side across from the old Missouria and Little Osage towns. They generated nearly half of the territory's population growth since 1810, with 95% of them arriving after Clark's proclamation.

The region they came to was envisioned primarily as an agrarian empire of slavery. Some spoke of the attraction for slaveholders incidentally. Peck reported a story of a slave nearly killed by Indians in Boon's Lick during the War of 1812. Slaves appeared in the caravans of property Flint reported. Others were casually described in personal plans, like those of George Sibley who wrote briefly to his brother about his desire for ten slaves, noting that he "might enlarge on this subject, but 'tis not worth while – you perfectly understand me."[108] Others were less reticent, especially as slavery in Missouri emerged as national concern. As emigration still boomed in 1819, the editor of *The St. Louis Enquirer* wrote in typically hyperbolic fashion about "astonishingly great" numbers of new arrivals, estimated at "an average of four to five hundred souls" a day: "The emigrants are principally from Kentucky, Tennessee, Virginia, and the states further south. *They bring great numbers of slaves, knowing that congress has no power to impose the agitated restriction, and that the people of Missouri will never adopt it.*"[109] They were bringing them in response to reports about good land with rich loess soil, good for growing cash crops, like tobacco. But good soil was not enough. In the few years after the War of 1812, migrants forced hundreds of thousands of dollars' worth of slaves into Boon's Lick expecting to be secure in their human property, within the bounds of the territory's government, and able to acquire more property in land from the public domain.

Most of the migrants came from the Upper South and responded positively to reports that assured that "slavery *is* admitted in the Missouri territory" as they delineated Indian boundaries.[110] By 1820, 25% of Missouri's slaves lived in Boon's Lick—one for every three adults.[111] When news broke of James Tallmadge's abolition amendment, those who "migrated thither under an expectation" that slavery would persist were up in arms.[112] William Lane, an army doctor, was glad that "a majority of the good people are looking out for quarter-sections, & have their attention very much engrossed in that way: were it not for this circumstance, I think this Country would speedily be in an attitude, bordering on rebellion."[113] Ironically, it was the rush to Boon's Lick that furnished Tallmadge with the opportunity. If Missouri's statehood petition had been delayed even by a single congressional session, he would have been out of office.

The growth of Boon's Lick fueled the population claims animating Missouri's statehood petitions. As the boom mounted in 1816, predictions that statehood was imminent "if the national legislature will give us a state with a population of 60, thousand" began to appear.[114] In 1817, George Sibley described Howard County as "like

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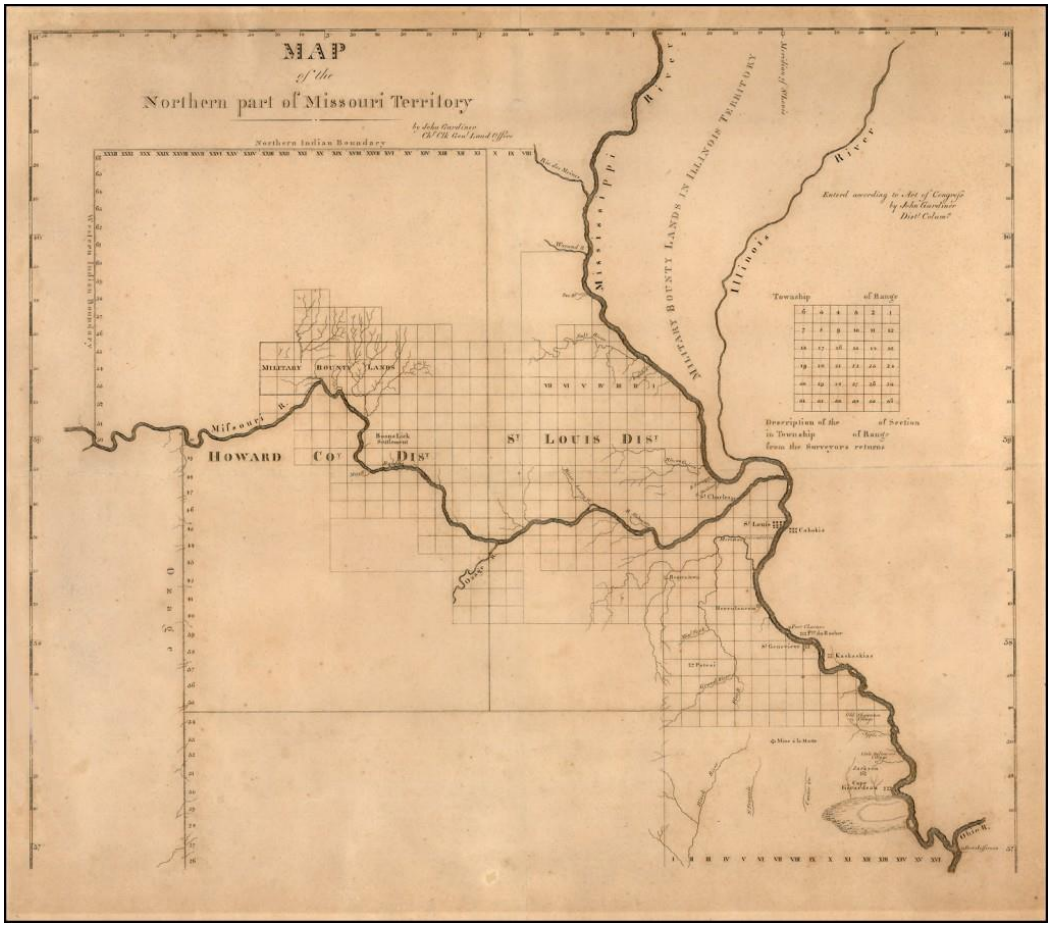
[108] George C. Sibley to Samuel H. Sibley, September 25, 1813, George Champlain Sibley Papers, Missouri History Museum Archives, St. Louis, MO.
[109] "Chronicle," *Niles's Weekly Register*, December 25, 1819, p. 288.
[110] "Soldiers' Bounty Lands," *Niles' Weekly Register* XII, no. 6 (April 5, 1817), p. 82.
[111] 8,177 free adults, 2,726 slaves. See Minnesota Population Center, *National Historical Geographic Information System: Version 2.0.* (Minneapolis, MN: University of Minnesota, 2011).
[112] "Proceedings January, 1820," *Annals of Congress*, Senate. 15th Congress, 2nd Session (Washington: Gales and Seaton, 1855), 237.
[113] William Carr Lane to Mary Lane, 2 April 1819, "Letters of William Carr Lane, 1819-1831" in *Glimpses of the Past* VII, no. 7-9, July-September (St. Louis, 1940), 60.
[114] Rufus Easton to the Secretary of War, 31 December 1816, *TPUS* XV, 223.

enchantment" and predicted "admission into the union" within a few years.[115] The *Missouri Gazette* published a petition in late 1817 that claimed the territory's 40,000 inhabitants "entitle us to the privileges of a state government."[116] The petition got little traction but presaged a more convincing version sent to Congress in 1818. The 1818 version cited a population "daily increasing, with a rapidity almost unexampled" as justification for statehood and hyperbolically asserted the territory contained 100,000 inhabitants.[117] The overblown figure only makes sense when backlit by the exuberant talk swirling around Boon's Lick, but no evidence suggests anyone took it seriously.[118] At the same time, however, the petition included a territorial census from 1818 that persuasively showed the territory had "more than equal to the number of inhabitants heretofore required."[119] The numbers briefly became an issue after Rufus King—the most vocal opponent of the territory's admission as a slave state—said Missouri and Arkansas had just 11,300 inhabitants. William Smith of South Carolina pounced, showing off the returns indicating a population "of fifty-two thousand; and also, such evidence as ought not to be doubted, that there were ten thousand more not within the census taken, but were within the territory; amounting, in the whole number to a population of 62,000."[120] No one challenged Smith. In fact, questions about Missouri's population were virtually unheard of in the debates, not because they did not matter, but because the well-publicized growth of Boon's Lick had rendered the question moot.

We can only ponder Smith's other "evidence as ought not to be doubted." It included a map of the territory "made from an actual servey [sic], ordered by the Government," which must have referred in some way to Rector's work.[121] The General Land Office published the likeliest possibility in 1818—a map that included the "Boon's Lick Settlement" in the Howard County Land District, and whose densest cluster of detail sat just opposite the (unlabeled) former Missouria and Little Osage towns (Fig. 4.9). Smith's other evidence is more elusive. It might have been an 1818 report from *Niles Weekly Register* indicating Boon's Lick contained 8,000 white males (up from 3,386 in the territorial census of 1817).[122] Or perhaps a copy of D.B. Warren's *A Statistical, Political, and Historical Account of the United States* (1819), showing Howard County's population had doubled in a span of nine months.[123] It could have been excerpts from Samuel Brown's *Western Gazetteer* (1817) telling readers about the bustling settlement within the "Osage boundary line," or William Darby's *Emigrant Guide* (1818), which

[115] George C. Sibley to James G. Mask, 29 March 1817, in Darby, *The emigrant's guide*, 303, 305.
[116] "A Petition," *Missouri Gazette*, 23 October 1817, p. 2.
[117] Shoemaker, *Missouri's Struggle for Statehood,* 324.
[118] See, for example, "Copy of a letter from a gentleman of Boston, now in the Western County, to the Editors of the Patriot & Chronicle," *Boston Patriot & Chronicle*, 5 May 1818, p. 2.
[119] Shoemaker, *Missouri's Struggle for Statehood,* 326.
[120] "Proceedings February, 1820," *Annals of Congress*, Senate. 16th Congress, 1st Session (Washington: Gales and Seaton, 1855), qt. 375, 379.
[121] Ibid.
[122] [Missouri], *Niles' Weekly Register* II, no. 12 (May 16, 1818), p. 208; Shoemaker, *Missouri's Struggle for Statehood,* 328.
[123] David Baillie Warren, *A Statistical, Political, and Historical Account of the United States*, vol. III (3 vols.; Edinburgh, 1819), 146.

Fig. 4.9: Land Office Map of Missouri Survey (1818)

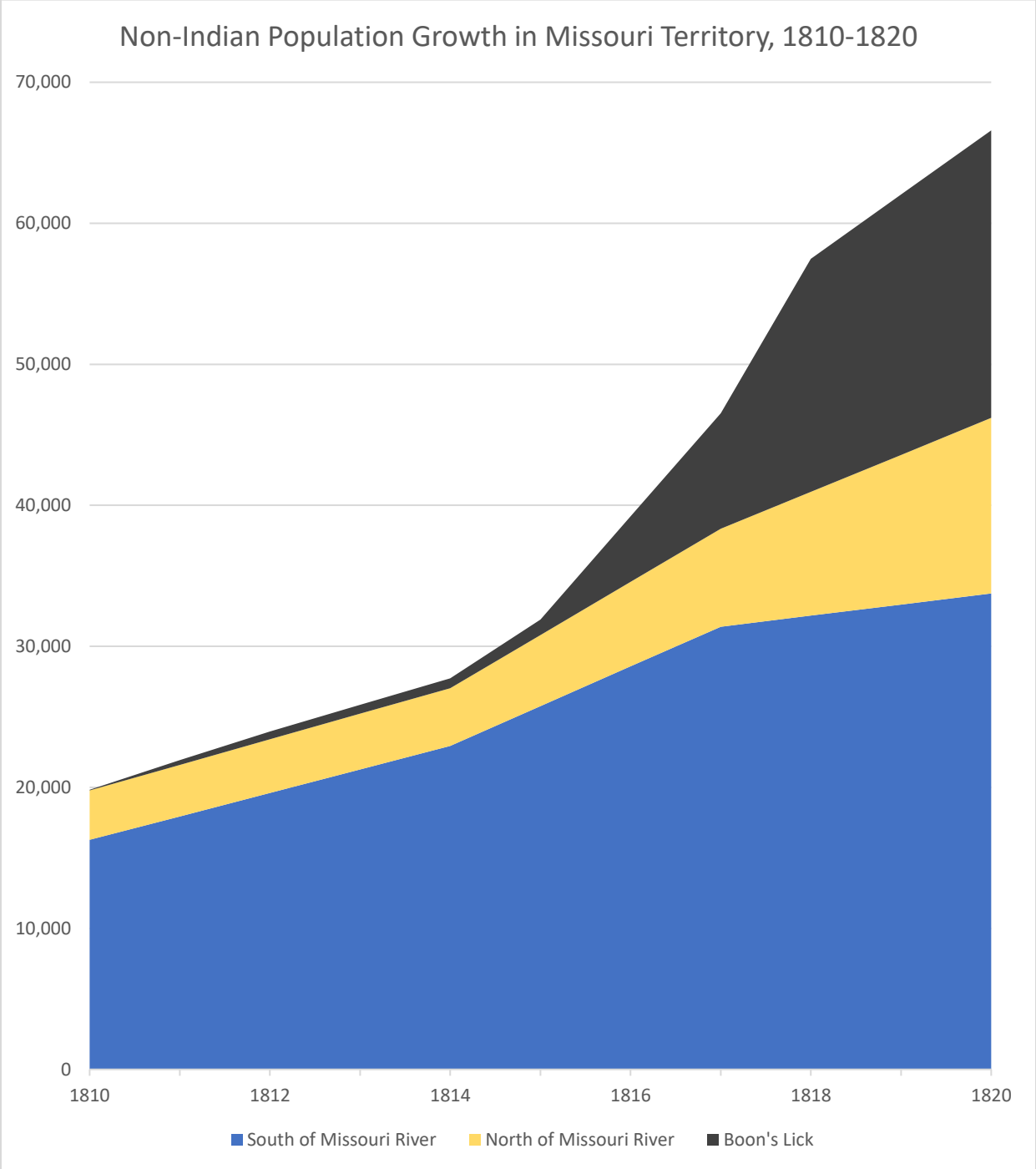


Land Office Map of Missouri (1818), Map Division, National Archive

published Sibley's 1817 letter predicting statehood.[124] It could have been any number of news clippings, like an 1819 article from the *Boon's Lick Advertiser* reporting emigration that "almost exceeds belief," or notices in eastern papers expressing shock that someone had actually set up a printing press in the "wilds of Missouri" to churn out an ad-packed weekly "among a numerous population!"[125] Of course, it might have been something that did not mention Boon's Lick at all. Even still, that does not preclude combing through the possibilities, collecting the stray references to counts of families and militia men, and combining them with surviving censuses to amass a portrait of an unusual demographic event with some unintended consequences (Fig. 4.10). Historians will never be able to say for sure what Smith showed his colleagues, but they can follow the link between the rush to Boon's Lick and the eruption of a national debate over slavery's future.

[124] Brown, *Western Gazetteer*, 192; Darby, *The emigrant's guide*, 302-305.
[125] *Franklin Intelligencer and Boon's Lick Advertiser*, Nov. 19, 1819, quoted in *History of Boone County Missouri* (St. Louis, 1882), 143; [Missouri Intelligencer; Boon's Lick Advertiser; Albany], *Alexandria Gazette* (VA), 3 July 1819, p. 2.

Fig. 4.10: Non-Indian Population Growth in Missouri Territory, 1810-1820



Federal Census 1810; Federal Census 1820; Missouri Territorial Census 1817; *Territorial Papers of the United States XIV;* Smith, *Western Gazetteer* (1817), Darby's *Emigrant Guide* (1818), *Niles Weekly Register* (1818). Counts harmonized using age-race cohort ratios from the 1820 census (i.e. white males: total population = .484:1) and estimated family size of 5.56 for the period interpolated from national averages in the federal censuses of 1790 and 1850

If the growth of Boon's Lick made Missouri's population a virtual non-issue in the Missouri Compromise debates, the Indian relations underlying it seemed to have been avoided by convention. At one point in the House, John W. Taylor of New York paused "to examine the policy of extending our settlements into the wilderness, with the astonishing rapidity which has marked their progress," before stopping himself: "This inquiry, although, intimately connected with the subject, would too much extend the range of discussion."[126] At another, William Pinkney of Maryland could not resist wielding the practice of converting Indian Country to settler property like a cudgel. The United States, he inveighed, regularly deployed "force" or "artifices yet more criminal" to dispossess

> those who did no more than defend their native land against intruders of Europe…You follow still the miserable remnants, and make *contracts* with them that seal their ruin. You purchase their lands, of which they know not the value, in order that you may sell them to advantage, increase your treasure, and enlarge your empire…Will you recur to those scenes of various iniquity for any other purpose than to regret and lament them? Will you pry into them with a view to shake and impair your rights of property and dominion?

Those questions were rhetorical. Pinkney had no problem with how the United States acquired Indian land. He wanted slavery in Missouri, so he took to the floor to belittle his opponents selective outrage at the "fraud and violence" behind the "unquestioned rights" of Americans.[127]

Few other than the Sac and Fox ever pried into how the United States gained title to lands immediately north of the Missouri River. A month after Missouri became a state, 21 chiefs sent a letter to the president asking who had ceded the land. "We wish to do what is right," they explained, "yet it is hard for us to see our property taken away by the White people without complaining, we mean our land."[128] Keokuk was among the signers, and he kept pushing for answers until he reached the capital in 1824 and gave his account of the war that had extended their territory to the Missouri River. At a little over a page long, the short speech was hardly complete, and more interested in airing Sac and Fox grievances than describing the population boom that had inadvertently become one their invasion's most dramatic legacies.

Conclusion

The denial of the Sac and Fox conquest that Keokuk complained about was a geopolitical strategy of the young United States, and a remarkably effective one. It not only swiped the spoils of the Sac and Fox invasion, it pushed it almost entirely from view as a coherent event with real consequences for the history of the continent. Historians of the colonization of North America cannot afford to avoid prying into indigenous

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[126] "Proceedings February 1819," *Annals of Congress*, House of Representatives, 15th Congress, 2nd Session (Washington: Gales and Seaton, 1855), 1171-1172.
[127] "Proceedings February, 1820," *Annals of Congress*, Senate, 16th Congress, 1st Session (Washington: Gales and Seaton, 1855), 401-402.
[128] [To Our Great Father the President of the United States], 14 September 1821, RG 75, M271, Roll 3.

territorial interests, intertribal politics, and Indian boundary-making, as those activities wrought changes that shaped the landscape on which Euro-American settler populations sought to build new polities. In this case, taking large antebellum US population growth for granted obscures a seam binding events that set off a national political crisis. Attending to the demographic origins of the Missouri Crisis does not challenge its significance; it adds a new layer of contingency. Exactly how things might have turned out differently without the expulsion of the Little Osage and Missouria or the denial of the Sac and Fox conquest is impossible to say. But it is not hard to conclude that this forgotten indigenous invasion played an uncredited role in the territorial developments of the early United States.

Chapter 5

Indian Removal to the St. Louis Superintendency

Introduction

By January 1821, William Clark was almost out of a job. He had recently lost the election that would have made him the first governor of the new state of Missouri, and the *ex officio* post of Indian superintendent would disappear silently with statehood. But Indian relations in the Missouri River Valley were anything but settled, as he explained to Secretary of War John C. Calhoun in a candid letter laying out a vision for the future. To explain himself, he included a map that depicted the first schematic design for the project of Indian removal, a zone of territory set aside for the express purpose of gathering Indians expelled from eastern states and territories.[1] Over the next generation, much of the St. Louis Superintendency's work would give form to Clark's plan, resulting in the placement of an array of reservations that appeared like a wall on the western border of Missouri and Arkansas.

Removal was and remains a notorious policy with a simply massive scope. Even a cursory look at federal spending shows that the peak of expenditures on Indian affairs as a proportion of the national budget and the height of the removal era were one and the same. In 1838, the Indian Office consumed 19.5% of national spending, and astonishingly, more than 44% of non-military spending (Fig. 5.1). That year marked the apex of a surge that mounted in the 1820s and subsided in the 1840s as a program of forced relocation took shape, took off, and subsided. The last *Annual Report of the Commissioner of Indian Affairs* to keeps tabs on the number displaced counted nearly 94,000 Indians across eighteen tribes.[2]

While removal looms large in American History, the St. Louis Superintendency's place within it barely registers. Most scholarship has with good reason focused on the experiences of the southern tribes in general and the Cherokee in particular.[3] They were the primary targets of the policy, the bulk of the dislocated population, and experienced the largest share of suffering. Over the years, scholars have filled in the picture by drawing attention to contemporaneous northern removals and later western removals.[4]

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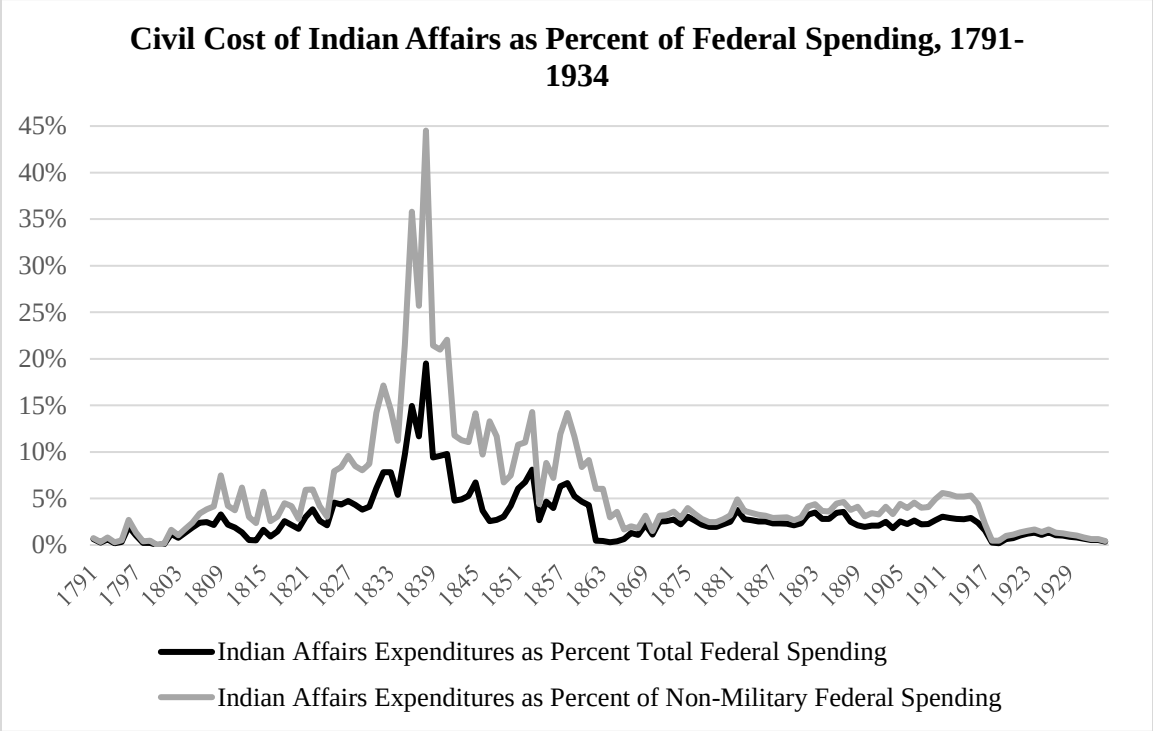
[1] William Clark to John C. Calhoun, 20 January 1821, RG 75, M271, Roll 3.

[2] *ARCIA* (1845), 459-460.

[3] The historiography on southern removal is massive, for a selection of notable recent works, see Gregory D. Smithers, *The Cherokee Diaspora: An Indigenous History of Migration, Resettlement, and Identity* (New Haven, 2015); Theda Purdue and Michael D. Green, *The Cherokee Nation and the Trail of Tears* (New York, 2007); Tiya Miles, *Ties that Bind: The story of an Afro-Cherokee family in slavery and freedom* (Berkeley, 2005); John Ethle, *The Trail of Tears: The Rise and Fall of the Cherokee Nation* (New York, 1997); Anthony F.C. Wallace, *The Long Bitter Trail: Andrew Jackson and the Indians* (New York, 1993); William L. Anderson, ed., *Cherokee Removal: Before and After* (Athens, GA: University of Georgia, 1991); Michael D. Green, *The Politics of Indian Removal: Creek Government and Society in Crisis* (Lincoln, 1982); Grant Foreman, *Indian Removal: The Emigration of the Five Civilized Tribes* (Norman, 1932).

[4] On northern removals, see John P. Bowes, *Land Too Good For Indians: Northern Indian Removal* (Norman, OK, 2016); Mary Stockwell, *The Other Trail of Tears: The Removal of the Ohio Indians* (Yardley, PA, 2015); Grant Foreman, *The Last Trek of the Indians* (New York, 1947). On western removals, see Claudia B. Haake, "Resistance and Removal: Yaqui and Navajo Identities in the Southwest

Fig. 5.1: Civil Cost of Indian Affairs as Percent of Federal Spending, 1791-1934



Throughout the voluminous body of work on dislocated tribes, an implicit orientation puts the emphasis on the homelands left behind rather than the reservations coming into view.[5]

Much of the story of where eastern Indians were removed to is wrapped up in the history of the St. Louis Superintendency. Every single one of the 94,000 removed Indians were shepherded onto western reservations cleared of Indian title by its representatives. Subsequent reductions to the size of the superintendency's jurisdiction decreased the number of removed nations remaining within its purview by the 1840s. A newly created Western Superintendency, for instance, assumed jurisdiction over the southern tribes in modern-day Oklahoma in the 1830s. As a result, by 1845 about 19,000 removed Indians

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Borderlands," in Gregory D. Smithers and Brooke N. Newman, ed., *Native Diasporas: Indigenous Identities and Settler Colonialism in the Americans* (Lincoln, NE, 2014), 253-272; H. Craig Miner and William E. Unrau, *The End of Indian Kansas: A Study of Cultural Revolution, 1854-1871* (Lawrence, KS, 1978); Grant Foreman, *The Last Trek of the Indians* (New York, 1947). For an overview that used the north/south division, see Prucha, *The Great Father*, 179-269.

[5] There are two important exceptions to this trend that make extensive use of the St. Louis Superintendency's papers, but as has become the convention, write through them, rather than about them, giving little sense of the superintendency's role in removal: John P. Bowes, *Exiles and Pioneers: Eastern Indians in the Trans-Mississippi West* (New York, 2006) and Stephen Warren, *The Shawnee and their Neighbors, 1795-1870* (Urbana, IL, 2005). On interactions between removed and plains-prairie Indians, see David La Vere, *Contrary Neighbors: Southern Plains and Removed Indians in Indian Territory* (Norman, 2000). Numerous tribal ethnohistories of plains-prairie nations discuss the areas removed nations entered, as well as interactions with new arrivals, though they tend to say little about the development of removal policies or the role of the west therein. For a model of the form, see Judith A. Boughter, *Betraying the Omaha Nation, 1790-1916* (Norman, OK, 1998).

remained within the St. Louis Superintendency's jurisdiction (in modern-day Kansas), most brought west by the lesser-known expulsions from northern states and territories.[6] This was a costly endeavor that made the operations of the superintendency denser as its jurisdiction shrank. The change was marked by a ballooning budget. Between 1820 and 1850, its expenditures grew tenfold. Over the same decades, the percentage of its budget given over to maintaining treaty relations with removed tribes—who came to be known as "border Indians"—rocketed from 10% to over 55%.

No undertaking suffused the St. Louis Superintendency's operations more completely than the orchestration of removal. The idea appeared within days of the Louisiana Purchase in 1803, and the last removal to the superintendency took place in 1851, the year the St. Louis Superintendency was renamed the Central Superintendency to reflect the growing concentration of its activities around reservations in modern-day Kansas. This long period unfolded in three phases charted here. Prior to 1820, Indian emigrants moving both within and into Clark's superintendency created a cluster of struggling communities in southwestern Missouri and northwestern Arkansas. In the 1820s, the challenges they posed led Clark to advocate for the consolidation of a stack of reservations west of Missouri and Arkansas, making key contributions to the adoption of a national removal policy by clarifying an answer to the question of where to direct eastern Indians. Finally, in the years after the passage of the Indian Removal Act, the St. Louis Superintendency became the receiving ground for tribes expelled from an arc of northern states and territories from Ohio to Iowa, a saga entwined with a series of violent encounters along the Indian boundary line. Together, these three phases help track the origins and evolution of a wall of reservations that accumulated along Missouri's western border from the 1820s to the 1840s, a form familiar in maps adorning studies of Indian removal and central to the evolving policy architecture of removal, yet left oddly unexplained as a deeply unnatural demographic formation on the landscape of North American History.[7]

The First Wave of Removal

The ordeal of Indian removal began with irregular and undirected migrations into and within the St. Louis Superintendency. While the notion of exchanging lands with eastern Indians arose right after the Louisiana Purchase, concerted efforts did not ramp up until after the War of 1812. The first wave of removal treaties between 1817 and 1820 vaguely projected new homes west of the Mississippi for Cherokees, Choctaws, Delawares, Kickapoos, Peorias, and Piankeshaws, prompting relocations that joined and comingled with the displacement of Cherokee, Delaware, Shawnee bands already living west of the Mississippi. This burst of movement brought more than 8,000 emigrants into southwestern Missouri and northwestern Arkansas by 1821 (Fig. 5.2).[8]

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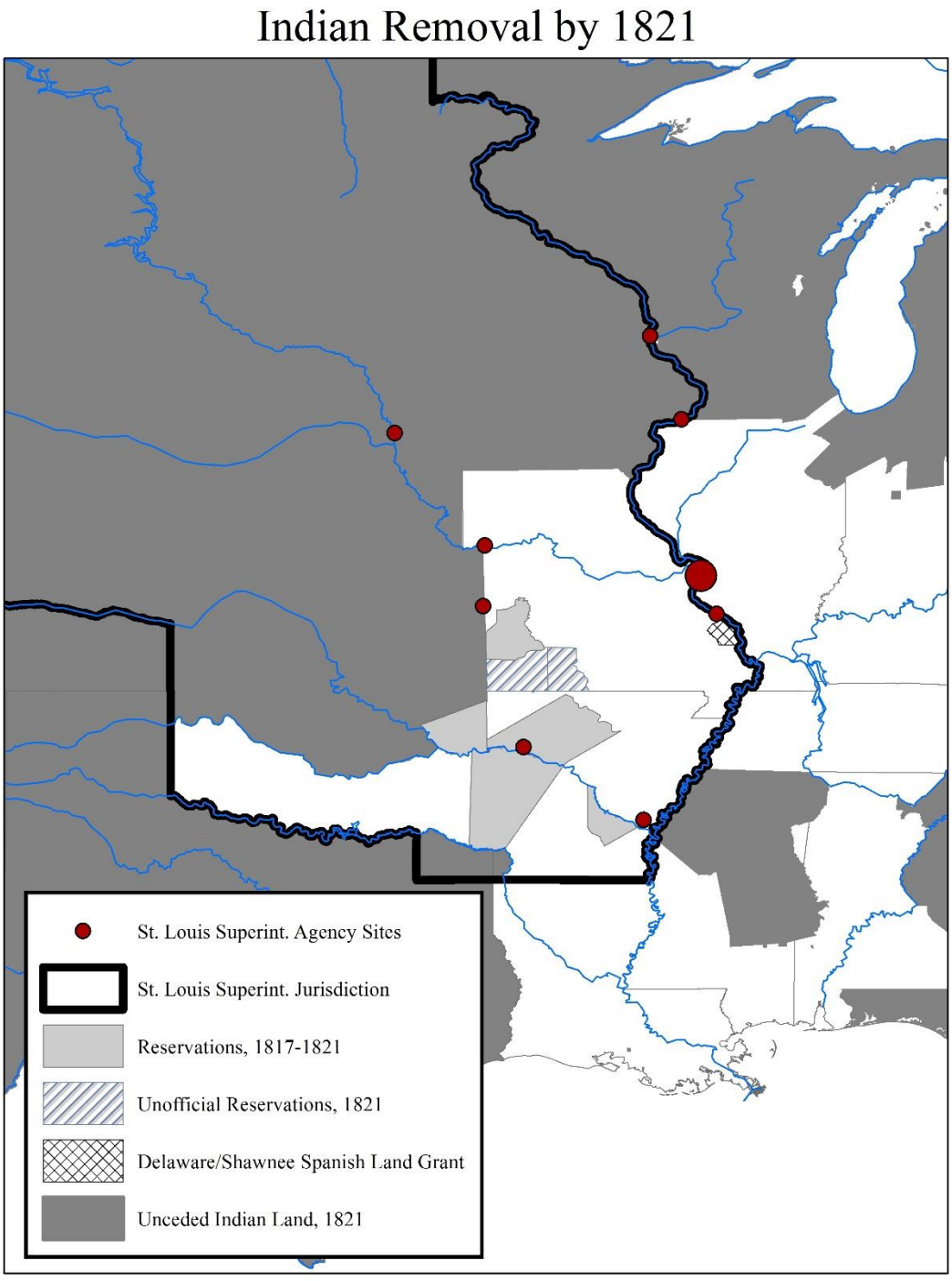
[6] *ARCIA* (1845), 459-460.

[7] For examples of images of the border reservations, see Bowes, *Exiles and Pioneers*, 91; Prucha, *The Great Father*, 275; Foreman, *Last Trek*, 182ff.

[8] "A List of Indian Tribes under the Superintendence of the Governor of the Missouri Territory as Computed the 24th of August 1817," [24 August 1817], *TPUS* XV, 305. The number cited includes the Cherokee (6,000), Shawnee (1,200), Delaware (600), Piankeshaw (200), Peoria (60), and Quapaw listed here, plus about 1,400 Ohio Delaware and about 2,000 Kickapoo. The actual number may be close to, or bit higher than 10,000. I've used the more conservative (ca. 8,000) figure on the number of emigrants

Fig. 5.2: Indian Removal After the First Wave



Drawn by the author.

published by the Senate's Committee on Indian Affairs, see "Proposition to Extinguish Indian Title to Lands in Missouri," 14 May 1824, *ASPIA* II, 512.

Talk of Indian removal began within days of news of the Louisiana Purchase reaching Washington. In early July 1803, Jefferson wrote language into a draft amendment for accepting the acquisition that urged exchanging the Indian "right of occupancy in portions where the U.S. have full rights for lands possessed by Indians within the U.S. on the East side of the Mississippi."[9] For its advocates, two expectations underpinned this idea's allure. On the one hand, Indians crossing the Mississippi would mean less friction with white neighbors in the states, and thus lower War Department expenditures on frontier defense. On the other hand, the vacated territory would pass into the public domain, enabling it to be surveyed and sold to raise funds for the treasury. In the abstract, the prospect of Indian removal offered an answer to critics of the Louisiana Purchase by conjuring visions of the acquisition paying for itself while facilitating the compact spread of US settlement.[10]

The reality was not so seamless. As originally conceived, Jefferson's plan proposed making room west of the Mississippi by relocating Upper Louisiana's colonists to the east side of the river. Within weeks of reaching St. Louis, Meriwether Lewis relayed discouraging information about that possibility. The local population of about 10,000 seemed quite attached to their homes. Though Lewis suggested the right mix of incentives would induce them to leave, other informants gave more realistic, and more pessimistic assessments. In addition to their sheer numbers, many of the inhabitants had Spanish land grants, which would need to be reviewed prior to a property exchange. During that process, American emigrants were expected to arrive, complicating efforts to clear the area. The land claimed by colonists, moreover, was of higher quality than what they might expect to obtain on the east side of the Mississippi. Finally, many of them owned slaves, making swaps for tracts in Indiana Territory unappealing.[11] This litany of challenges led most to consider the "depopulation of our loose settlements" not just impractical, but laughably unlikely.[12] Jefferson publicly stopped pursuing the idea in 1804, though he clung to it privately until 1806, when James Wilkinson, the last official he ordered to examine the possibility left Upper Louisiana under cloud of suspicion linked to Aron Burr's scheme to foment a breakaway republic in the West.[13]

The other half of the removal plan, that is, inducing eastern tribes to cross the Mississippi, stuck; though for years it remained more an ambiguous aspiration than a resolute determination. The hope for Indian land exchanges laid out in Jefferson's failed amendment gained a formal expression in Louisiana's organic act of 1804, but the objective was not vigorously pursued. There were, for instance, discussions of obtaining Indian land for eastern removals during the Osage delegation of 1804, as well as orders to gauge the Delaware's "wish to remove" across the Mississippi several months later. But

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[9] Thomas Jefferson, "II. Revised Amendment," [ca. 9 July 1803], *FO.* Historian Annie Abel showed long ago that the land exchange idea was original and spontaneous to Jefferson and spurred by the Louisiana Purchase. See Annie Heloise Abel, *The History of Events Resulting in Indian Consolidation West of the Mississippi River* (New York, 1908), 244.

[10] Prucha, *The Great Father*, 183-184; Roger G. Kennedy, *Mr. Jefferson's Lost Cause: Land, Farmers, Slavery and the Louisiana Purchase* (New York, 2003), 152.

[11] John Edgar to John Fowler, 25 September 1803, *TPUS* XIII, 5-7; Thomas T. Davis to Thomas Jefferson, 5 October 1803, *TPUS* XIII, 7-8.

[12] Wilkinson to Jefferson, 6 November 1805, *TPUS* XIII, 266.

[13] On Wilkinson's intrigues, see Andro Linklater, *An Artist in Treason: The Extraordinary Double Life of General James Wilkinson* (New York, 2009).

no actual overtures occurred until 1809.[14] As Jefferson's second term came to a close, he broached the topic with the Cherokee, offering aid to those "desirous to remove across the Mississippi, to some of the vacant lands of the United States."[15] They might relocate to the Arkansas and White river area, he suggested, to the lands ceded by the Osage the year before.[16] About 1,000 Cherokees took up the offer, but elected to join a Western Cherokee settlement already in Missouri on the St. Francis River that dated to the 1780s.[17] When the New Madrid earthquakes shook, then flooded the area in 1812, the enlarged community ascended about 400 miles up the Arkansas River.[18]

Federal authorities did not supervise their move, but they encouraged it and placed an agent among the community in 1813. The post went to William Lovely, an aging Revolutionary War veteran who demonstrated a penchant for independent boundary-making during his short tenure. After reaching his new post, Lovely held a council to establish "temporary boundaries" with the Arkansas Osage and white squatters in the vicinity.[19] The agreement took territorial surveyors off guard, and Superintendent Clark unaware, prompting him to write an incredulous letter: "I am unwilling to believe that you would attempt to Establish or make any Indian Boundaries or other Important arrangements relative to the land or the Indians within the bounds of this territory without my knowledge or approbation as the Superintendent of Indian affairs."[20] Lovely apologized and opened a correspondence with Clark. The confusion, it turned out, stemmed from Lovely's appointment as a subagent to the Cherokee in Tennessee.[21]

Lovely soon appeared on Clark's roll of agents, but his independent streak continued, and in 1816 he oversaw an unauthorized land purchase. Violence between the Arkansas Osages and Western Cherokees had steadily worsened since the latter pushed up the Arkansas River and into Osage hunting grounds. In an effort to curtail the fighting, William Clark and Pierre Chouteau helped arrange a peace council presided over by Lovely, who took it beyond questions of peace and persuaded the Osage to sign away a tract of land for the emigrant Cherokees in exchange for the United States paying outstanding depredation claims against them.[22] The tract, known as Lovely's Purchase,

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[14] "From Thomas Jefferson to Henry Dearborn, 20 October 1804," *FO*; Henry Dearborn to William Henry Harrison, Indian Office Letter Books, Series I A p. 166, quoted in Abel, *The History of Events,*251.
[15] Thomas Jefferson, "My Children, deputies of the Cherokees of the upper and lower towns," 9 January 1809, *ASPIA* II, qt. 125. Also see Thomas Jefferson to Cherokee Nation, 4 May 1808, RG 75, M15, Roll 2.
[16] Thomas Jefferson, "My Children, deputies of the Cherokees of the upper and lower towns," 9 January 1809, *ASPIA* II, 125.
[17] Russell Thorton, *The Cherokees: A Population History* (Lincoln, NE, 1992), 44; Cherokee Nation to Thomas Jefferson, 4 January 1809, *FO*.
[18] "A Petition to the Secretary of War from the Inhabitants of the Arkansas District," *TPUS* XIV, 544; "Deposition of henry Cassidy," 23 January 1813, *TPUS* XIV, 637
[19] William Russell to Delegate Hempstead, 1 November 1813, *TPUS* XIV, 720; [William Lovely to the Cherokees], 20 July 1813, *TPUS* XIV, 721.
[20] John Mason to Delegate Hempstead, 10 December 1813, *TPUS* XIV, 717; Delegate Hempstead to John Mason, 13 December 1813, *TPUS* XIV, 719; William Clark to William Lovely, 29 September 1813, *TPUS* XV, qt. 51.
[21] William Lovely to William Clark, 1 October 1813, *TPUS* XV, 51; William Clark to William Lovely, 8 February 1814, *TPUS* XV, 52.
[22] Pierre Chouteau to William Lovely, 1 May 1816, RG 75, OIA, Records the Cherokee Agency, National Archives, College Park, MD; William Clark to William Lovely, 16 May 1816, *TPUS* XV, 134-135; "Claremont, and all the Chiefs of the Osage Nation," 14 July 1816, in *Relative to the Settlement of Lovely's Purchase*, 20th Cong., 1st Sess., House Document 263 (Washington, 1828), 38.

was meant to provide an outlet for Cherokee hunters in line with promises they had received from the United States to encourage their migration. The War Department had known that the Cherokee emigration sparked a conflict with the Osages, but not what Lovely had done. He escaped reproach when he died unexpectedly in early 1817.[23]

Had Lovely lived, he would have seen his purchase swept up into a renewed interest in removal after the War of 1812. In 1816, when William Clark, Auguste Chouteau, and Ninian Edwards—as postwar treaty commissioners—inquired about the possibility of obtaining land cessions to make room for the Western Cherokee, the Secretary of War equivocated, claiming "no precise instructions can be given."[24] The next year, that letter was included in a packet of correspondence gathered for a Senate inquiry into the results of the call for exchanging lands originally written into Louisiana's organic act.[25] The Senate Committee on Public Lands endorsed the policy of exchanging lands as part of this inquiry, positioning removal as a means to reduce the "present irregular form of the frontier, deeply indented by tracts of Indian territory." At the same time, the committee acknowledged not knowing the "quantity of lands" necessary west of the river that might be needed. It urged appropriating funds to negotiate cessions from western tribes as well as enable treaties that "shall have for their object an exchange of territory owned by any tribes residing east of the Mississippi for other land west of that river."[26] Consequently, federal commissioners negotiated another treaty with the Cherokee in Tennessee in 1817, one that promised an acre-for-acre exchange for lands west of the Mississippi, though it did not specify where.[27] As the loose ambitions that prevailed before the War of 1812 garnered greater attention from policy-makers in Washington, the proposed destination for Indian emigrants—somewhere west of the Mississippi—remained vague.

To make room for the unspecified Cherokee tract, Clark negotiated two treaties in 1818. The first was with the Quapaw in Arkansas Territory. The Quapaw—enemies of the Osage but much less populous—had previously sought to exchange land between the St. Francis and White rivers with the United States to obtain aid protecting their hunting grounds. In 1818, Clark and Chouteau exploited the Quapaws' pursuit of an alliance to obtain a huge cession covering about 90% of their territory, carried out "with a view to exchange that part lying N.W. and West of the Settlements with the Cherokees for Lands East of the Mississippi."[28] Two months later, Clark held a council with the Osage in St. Louis, where he negotiated a cession to secure a hunting outlet for the Western Cherokee.

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[23] There are several useful studies of Lovely's Purchase. See S. Charles Bolton, *Arkansas 1800-1860: Remote and Restless* (Fayetteville, AR, 1998), 75-79; Brad Agnew, "The Cherokee Struggle for Lovely's Purchase," *American Indian Quarterly* 2, no. 4 (Winter, 1975-1976): 347-361; Ina Gabler, "Lovely's Purchase and Lovely County," *Arkansas Historical Quarterly* 19 (Spring 1960): 31-45; Berlin B. Chapman, "How the Cherokees Acquired the Outlet," *Chronicles of Oklahoma* 15, no. 1 (March 1937): 30-49, esp. 30-35.

[24] "Extract of a letter from William H. Crawford, Secretary of War, to Mssrs. Clark, Edwards, and Chouteau commissioners, &c, St. Louis," 17 September 1816, *ASPIA* II, 125-126.

[25] "Exchange of Land with the Indians," *ASPIA* II, 123-124. For the order see "Proceedings December, 1816," *Annals of Congress*, Senate, 14th Congress, 2nd Session (Washington: Gales and Seaton, 1855), 40.

[26] "Exchange of Lands with the Indians," 9 January 1817, *ASPIA* II, 123-124.

[27] "Treaty with the Cherokee, 1817," *KLT*, 140-144.

[28] William Clark to John C. Calhoun, 6 February 1818, Quapaw Treaty August 24, 1818, RG 75, T494, Roll 1.

The ceded tract was Lovely's Purchase in everything but name, obtained, Clark reported, to facilitate "indian emigration to the West of the Mississippi."[29]

The Cherokee reserve implanted on the Quapaw cession would become the cornerstone of the wall of reservations on Missouri and Arkansas' western border. Clark secured Lovely's Purchase not just for the Cherokee, he explained, but with an eye toward persuading the Delaware and Shawnee of Missouri to "Exchange their lands" along the Mississippi for a reservation further west.[30] Like the Cherokee who had settled near the St. Francis River in the 1780s, bands of Shawnee and Delaware had migrated to Spanish Upper Louisiana before the Louisiana Purchase. They arrived during and shortly after the American Revolution, seeking refuge from Americans, whom they called "a plague of locusts" who "put us out of our lands."[31] By the mid-1790s, about 190 Delaware and Shawnee families had made new homes between Ste. Genevieve and Cape Girardeau.[32] Viewed as potential allies and conscripts into war with the Osage, the Spanish Commandant had welcomed them and eventually granted them a tract of land fronting the Mississippi for thirty miles.[33]

The Shawnee and Delaware prospered in Upper Louisiana. In 1804, Amos Stoddard reported that "these Indians are said to be the most wealthy of any in the country."[34] Similarly, the traveler Perrin du Lac found the large Shawnee village on Apple Creek well-constructed and the inhabitants "good hunters" who "breed cows and pigs, and cultivate maize, pumpkins, melons, potatoes, and corn, sufficient for their support the whole year."[35] When the itinerant preacher John Mason Peck visited Missouri in 1817, he said these "thrifty farmers…brought the best cattle" to the market at St. Louis, though by the time he arrived their prospects had already begun to dim.[36]

In the second decade of the nineteenth century, American squatters increasingly muscled onto the Delaware and Shawnee grant in Missouri, using a combination of legal and extralegal tactics. Despite attracting far fewer emigrants than the Boon's Lick region, the postwar population boom in Missouri meant that even with below average growth, the Ste. Genevieve district jumped from 4,620 to 13,056 inhabitants between 1810 and 1820.[37] In 1815, Clark warned the aggressive squatters off the Delaware and Shawnee grant. They responded by arguing these "indian claims must be public Land" because their Spanish grant had only amounted to permission to "Settle and hunt."[38] The squatters

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[29] William Clark to Secretary of War, October 1818, *TPUS* XV, 454

[30] William Clark to Secretary of War, October 1818, *TPUS* XV, 454. For more on Lovely's Purchase and the 1818 treaty, see DuVal, *The Native Ground*, 209; Gabler, "Lovely's Purchase and Lovely County."

[31] Francisco Cruzat to Esteban Miro, 19 March 1782, in Louis Houck, ed. *The Spanish regime in Missouri*, 209-210; Francisco Cruzat to Esteban Miro, 23 August 1784, Kinnaird, ed., *Spain and the Mississippi Valley, 1765-1794* II: 117-118.

[32] Walter A. Schroeder, *Opening the Ozarks: A Historical Geography of Missouri's Ste. Genevieve District, 1760-1830* (Columbia, MO, 2002), 373; Zénon Trudeau to Gayoso de Lemos, 20 December 1797, *BLC*, 529.

[33] Francois Marie Perrin du Lac, *Travels Through Two Louisianas and among the savage nations of the Missouri* (London, 1807), 45; Schroeder, *Opening the Ozarks*, 95.

[34] Amos Stoddard, *Sketches*, 215.

[35] Perrin du Lac, *Travels Through Two Louisianas*, 45

[36] John Mason Peck, *Forty Years of Pioneer Life*, 11.

[37] Schroeder, *Opening the Ozarks*, 409.

[38] In 1816, Clark searched the Spanish records and found the grant, which the legislature argued should not be interpreted as barring squatters. See William Clark to the President, 22 January 1816, *TPUS* XV, 105.

found a friendly mouthpiece for this legal pretense in the territorial legislature, which bought them time by petitioning Congress on their behalf.[39]

Concurrently, the squatters waged a harassment campaign against the Shawnee and Delaware villages. Depredation claims brought to the St. Louis Superintendency picked up some of the effects. Wapapilethe, the chief of a band living near Cape Girardeau, reported more than 150 horses, cattle, and pigs stolen, along with assorted household goods and farming tools, between 1811 and 1814. In a rash of thefts in 1817 and 1818, squatters stole everything from ploughs to pewter basins from another village. One unnamed Shawnee man personally lost $200 in specie, a rifle worth $25, and a brand-new bridle.[40] They understood the message behind these increasingly bold intrusions, too, telling Superintendent Clark that the white squatters "do not steal these things merely for their value, but more to make us abandon our land and take it for themselves."[41]

As they had a generation before, the Shawnee and Delaware migrated, leaving their substantial improvements behind, though they never gave up calls for restitution.[42] Some of the Cape Girardeau Delaware left as early as 1815. By late 1818, others told Clark of "their wishes in regard to an exchange of Country."[43] The exodus was uncoordinated, involved small parties, and extended over many years, but it all tended in the same general direction. Some families relocated to the northwestern part of the Arkansas District, which became the Arkansas Territory in 1819. Others joined the Western Cherokee already in that region. The largest group congregated on the Current River in southwestern Missouri, around a settlement known as Anderson's village, after Chief William Anderson.[44] The piecemeal migration gradually emptied the once prosperous Shawnee and Delaware towns near the Mississippi.

The Shawnee and Delaware refugees were soon joined by the Sandusky band of Delaware who signed a land exchange treaty—the second of its kind after the Cherokee treaty of 1817—in Ohio in 1818. Like the vague exchange provision in the Cherokee treaty, the Delaware treaty promised an unspecified "country to reside in, upon the west side of the Mississippi" in return for territorial claims in Indiana.[45] The agreement stipulated a three-year grace period to leave Ohio and the largest group departed in 1820. That fall, they traveled 300 miles to the Mississippi, where they entered the books of the St. Louis Superintendency in a series of expenditures made by Pierre Menard, the subagent stationed at Kaskaskia.

Menard's expenditures on the Sandusky Delaware—$5,439.95 spent from October 1820 to January 1821—offer a glimpse into an otherwise unrecorded journey.

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[39] "To the Honourable the Senate and house of Representatives of the United States of America in Congress assembled," 22 January 1816, *TPUS* XV, 106.
[40] [A copy of a list of property taken from the Shawnees], n.d., RG 75, M856, Roll 2.
[41] Quoted in Stephen Warren, *The Shawnees and their Neighbors*, 81.
[42] In recent years, historians have exhibited an increased interest in decisions to migrate as an indigenous survival strategy in the face of settler colonial incursion, see Stephen Warren, *The World the Shawnee Made: Migration and Violence in Early America* (Chapel Hill, 2016); Smithers, *The Cherokee Diaspora*; Sami Lakomäki, *Gathering Together: The Shawnee People through Diaspora and Nationhood, 1600–1870* (New Haven, 2014).
[43] William Clark to Secretary of War, October 1818, *TPUS* XV, 455.
[44] Bowes, *Exiles and Pioneers*, 41.
[45] "Treaty with the Delawares, 1818," *KLT*, 170-171.

They first appeared in Menard's books when he hired three men to deliver 3,000 pounds of "flour, lead, and tobacco, to the emigrants." A couple of weeks later, he paid $13 to get a "Delaware chief and his party over the Mississippi." In November, about 1,400 more crossed, camping on the Mississippi's banks for days as they waited for ferries that could only cross small groups at a time. Menard paid $559.50 for their transport on November 15, and another $119.25 toward the end of the month. During the crossing and camping, thieves stole 13 horses and Menard hired men to pursue them. The largest single purchase came on January 2—$1,766.64 paid for 17,600 pounds of flour, 22,226 pounds of beef, 462 bushels of corn, 700 bushels of salt, and 200 pounds of tobacco—followed by deliveries of more supplies to their camp near Ste. Genevieve.[46]

Along with the Cherokee, Delaware, and Shawnee bands, still more eastern Indians relocated to southwestern Missouri in the postwar years. Clark's expenditures picked up sundry items for small numbers of Kaskaskia, Piankeshaw, and Peoria families in 1820 as they left Illinois for a village on the Blackwater River secured by an 1818 treaty.[47] Clark's expenditures also revealed purchases of beef, pork, and rifles for a migration of about 2,000 Kickapoo in 1820 and 1821.[48] In 1819, Kickapoo bands relinquished land in Illinois for a tract in southwest Missouri—the first removal treaty to explicitly locate a new reservation. The tract abutted the "Osage line" in the southwestern corner of Missouri—a location recommended by the treaty commissioners.[49] Secretary of War John C. Calhoun's instructions had only called generically for the Kickapoo's removal across the Mississippi, and when the treaty came back he complained of not being able to find one of its river boundaries on a map.[50]

One Kickapoo band experienced the first federally escorted removal across the river in 1819. The treaty commissioners sent their secretary, Pierre Cerre, to escort them to western Missouri, but when he arrived all except a single band under Chief Blue Eyes scattered, choosing to make the move on their own. Even Blue Eyes' band would only travel "with the greatest repugnance," and stalled the journey with frequent requests to select a spot to winter.[51] Two Kickapoo bands managed to stay behind in Illinois for a few years, arguing that they needed a peace treaty with the Osages before they would relocate.[52] In 1820, when a dozen Kickapoos visited the Indian agent Richard Graham, who had been appointed to distribute their annuities, they referred to their treaty as "a source of great discontent to the nation."[53]

With these movements, "Indian emigrants" emerged as a line item in the St. Louis Superintendency's accounts. In 1820, the removal costs added up to $3,583.81, or nearly 10% of all the superintendency's expenditures. The money went "for provisions, powder,

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[46] "Accounts of the Superintendents of Indian Affairs in Michigan and Missouri," 11 February 1822, *ASPIA* II, 301-303; C.A. Weslager, *The Delaware Indians: A History* (New Brunswick, NJ, 1972), 361.
[47] "Treaty with the Peoria, etc.," *KLT*, 165-166.
[48] "Accounts of the Superintendents of Indian Affairs in Michigan and Missouri," 11 February 1822, *ASPIA* II, 289-291, 301.
[49] "Treaty with the Kickapoo [Edwardsville], 1819" and "Treaty with the Kickapoo [Fort Harrison], 1819," *KLT*, 182-184, qt. 182. The treaty at Edwardsville outlined the new reserve.
[50] John C. Calhoun to Benjamin Parke, *ASPIA* II, 227; John C. Calhoun to W. Leake, 10 February 1820, RG 75, M271, Roll 3.
[51] Cerra quoted in Arrell M. Gibson, *Kickapoos: Lords of the Middle Border* (Norman, OK, 1963), 82.
[52] Grant Foreman, *The Last Trek of the Indians*, 39-41.
[53] [Richard Graham Memo], ca. 1820, RG 75, M271, Roll 3.

lead, flints, and for sundry articles and expenses in assisting different tribes of Indians emigrating," which covered everything from "storage and cartage" for the Kaskaskia, Piankeshaw, and Peoria, to bushels of corn for Shawnee and Delaware, and beef, pork, and bread for the Kickapoo. In 1821, the expenditures jumped to $6,221.20, or 17% of the budget, most of it for the Sandusky Delaware from Ohio.[54] By this point, Choctaw bands, who signed a removal treaty at Doak's Stand in the fall of 1820, were also expected to move to a reservation carved out of the Quapaw cession in western Arkansas, though actual migration was several years off.[55]

It was a whirlwind of activity, but it was only the scattershot beginning, the first sustained dislocations of the removal era. It involved the movement of perhaps as many as 8,000 Indians, more than half from east of the Mississippi, creating a new cluster of communities in southwestern Missouri and northwestern Arkansas Territory. Given its scope and complexity, the movement has not gone unnoticed by historians. Following the Delaware, John P. Bowes identified a reunion between bands who had lived separately for decades.[56] Among the Shawnee, Stephen Warren tracked new alliances emerging to insulate cultural sovereignty.[57] The Western Cherokee, Kathleen DuVal found, positioned themselves as instruments of federal policy to enlist US aid in a fight over resources with the Osage.[58] Zoom out and follow these migrants moving into or within the St. Louis Superintendency and one more change must be added: this constellation of reservations and refugees spurred a crucial shift in debates over the wisdom and possibility of a more sustained removal policy. It exposed the notion of pushing Indians west of the Mississippi as impossibly vague, leading Clark to put forth an idea for building a wall of reservations on Missouri's western border.

The Question of Where

Since the first professional study of Indian removal, historians have identified an event in Washington in 1825 as marking a major step toward the consolidation of tens of thousands of Indians on reservations in what became known as the Indian Territory. Shortly after the new year, Secretary of War John C. Calhoun and President James Monroe offered a plan to extinguish Kansas and Osage title to lands west of Missouri and Arkansas in order to carve the area into reservations for eastern Indians.[59] On their orders, the story goes, William Clark obtained the cessions, opening up a receiving ground for eastern tribes that helped clear a path toward the Indian Removal Act and the forced marches of the 1830s. There is just one problem with the story. The idea referred to as

[54] "Accounts of the Superintendents of Indian Affairs in Michigan and Missouri," 11 February 1822, *ASPIA* II, 286-287, 289-290.
[55] "Treaty with the Choctaw, 1820," *KLT*, 191-195
[56] Bowes, *Exiles and Pioneers*, 39-43.
[57] Warren, *The Shawnees and their Neighbors*, 69-96, esp. 79.
[58] DuVal, *The Native Ground*, 196-226.
[59] Bowes, *Land Too Good For Indians*, 57-58; Bowes, *Exiles and Pioneers*, 38-39; James P. Ronda, "'We Have a Country': Race, Geography, and the Invention of Indian Territory," *Journal of the Early Republic* 19, no. 4 (Winter, 1999): 739-755, esp. 742-743; Prucha, *The Great Father*, 187; Ray A. Billington, *The Westward Expansion: A History of the American Frontier* (New York, 1974), 396; Prucha, *American Indian Policy in the Formative Years*, 229; Abel, *The History of Events Resulting in Indian Consolidation*, 281.

"Calhoun's plan" or "Monroe's invention of an Indian territory" was neither.[60] Rather, it came from within the St. Louis Superintendency. When Clark obtained Kansas and Osage title to clear a path toward a general site of removal, he enacted a plan he had himself sent to Washington a few years earlier.

Clark's contribution to the development of the removal policy came in response to the first wave of removals into his jurisdiction. His plan survives in two letters and a map he composed in 1820 and 1821. The first letter, written in June 1820, concerned compensation for the Delaware and Shawnee driven from their Spanish grant on the Mississippi. As Clark explained, the refugeed community would need more money or more land to compensate for "property they have lost by the white people." Expecting to make an agreement with them, and anticipating similar arrangements with others, he floated the idea "that it would be good policy to purchase at once, from the Osages & Kansas tribes, a tract of country… with a sufficient depth to enable the government to move the several tribes of Indians (from whom exchanges have been, and may hereafter be made) to a country procured for that express purpose west of the boundary line of the new State of Missouri, and of the settlements in the Territory of Arkansas."[61] At a time when the loudest voices in the debate over the "Indian problem" were counseling against removal in favor of a recently funded "civilization plan," Clark proposed directing eastern Indians toward a designated zone procured as a new, permanent home.[62]

Seven months later, he elaborated on the plan in a long letter "relative to the settlement of the Indians emigrating westward of the Mississippi." Concerned with where to locate the rising Indian population within his jurisdiction and facing the prospect of hostilities with both their white and indigenous neighbors, Clark begged

> leave to suggest the expediency of the General Government making a purchase from the Osages & Kansas Tribes, of the country tending from a point North of the Missouri [River] South, to the head of the Canadian fork of the Arkansaw, with a depth of one hundred miles West of the present boundary line of the Osage purchase made on the 10 of Nov. 1808. and subdivide the country purchased west of the Missouri State boundary, as may be calculated to meet the engagements of the Government with such Tribes, as have or may exchange lands &c.[63]

Clark expected his thick geographical description would be hard follow, so he enclosed a map.[64]

The roughly drawn sketch starkly envisioned a stack of reservations lining the western border of Missouri and Arkansas. As he explained, it showed "the state boundary of Missouri, the lands reserved for and assigned to the Indians, the present situation of the

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[60] Ronda, "'We Have a Country'," 743.
[61] William Clark to John C. Calhoun, 25 June 1820, RG 75, M271, Roll 3.
[62] The leading voice were Thomas McKenney, the superintendent of Indian trade, who led the effort to obtain a congressional approval for a "civilization fund" in 1819, and Jedidiah Morse, who was commissioned to tour Indian Country in 1820 and returned a recommendation against encouraging Indian removal.
[63] William Clark to John C. Calhoun, 20 January 1821, RG 75, M271, Roll 3.
[64] Jay H. Buckley is one of the few historians to have discussed this letter, and quite rightly, in my opinion, likens it to dropping a "a bombshell on the Washington bureaucracy." See Buckley, *William Clark: Indian Diplomat*, 142-143.

Tribes within the limits of the State, the general boundary lines between the United States and the Indians, and the subdivisions proposed to be assigned to each tribe."[65] In red ink, he noted the current state of affairs (Fig. 5.3 and 5.4). He marked Kickapoo, Cherokee, and Quapaw "Lands" to indicate where reservations had been named. Among them he interspersed the locations of the Delaware from Ohio and the Shawnee and Delaware from Missouri who had not been assigned reservations, as well as the Peoria and Piankeshaw villages. On the Mississippi between Ste. Genevieve and Cape Girardeau, he placed the largely abandoned but officially unceded "Shawonee & Delaway claim." In black ink—the ink used for the rest of the map—Clark laid off prospective, rectangular reservations marked "A" to "F," and imagined assigning them as: "Lands for the Choctaw…for the Cherokees…for the Delaways from Ohio…for the Shawonees & Dellaways in exchange…for the Osages…for the Kickapoos in exchange."[66] The plan was highly schematized, but remarkably influential, largely because Clark positioned himself to bring it to fruition.

Clark offered up this plan in what amounted to a job application. Missouri's graduation to statehood meant the post of Indian superintendent tied to the territorial governorship would end. Not surprisingly, then, after outlining his ideas about removal, he turned toward the need to continue his post. Or as he put it, when it came to "the management of Indian Affairs in this extensive section of the country, the plan that appears to me best calculated to meet with effect the general policy and probable occurrences, is, to place all the Indian relations in this country under a Superintendent of Indian Affairs, to reside at this place."[67] He got the job.

The extension of the life of the St. Louis Superintendency in 1822 formed part of a larger restructuring of Indian affairs administration in the early 1820s. In 1822, after years of pressure, Congress liquidated the factory system and two years later Secretary of War John C. Calhoun organized a Bureau of Indian Affairs, popularly known as the Indian Office, but legally called a "General Superintendency of Indian Affairs," in the War Department to oversee the growing volume of expenditures and correspondence.[68] At that time, the Indian Office contained four regional superintendencies, including the St. Louis Superintendency, with jurisdiction over "all tribes west of the Mississippi, and north of the extension of the southern boundary of the State of Missouri, and to such other tribes and bands as may be assigned to him by the President of the United States."[69] This reinstated a reach that had been reduced for the first time with creation of the Arkansas Superintendency in 1819, which took the Quapaws and Western Cherokees out of Clark's jurisdiction.

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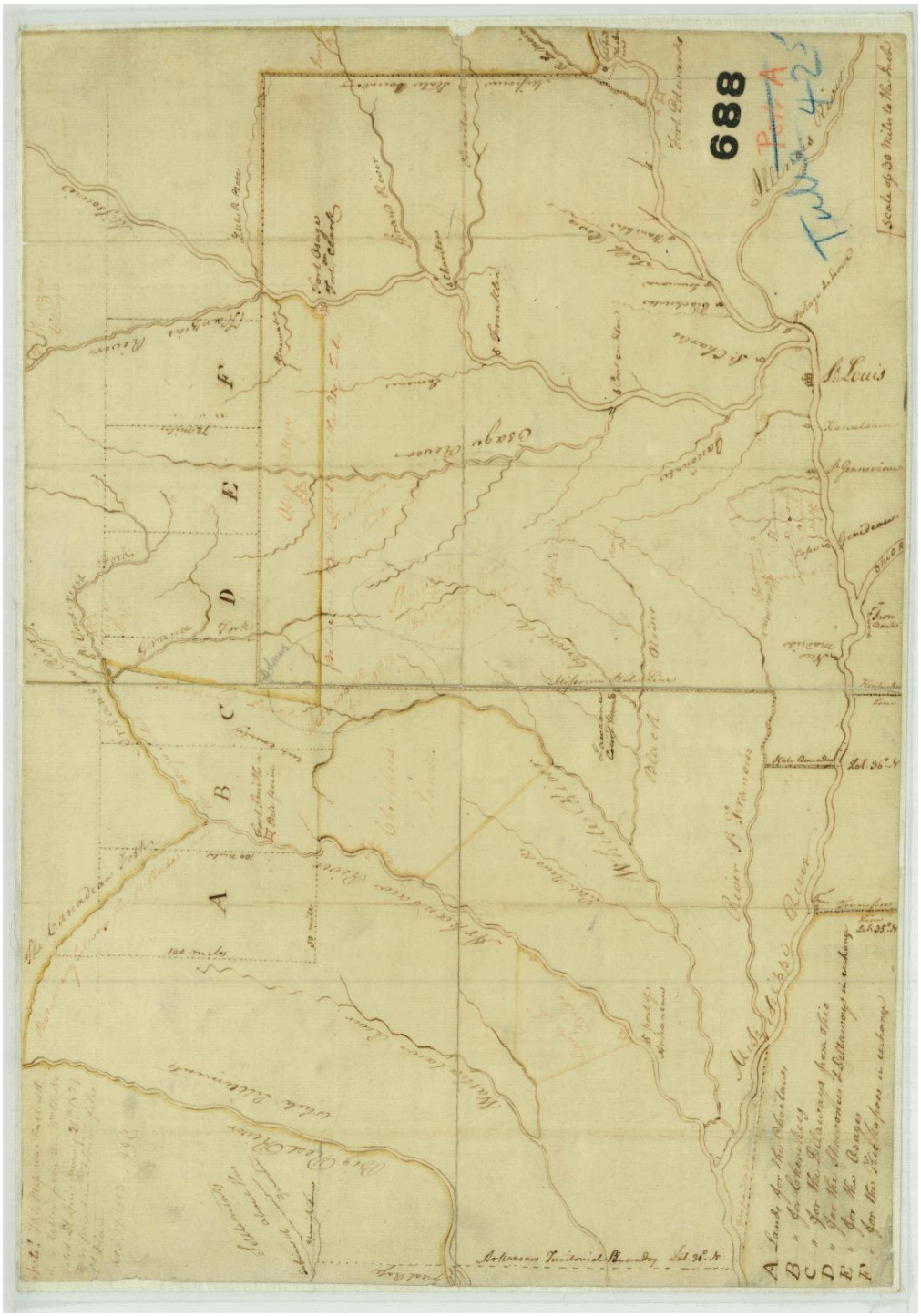
[65] William Clark to John C. Calhoun, 20 January 1821, RG 75, M271, Roll 3.
[66] [Clark Removal Plan Map], 1821, Central Map File, 688, National Archives and Records Administration, College Park, MD.
[67] William Clark to John C. Calhoun, 20 January 1821, RG 75, M271, Roll 3.
[68] "A Bill for the establishment of a General Superintendency of Indian Affairs, in the Department of War," H.R. 195, 19th Cong., 1st Sess. (March 1, 1826); Thomas McKenney to James Barbour, 15 November 1825, in *Documents relative to establishing General Superintendency of Indian Affairs in Department of War*," 19 Cong. 1st Sess., House Document 146 (Washington DC, 1826): 6-7.
[69] *An Act: To amend an act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved thirtieth March, one thousand eight hundred and two,* Public Law 58, *U.S. Statutes at Large* 3 (1822): 682-683.

Fig. 5.3: William Clark's Removal Map (1821)



Clark Indian removal proposal map (1821), Central Map File 688, NARA

Fig. 5.4: Legend from William Clark's Removal Map (1821)

Clark Indian removal proposal map (1821), Central Map File 688, NARA

Even with the St. Louis Superintendency's contraction, it remained the largest in terms of both geographic extent and the number of Indian nations it embraced.[70] Of course, its actual reach was far more limited than its mandate suggested, restricted largely to interactions in St. Louis and at eleven sites, where Clark, or a range of agents, interpreters, clerks, blacksmiths, and occasional contractors conferred with Indians, delivered goods or annuities, collected information, and compiled quarterly reports of their expenses (Fig. 5.5).[71] As it had before, its operations involved a range of duties from issuing licenses to traders, to investigating depredations, ordering surveys, carrying out treaty provisions, delivering annuities, holding councils, and, increasingly, facilitating Indian emigration.

Despite having shrunk geographically, the St. Louis Superintendency contributed to the rising expenditures on Indian affairs in the 1820s, in particular because of the mounting costs of removals. By 1830, its budget multiplied four-fold, reaching over $150,000 (Fig. 5.6). At the same, the percentage devoted to removal surged. In 1829, for instance, 38% of expenditures went directly to a budget line called "Emigrating Indians," running an agency established in connection with their arrival, and carrying out related treaty provisions.[72] That year's budget suggests about 1.4 cents of every dollar spent by

[70] Edward Hill, *The Office of the Indian Affairs*, 155-159. The other two were the Michigan and Florida superintendencies.

[71] On the position's authority, see John C. Calhoun to William Clark, 28 May 1822, in Albert Watkins, ed., *Publications of the Nebraska State Historical Society* 20 (Lincoln, NE, 1922), 197-198. Five of the agency sites—the Kaskaskia agency, Peoria subagency, the Sac and Fox agency, and the St. Peters agency—technically laid outside the stated jurisdiction (all on the eastern bank of the Mississippi except the Peoria agency in Illinois) but were placed within its operating jurisdiction because of the ease of communication with St. Louis along the rivers. At this time, one of the agents, Richard Graham, who ran the Delaware, Kickapoo, and Arkansas Osage, operated out of St. Louis.

[72] "A General Estimate of the Probable Amount of Disbursements & Expenditures," 1 September 1828, RG 75, M234, Roll 748, Frame 805. Costs explicitly associated with removal included those listed for emigrant Indians ($46,170), the costs of carrying out the Osage and Kansas treaties of 1825 that cleared land for

Fig. 5.5: St. Louis Superintendency, 1822

Drawn by the author.

the United States in 1829 went into the operations of the St. Louis Superintendency, with about a half a cent of every dollar going specifically toward Indian removal activities in its jurisdiction (Fig. 5.7). These figures, moreover, excluded related costs, like maintaining the army in the region or sending out surveying expeditions to scout potential reservation sites. All of this in the year *before* the passage of the Indian Removal Act.[73]

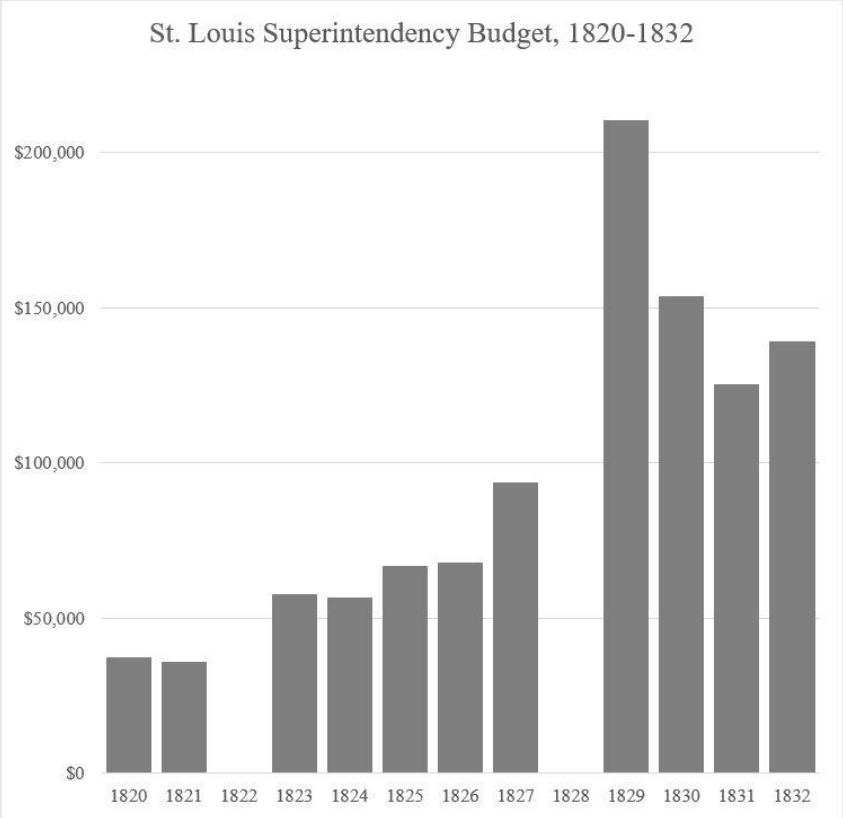
The expenditures only gesture at a crisis in Clark's superintendency that framed his contribution to the growing national debate over removal. As the Delaware migrants exited Menard's books, for instance, other records opened a window on the hunger and violence they faced in southwestern Missouri. In 1821, Clark issued payments for hoes, adzes, axes and other farming tools for them, though they apparently did little good, as an early frost killed off the corn crop the women had planted.[74] In the summer of 1823, a

removal ($16,895) and the running Richard Graham's agency for already relocated tribes ($17,350). If a more careful accounting were possible this number would increase to embrace non-itemized contingencies and some proportion of running other agencies and the headquarters in St. Louis.

[73] "A General Estimate of the Probable Amount of Disbursements & Expenditures," 1 September 1828, RG 75, M234, Roll 748, Frame 805.

[74] "Accounts of the Superintendents of Indian Affairs in Michigan and Missouri," 11 February 1822, *ASPIA* II, 301.

Fig. 5.6: St. Louis Superintendency Budget, 1820-1832



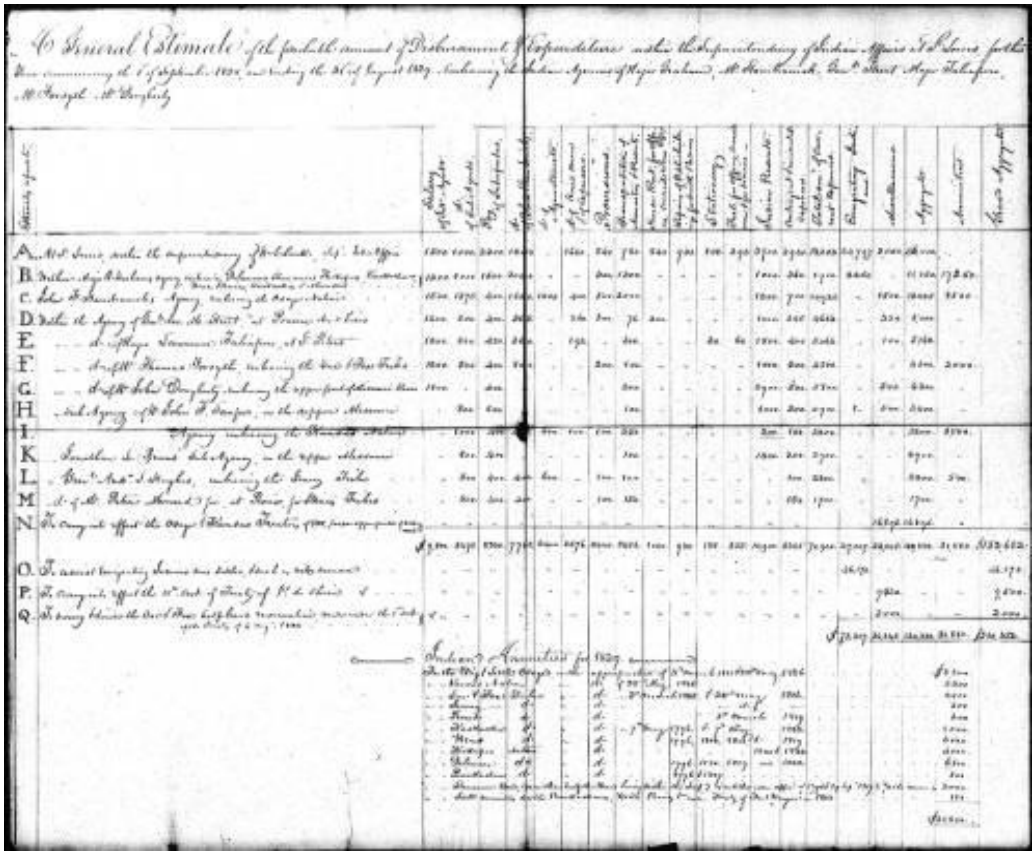
ASPIA II, p. 287; RG 75 M271 Roll 4, M234, Rolls 747-749. No data available for blank years

flood wiped out another crop of corn and beans. In early 1824, Chief William Anderson addressed a desperate letter to Clark, telling him that they were starving for reasons that went beyond bad weather. Stony soil made cultivation difficult and new arrivals strained a meager food supply. They had already killed all their pigs to survive, and resorted to hunting the roving livestock of American squatters in the region. "You know its [sic] hard to be hungry," Anderson pleaded, as he explained that game was scarce, and the search for it drawing them into conflict with the Osages to the west.[75]

As Indian migrants in the St. Louis Superintendency suffered, their presence in Missouri ratcheted up talk of a general removal policy in Washington. In an 1824 "Proposition to Extinguish Indian Title to Lands in Missouri" issued by the Senate Committee on Indian Affairs, Missouri senator Thomas Hart Benton argued in favor of displacing the "remnants and parts of tribes" in his state "to a fixed and permanent home beyond its boundaries." In order to effectuate removal, he explained, the United States would need "first, to acquire a suitable tract of country, which can be assigned to them in perpetuity." Toward that end, he advised obtaining a cession from the Osages and Kansas

[75] Chief William Anderson quoted in Grant Foreman, *Indians and Pioneers* (Norman, OK, 1936), 197. A few months after Anderson wrote, an Osage party killed his son on the plains. See Weslager, *The Delaware Indians*, 365.

Fig. 5.7: St. Louis Superintendency Budget Estimate for 1829



"A General Estimate of the Probable Amount of Disbursements & Expenditures," RG 75, M234, Roll 748, Frame 805

"for the specific purpose of being assigned to other friendly Indians." The land acquired on Missouri's western border would need "a breadth of say one or two hundred miles" and then "might be divided into portions suited to the numbers in each tribe, and a portion assigned to each." These new reservations, he went on, could become "permanent homes…not only for the Indians in Missouri, but for those also who are now in the Territory of Arkansas, and to as many others as may be induced to emigrate from the east side of the Mississippi."[76] It is unclear if Benton communicated directly with Clark about the plan. But even if he did not, there was little in either the substance or detail of the proposal that did not echo Clark's proposal from a few years earlier.

In 1825, John C. Calhoun—the recipient of Clark's earlier communications—similarly repackaged Clark's plan when he prepared his own report on the prospect of removal. Relying on population figures furnished by his general superintendent, Calhoun counted 78,814 eastern Indians who could "be removed west of the State of Missouri and Territory of Arkansas, should the views of the Department be adopted." To accomplish that goal, he advocated purchasing Osage and Kansas title to "a sufficient tract of country west of the State of Missouri and Territory of Arkansas, in order to establish permanent

[76] "Proposition to Extinguish Indian Title to Lands in Missouri," 14 May 1824, *ASPIA* II, 512

settlements in that quarter." After that, "the next task will be to allot a portion of the country to each of the tribes, and to commence the work of removal." A few days later, President Monroe endorsed Calhoun's report and forwarded it to the Senate as his administration's "Plan for Removing the Several Indian Tribes West of the Mississippi River."[77] The Committee on Indian Affairs quickly endorsed the plan and transformed it into a bill, which passed the Senate after a brief debate that highlighted the proposed removal site as ideal because it was undesirable for white settlement.[78] But the 19 to 17 victory was narrow, and the bill stalled in the House.[79] Even still, Clark soon received orders to pursue cessions from the Osage and Kansas needed to put the plan in motion.[80]

In June 1825, he summoned delegations from these nations to St. Louis, where he delivered a message at turns threatening and conciliatory. He reminded the Osage that he had prevented other Indians who coveted their land from attacking them, and suggested accepting friendly neighbors could augment their numbers and increase their security. "If you have confidence in me attend to what I say," he told them as he urged them to sell land for redistribution "to such Tribes as he [the president] may think proper, who will live in friendship with you and will-strengthen your arms."[81] Clark encouraged them to meet with and make peace with the Delaware in southwestern Missouri, whom he hoped to place amongst them. Finally, he stressed that their annuities could hardly keep up with their needs, and offered to increase the annual delivery of goods. The Kansas heard a similar stick-and-carrot appeal. Clark warned them that the Kickapoo could not "be prevented from going on your lands to hunt," so it would be better to permit the United States to "purchase your lands and give you some goods suited to your wants every year and if he [the president] deems it necessary he will apportion a part of it to other Indian Tribes."[82] For the Osage and Kansas, the last few years had been lean and dangerous ones with the new arrivals competing for game and embroiling the region in a series of attacks and counterattacks. As a result, Clark's browbeating advice to either befriend or beware their neighbors took. On successive days, they signed agreements ushering over 55 million acres of Osage and Kansas land into the public domain (Fig: 5.8).[83]

Reporting back to Washington, Clark extolled the agreements. For $20,000, he had secured territory "indispensable under the policy proposed of locating the Indians west of the Mississippi." The cessions contained enough land to reserve large strips for the Osage and Kansas, create new reservations for Missouri's Indians, "and also to furnish permanent residences to other tribes in different States, who may be willing to remove to the West, in pursuance to the System for the gradual removal and collocation of the Indians."[84] They also included a 24 mile strip of land reaching up to Missouri's

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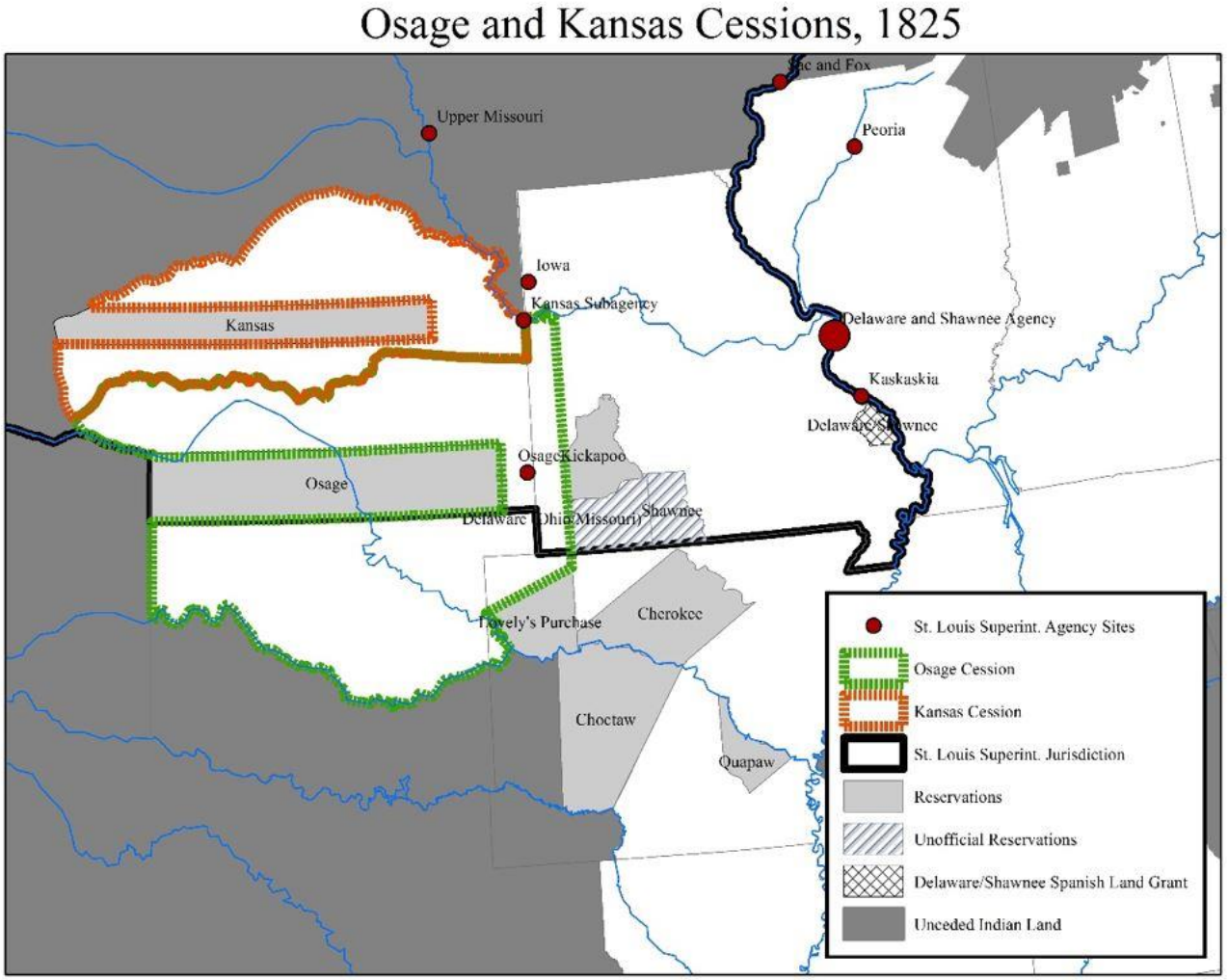
[77] James Monroe to the Senate of the United States, 27 January 1825, *ASPIA* II, 541-542.
[78] Prucha, *The Great Father*, 188.
[79] "A Bill For the preservation and civilization of the Indian tribes within the United States," S. 45, 18th Cong. 2nd Sess. (1825); "Debates of February 22, 1825," *Debates in Congress*. Senate. 18th Cong. 2nd Sess., Washington: Gales & Seaton, 1828), 642, 695.
[80] Thomas McKenney to Clark, 9 March 1825; James Barbour to Clark, 15 March 1825, cited in Abel, *History of Events*, 364.
[81] [To the Osage Nation Chiefs Braves and considerate Men], *WCP* II, 87-88.
[82] [To the Kanzas Nation Chiefs & Braves Considerate Men], *WCP* II, 90-91.
[83] "Treaty with the Osage, 1825," *KLT*, 217-221.
[84] William Clark to Secretary of War, 8 June 1825, "Ratified Treaty no. 126," Documents Relating to the Negotiations of the Treaty of June 2, 1825, with the Osage Indians, RG 75, T494, Roll 1.

Fig. 5.8: Osage and Kansas Cession of 1825



Drawn by the author

western state line south of the Missouri River that Clark expected would sell rapidly to American settlers. So cheap were the terms with the Osage and Kansas, he gloated, that selling just a fifth of this strip would remunerate the United States for the entire acquisition.

Later that year, Clark carved the first reservation out of these cessions. In St. Louis in November 1825, he held a council with the Shawnee of Missouri in which they agreed to leave the state for "a tract of land equal to fifty (50) miles square, situated west of the State of Missouri, and within the purchase lately made from the Osages."[85] It was not a hard sell (though the exact boundaries of the tract would be altered after the Shawnee's visited the area). A few years earlier, the Shawnee of Missouri had lobbied Clark for land in exchange for their lost grant near Cape Girardeau. Indicating they planned to use a new tract to convince eastern Shawnee bands to join them in the west, they asked Clark for "100 square miles, that they could, if in possession of a large tract of country hold out an inducement to that part of their nation residing in the state of Ohio."[86]

In the early 1820s, the emigrant Indians in southwest Missouri responded to their dislocation by building alliances with neighbors, seeking to establish territorial claims, and making plans to strengthen their numbers by asking eastern bands to join them. Like the Shawnee, the Delaware in Missouri petitioned to convert their losses into a reservation in 1821.[87] In 1823, at a peace council in northern Arkansas, Shawnees, Delawares, Western Cherokees, as well as some Weas, Kickapoos, Peorias and Piankeshaws made a defense alliance and plans to lobby eastern bands to join them. With the encouragement of Agent Richard Graham and Superintendent Clark, the allies sent delegates east for a council in Ohio, and later to Washington. Western Cherokee reached the capital in 1825 as the first removal bill came before the senate, leading to reports of "a movement…upon the plan before Congress, for bettering the condition of our Indians, by Indians themselves."[88]

The eastern bands generally responded negatively to the appeal from the western bands, but not universally so, as evidenced by a noticeable uptick in Indian emigration into the St. Louis Superintendency in the mid-1820s. A daybook Clark kept picked up these sporadic migrations. Among terse entries on the weather and steamboat arrivals, small parties of Kickapoos, Shawnees, Kaskaskias appeared. In June 1826, "30 Emigrating Kickapoos arrived from the East of the Mississippi." The following month two separate Shawnee parties "arrivd on business relative to their Lands." In August, the "Kickapoo Prophet & his followers arrived." September 1826 was a particularly busy, as Clark met with Indian visitors on a near daily basis. They included Shawnee, Potawatomie, Piankeshaw, Delaware, Osage, Peoria, with whom Clark organized a council that concluded in early October with "an Indian Treaty of friendship between them." The following year, still more came. In June, Clark observed "Black Buffalo & family emigrants (5 Kickapoos) are over the river." In September, he noted "Kaskaskias arrive the whole remnant of that great Nation currently at this time of 31 soles – 15 men,

[85] "Treaty with the Shawnee, 1825," *KLT*, 262-264.
[86] William Clark to John C. Calhoun, 25 June 1820, RG 75, M271, Roll 3.
[87] To the Honorable John C. Calhoun, [1821], RG 75, M271, Roll 3.
[88] [Cherokee Delegation Visit Washington], *Daily National Journal*, 8 February 1825, quoted in Warren, *The Shawnees and their Neighbors*, 93.

10 women, 6 children."[89] These migrations were voluntary, but not easy, as Clark told his superiors in a series of dispatches that entered a surging debate in Washington over both the wisdom and logistics of removal.

While Indian removal became a highly visible topic of national conversation centered on the Cherokee, officials sought out Clark's advice as an experienced administrator. In 1826, Secretary of War James Barbour, who had recently replaced Calhoun, called on Clark for his "ideas with respect to the interesting subject." Based on an assessment of the last thirty years of Indian relations east of the Mississippi and an "official station" that "enables me to know the exact truth," the Superintendent at St. Louis again endorsed laying "off a suitable portion of country for the different tribes to remove to." His advice boiled down to seven recommendations growing out of his recent experience watching "a constant tide of Indian emigration" into his jurisdiction: "They cross at St. Louis and St. Genevieve, under my superintendency; and my annual accounts with the Government show the aid which is given them. Many leading chiefs are zealous in this work, and laboring hard to collect their dispersed and broken tribes at their new and permanent home." [90] A few months later he was pushing for authorization to assign a reservation for the Ohio Delaware "on that strip of country which has been purchased from the Osages and Kansas" and forwarding estimates for the probable cost of removing all Missouri's Indians beyond the state's borders.[91]

The next year, as more Indians crossed the Mississippi, Clark sounded an alarm about the lack of material support he could provide to "the moving or emigrating Indians" scattered and starving in southwest Missouri. He again sought permission to exchange land with the Delaware and Kickapoo for reserves near the Kansas River, and requested resources to facilitate their migration and re-establishment. He warned that if aid was not forthcoming, these migrants would be much worse off than before they moved, closing with a haunting description that revealed at once the Indians' suffering, the meager remedies he offered, and the relative autonomy in which he operated: "The distress of the Indians of this superintendency are so great and extensive, and complaints so frequent, that it is, and has been, impossible for me to report them. I therefore have taken upon myself a great deal, in acting as I thought best. I have not troubled the Government with numerous occurrences, which they could not remedy."[92]

Clark's letters became public and entered the halls of Congress, where, as Theda Purdue and Michael Green have noted, the removal debate "was really about the details."[93] *Niles Weekly Register* published Clark's 1826 letter under the headline "Preservation of the Indians" and Secretary of War Barbour personally forwarded the 1827 letter "showing the wretched condition of the emigrant Indians" to the Committee on Indian Affairs.[94] Both were cited in the congressional debate of a second removal bill in 1828 "to inquire into the expediency and practicability of congregating the Indian

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[89] [Diary and meteorological record kept by Gen. William Clark, Superintendent of Indian Affairs at St. Louis], 29 June 1826, 22 July 1826, 29 August 1826, 12 October 1826, 6 June 1827, 23 September 1827, *WCP* XXXI.

[90] William Clark to Secretary of War, 1 March 1826, *ASPIA* II, 653

[91] William Clark to James Barbour, 12 October 1826, *ASPIA* II, 673

[92] Extract of a letter from General Wm. Clark, dated 10th December 1827, to Colonel Thomas L. McKenney, *NASPIA* III, 15.

[93] Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 66.

[94] James Barbour to the Committee on Indian Affairs, 11 January 1828, *NASPIA* III, 14.

tribes now residing east of the Mississippi river to the west of that river."[95] William McLean, an Ohio congressman, chair of the House's Committee on Indian Affairs, and supporter of the bill, assured his colleagues he had "letters and other evidence in my possession, from the most intelligent superintendents, agents, and missionaries, all urging and pressing this subject in the strongest possible language" before holding up "a letter, just received from Governor Clark, of Missouri representing the suffering condition of some of those Indians, and making an appeal to Congress to aid them." John Woods, McLean's colleague from Ohio, used Clark's 1826 letter to oppose the bill, reading "an extract of a letter from Gov. Clark, Superintendent of the Indians West of the Mississippi" that described an appalling incident of starvation induced infanticide to ask why Congress would vote to send more Indians to suffer in a land that could not support them.[96] Whether to advocate for or against removal, such tales of suffering helped frame the stakes of the debate.

The bill of 1828 failed, but both proponents and opponents agreed they needed to know more about the proposed site for colonizing the Indians, which again looped the St. Louis Superintendency into the advancing debate over removal.[97] The call for more information resulted in a series of surveys of the Osage and Kansas cessions led by Isaac McCoy, a Baptist missionary and enthusiastic advocate of removal. Congress appropriated $15,000 to send McCoy with Chickasaw, Choctaws, and Pottawatomie parties west to scout reservation sites. Clark received orders to furnish them with supplies and guidance.[98] McCoy's orders brought him to St. Louis, where he took advantage of Clark's "knowledge of the country" and obtained "detailed instructions" on where to go. Clark prescribed a route, appointed Agent George H. Kennerly to guide the expedition, and recruited surveyors.[99]

Charged with assessing the feasibility of a plan of general removal, McCoy returned a report that highlighted both the advantages and shortcomings of the region between the Red and Missouri Rivers. There was little timber, he noted, and the rivers presented difficulties to navigation. Overall, however, he reported tillable, well-watered soil, a landscape suitable for stock-raising and, above all, a region "well adapted to the purpose of Indian settlement." McCoy outlined a "habitable country" running roughly 600 miles north to south and 200 miles west of Arkansas and Missouri. A significant amount of this land had already been assigned, or at least tentatively so, in treaties made over the past few years with the Quapaw, Cherokee, Choctaw, Creeks, Osages, Kansas, and Shawnee. The rest would be needed, McCoy noted, for fulfilling the "excellent

[95] "Twentieth Congress—1st Session," *Niles Register* (19 January 1828), p. 339.
[96] "Emigration of Indians, February 19, 1828," Debates of Congress, House of Representatives, 20th Cong., 1st. Sess. (Washington: Gales & Seaton, 1828), 1565, 1558.
[97] "Emigration of Indians, February 19, 1828," Debates of Congress, House of Representatives, 20th Cong., 1st. Sess. (Washington: Gales & Seaton, 1828), 1565. For yet another use of Clark's letters, see the speech of Samuel Finney Vinton in "Emigration of Indians, February 20, 1828," Debates of Congress, House of Representatives, 20th Cong., 1st. Sess. (Washington: Gales & Seaton, 1828), 1577. The bill passed the House but not the Senate. See "Twentieth Congress—1st Session," *Niles Register* (31 May 1828), p. 226.
[98] *ARCIA* (1828), 85-87.
[99] George H. Kennerly to P.B. Porter, 4 February 1829, in John Francis McDermott, ed., "Isaac McCoy's Second Exploring Trip in 1828," *Kansas Historical Quarterly* 13, no 7 (August 1945): 435-436.

design which led to the extinguishment of Indian title" on the Osage and Kansas cessions.[100]

Other documents coupled with McCoy's report similarly described the suitability of the region for receiving emigrant Indians. Washington Hood and John Bell, the topographical engineers Clark recruited as surveyors, issued a detailed description of the area traversed by the party, cataloging its water, timber, soil quality, and other natural resources.[101] Hood kept a diary of the journey filled with effusive commentary about the landscape that suggests the staid praise in his official report was, if anything, understated. Of the area around the Canadian River, he waxed: "this land indeed is as fine as any one would wish, in fact no one can desire better."[102] Kennerly's report likewise spoke in laudatory, if less lyrical terms, of the "well timbered and watered land on the Arkansas and its tributaries for the whole of the southern Indians."[103]

Early reports from McCoy's surveys provided crucial geographical information leveraged to justify passage of the Indian Removal Act after Andrew Jackson came to office. When the Committee on Indian Affairs reviewed these documents, they found "satisfactory evidence of the fitness, extent, and even desirableness of the country upon which it is proposed to locate the Indians."[104] In other words, they helped answer the question of *where*; a basic logistical sticking point in previous years.[105] And as McCoy's surveys were underway, more pieces in the wall of reservations went up. In 1829, George Vashon, one of Clark's agents, negotiated a treaty with Chief William Anderson's Delaware band, extinguishing their claim to their Spanish grant for a reservation north of the Shawnees.[106] Anderson's band moved a few months after the Indian Removal Act passed, and crossed paths with McCoy, who noted their desperate need for provisions.

By 1832, eastern bands of Seneca and Shawnee, Kickapoo, Kaskaskia, Peoria, Piankeshaw, and the Ottawa of Blanchard's Fork in Ohio had reservations nearby, too. On their way there, they passed through places like Kaskaskia and St. Louis as Clark accumulated more and more correspondence about parties, like 500 Shawnees and Ottawas heading to "new land, near the Kansas river…on their arrivals at the Indian's lands…you should then assume the duty of subsisting the Indians for the year; during which they are, according to Treaty entitled to be provided, as well as those relations with them which result from your Superintendency."[107] The early results of these movements appeared on a "Map of the Proposed Indian Territory" (1832) McCoy drew after his initial surveys (Fig. 5.9). McCoy's map logged the steps made toward the fulfillment of

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[100] Isaac McCoy to P.B. Porter, 29 January 1829, in McDermott, ed., "Isaac McCoy's Second Exploring Trip in 1828," 406, 428.
[101] Washington Hood and John Bell, [Exploring expedition report], in McDermott, ed., "Isaac McCoy's Second Exploring Trip in 1828," 437-441.
[102] Washington Hood, [Field Notebook, 1828 expedition], 103, http://www.topogs.org/FieldbookHood.htm, accessed June 1, 2017.
[103] George H. Kennerly to P.B. Porter, 4 February 1829, in McDermott, ed., "Isaac McCoy's Second Exploring Trip in 1828," 435-436.
[104] Isaac McCoy, *History of Baptist Indian Missions: The Former and Present Condition of the Aboriginal Tribes* (Washington, 1840), 373-374.
[105] Warren, *The Shawnees and their Neighbors*, 95; Ronda, "'We Have a Country'," 747; Ronald Satz, *American Indian Policy in the Jacksonian Era* (Norman, 1974), 137-138.
[106] "Treaty with the Delawares, 1829," *KLT*, 304-305.
[107] George Gibson to William Clark, 22 October 1832, *WCP* V.

Fig. 5.9: McCoy's Map of Proposed Indian Territory (1832)

Isaac McCoy, "A Map of the Proposed Indian Territory" (1832), CMF 227, National Archives

Clark's removal plan, but more were to come as myriad migrations, slowed by hunger and illness, brought thousands more into the world of the St. Louis Superintendency.

Removal Turns North

The growing cost and complexity of Indian removal, coupled with a daunting accumulation of Indian affairs regulations, led to yet another restructuring of the Indian Office in the 1830s. William Clark and Lewis Cass, Clark's counterpart in the Michigan Superintendency, recommended the changes in a lengthy report that led Congress to formalize the Indian Office as an institution, re-evaluate and outline the jurisdictions and duties of superintendents and agents, and streamline and extend the Indian Trade and Intercourse Act that guided much of their work.[108] The reorganization of the Indian Department eliminated the Arkansas Superintendency and replaced it with a Western Superintendency, covering modern-day Oklahoma, which became the end point of the notoriously lethal removals of the southern tribes.[109] At the same time, the St. Louis Superintendency remained involved in a series of northern removals that completed the stack of reservations Clark envisioned in 1820. These dislocations were qualitatively and quantitatively different from their southern counterpart.[110] They involved fewer people, moved in smaller parties, and were intimately connected to the movements of a booming settler population along the Indian boundary line arcing across the Old Northwest.

The reorganization of the Indian Office in 1834 anticipated this settler expansion, making accommodations for the eventual creation of a new superintendency west of Lake Michigan.[111] This happened when Wisconsin became a territory in 1836, followed by Iowa in 1838. No oracle was needed to predict these events. Between 1829 and 1833, cessions by the Winnebagos, Chippewas, Ottawas, Pottawatomies, and Sac and Fox set off a land rush north of St. Louis, which, in turn fueled an intensification of removal events later in the 1830s and the 1840s. As a result, the St. Louis Superintendency's geographical jurisdiction continued to shrink while its budget continued to grow.

With the end of the War of 1812 active hostilities north of St. Louis subsided, but it did not curtail intertribal conflict, quell anger about settler incursions, or resolve contested land claims. The Ho-Chunk, then commonly known as Winnebago, in south-central Wisconsin and northwestern Illinois, were among the most outwardly belligerent in the postwar years. Most of their bands refused to sign a peace treaty with the Portage des Sioux commissioners, and continued to defy US officials by trading at British posts,

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[108] William Clark and Lewis Cass, "Proposed Revision of Laws on Indian Affairs" (1830), *NASPIA* I, 217-269; *An Act to Provide for the Appointment of a Commissioner of Indian Affairs, and other purpose*, Public Law 174, *U.S. Statutes at Large* 4 (1832): 564; *An Act to regulate trade and intercourse with the Indian tribes and to preserve peace on the frontiers*, Public Law 161. *U.S. Statutes at Large* 4 (1834): 729-735; *An Act to provide for the organization of the department of Indian affairs*, Public Law 162, *U.S. Statutes at Large* 4 (1834): 735-738; Alice Fletcher, *Indian Education and Civilization: A Report Prepared in Answer to Senate Resolution of February 23, 1885* (Washington, 1888), 107. For more detailed overviews of these changes, see Rockwell, *Indian Affairs and the Administrative State*, 164-167; Prucha, *American Indian Policy in the Formative Years*, 250-273.

[109] Hill, *The Office of Indian Affairs*, 201-202.

[110] The best recent account of the northern removals is Bowes, *Land Too Good for Indians*.

[111] *An Act to provide for the organization of the department of Indian affairs*, Public Law 162, *U.S. Statutes at Large* 4 (1834): 735.

flying British flags, and seizing goods from American traders in their territory. In 1819, a false rumor tore through the national press that they had "cut off" a detachment of US troops marching to Green Bay.[112] And the following year, the tensions nearly boiled over into open war when three Winnebagos revenged the death of a husband and wife by killing two soldiers near Fort Armstrong. In response, Indian agents like Nicholas Boilvin and military commanders like Henry Leavenworth threatened a war of "annihilation."[113] Expecting leniency, the Winnebago chiefs gave up the culprits, but Leavenworth remanded them for trial, eliciting barely veiled threats against American forts on the Mississippi. The situation did not improve after one of the accused died in custody, and the other was found guilty and put to death. "An example would seem to be necessary," wrote Calhoun, as he rejected Clark's suggestion that clemency might more effectively win Winnebago allegiance.

Not all of the tribes north of St. Louis took a belligerent stance. Rumors suggested the Winnebago had given up the killers only after the Sac and Fox rejected their overtures to mount a joint attack on Fort Armstrong. This, however, did not mean the Sac and Fox lacked grievances, only that their factions were conflicted about how to approach US settlers and officials. Along with the Iowa, the bands under Keokuk continually brought complaints to agents about their lost hunting territory in Missouri, while at the same time pursing aid in an emerging conflict with the Sioux. In Washington in 1824, Clark persuaded Keokuk's followers to give up claims to their hunting grounds in Missouri, offering small temporary annuities that he argued would make "them more dependent and under the control of the Genl. Government."[114] At the same meeting, he seized on Keokuk's call to clarify their boundaries to arrange a multi-tribal border-setting treaty.

The Prairie du Chien treaty of 1825 occurred between the councils that obtained Osage and Kansas land cessions that spring and the Shawnee treaty creating a reservation on those cessions in the fall. Far larger than the other two councils that year, the meeting involved nearly 2,000 "Seoux, Chipaways, Menomonees, Sacks, Foxes, Ioways &c., for the purpose of establishing boundries [sic] between those Tribes, as Solicited by the deputation of Chiefs from the Mississippi lately on a Visit to the Seat of Government."[115] Once underway, Clark blamed intertribal conflict on an absence of clearly defined borders and called on the attendees to settle their boundary disputes and agree to a peace. While the delegations initially resisted "running marks round our country or in giving it to our enemies," they eventually relented after receiving assurances that "your great father does not want your land."[116] Two Chippewa chiefs mapped their land claims on birch bark, while the Sac and Fox and Sioux argued over the border between their lands, leading Clark and Lewis Cass, the co-commissioner, to push for a "neutral ground" between them. Clark and Cass reported the treaty a success, but celebrated too soon, as conflict between the Winnebago and Chippewa resumed almost immediately.

Even more alarming to the two superintendents, the failed treaty served to highlight the limited reach of US authority as the violence turned toward settlers surging

[112] John Bowyer to Lewis Cass, 15 January 1820, RG 75, M1, Roll 7; Joseph Lee Smith to Jacob Brown, 5 January 1820, RG 75, M1, Roll 7; "[Mansfield; July; Greenbay; Indians]," *Mercantile Advertiser* (New York), 11 August 1819, p. 2.
[113] William Clark to John C. Calhoun, 25 June 1820, RG 75, M271, Roll 3.
[114] William Clark to John C. Calhoun, 22 January 1822, RG 75, M271, Roll 4.
[115] Also see Clark to Secretary of War, 22 December 1824, RG 75, M234, Roll 747
[116] [Speeches at Prairie du Chien treaty council of August 1825], RG 75, T494, Roll 1.

into public domain lands north of St. Louis in the following years. In the 1820s, large numbers of settlers were moving in two directions in Clark's superintendency. On the east side of the Mississippi, squatters, particularly miners, charged into the Sac and Fox cession of 1804, where they came into conflict with the Sac and Fox, who continued to live and hunt in the area, and the Winnebagos who claimed part of the cession. West of the Mississippi, American emigrants continued to arrive north of the Missouri River in the land grabbed from the Sac and Fox and Iowa after the War of 1812. The settler influx framed three major incidents that threatened to plunge the region north of St. Louis into war.

The first incident occurred in the summer of 1827, when the Winnebago Chief Red Bird organized a small force to push back against squatters and miners trespassing in their territory in present-day Wisconsin. In two separate attacks, Red Bird and his followers killed two farmers and two passengers in a keelboat on the Wisconsin River. Technically, the uprising was in Cass's Michigan Superintendency, so he took the lead in organizing a response that included making a trip to St. Louis to confer with Clark. Their meeting produced a call on the army for a display of overwhelming force that led Red Bird and six others to surrender later that year. Red Bird died while being held for trial, and the others were convicted but pardoned as part of a set of negotiations that led to the cession of Winnebago claims to valuable lead mining lands in Wisconsin, followed by another cession a few years later that outlined a reservation on the "neutral ground" between the Sac and Fox and Sioux created at the Prairie du Chien treaty. Few accepted the designated land, and instead migrated further northwest.[117]

Two years after the Winnebago Uprising, an incident known as the Big Neck Affair raised an alarm in the St. Louis Superintendency. In early 1829, several families built cabins near the Indian boundary line along Missouri's norther border. Not long after, the Iowa chief Moanahonga, or Big Neck, with a band of about sixty men, women, and children, decided to go to St. Louis to complain about the settlers. On their way, they had a pair of confrontations, first with squatters in northern Missouri, then with a small county militia who told Big Neck that the "land belongs to the whites and you have no right here."[118] In return, Big Neck displayed "a piece of writing that I heard read that had Governor Clark's name to it—and the chief that I suppose—marked off the Missouri, Mississippi, Salt-River and Grand Chariteau and said that the land we were on was theirs."[119] A melee ensued in which one of squatters shot and killed one of the Iowas, who returned fire, killing three and wounding several militia men.

News of the incident spread rapidly, causing the US army to mobilize as Clark launched an investigation. Clark's daybook—the same one that recorded snippets of Shawnee, Delaware, and Kickapoo emigrants moving toward southwest Missouri—noted the Iowa subagent, Andrew S. Hughes, departing St. Louis for his post on the Missouri River, where he and his assistant would remind the Iowa of the 1824 cession of Missouri

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[117] Peter Shrake, "Chasing an Elusive War-The Illinois Militia and the Winnebago War of 1827," *Journal of Illinois History* 12 (2009): 27-52; Trask, *Black Hawk*, 17.

[118] Garland Carr Broadhead, "Scrapbook," I, 224-226, Garland Carr Broadhead Papers, State Historical Society of Missouri Manuscripts Collection, Columbia, MO.

[119] *Fayette Missouri Intelligencer*, 18 September 1829, quoted in Dorothy J. Caldwell, "The Big Neck Affair: Tragedy and Farce on the Missouri Frontier," *Missouri Historical Review* 64, no. 4 (July 1970): 394.

lands.[120] Hughes' subagent reported back that Big Neck's band had "separated from their Tribe more than a Year past" and "strange to tell it does not seem that any of their people here, have even heard of the Battle."[121] Hughes pursued Big Neck and managed to overtake the band and escort them to St. Louis, where they reappeared in Clark's daybook.[122] "Hughs [sic] arrives with 11 Ioway Indians including Big Neck," Clark jotted down on October 11. The next day, he delivered them to civil authorities, where the "Examination of Ioways continued." The inquiry paused when no one could determine whether or not "the Battle…took place within or without the State line."[123] Clark sent a surveyor out, who discovered it occurred eighteen miles within the state. More importantly, he learned that the conflict had arisen from genuine confusion. Big Neck believed that Indian Country reached "to a Road or path about 35 miles within the State," where "there are now, a great number of Sacks hunting, and some near the Settlements."[124] Clark recommended re-running the boundary line in the presence of Indian deputations.

Conflicts like the Winnebago Uprising and the Big Neck Affair motivated a call for yet another multi-tribal treaty meeting at Prairie du Chien in 1830, which produced an agreement that looked directly toward removal in the north. The second treaty of Prairie du Chien transferred a forty mile wide strip of land on the Missouri River, encompassing an area known as the "Platte Country" and a twenty mile wide strip of land in modern-day northern Iowa with the understanding "that the lands ceded…are to be assigned and allotted to the Tribes now living thereon, or to such other Tribes as the President may locate thereon for hunting, and other purposes."[125] In other words, they were to be used for eastern removals.[126] Clark was quite proud of the treaty, at least judging from the portrait he commissioned from the artist George Catlin in 1832, showing the 62 year-old statesman's hand pressed firmly against a copy. In a bravura exhibition of Catlin's heavy-handed symbolism, just below the table with the treaty stands a globe turned to western North America, leaning against it a copy of *Indian treaties, and laws and regulations relating to Indian affairs* (1826) published by order of the War Department (Fig. 5.10). The only difficult bit to decipher are the large, seemingly nondescript volumes on the table that look suspiciously like the volumes used by Clark's office to bind the correspondence of the St. Louis Superintendency, the kinds of books that contained what had become his life's work.

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[120] [Diary and meteorological record kept by Gen. William Clark, Superintendent of Indian Affairs at St. Louis], 27 June 1829, *WCP* XXXI.

[121] Clark to Secretary of War, 18 August 1829, *WCP* IV. Also see John Dougherty to William Clark, 27 July 1829, and John Dougherty to Andrew S. Hughes, 30 July 1829, John Dougherty Papers, Missouri History Museum Archives, St. Louis, MO. Caldwell, "The Big Neck Affair," 391-412.

[122] Clark to Secretary of War, 20 August 1829, *WCP* IV.

[123] William Clark to Secretary of War, 14 November 1829, *WCP* IV.

[124] William Clark to Secretary of War, 14 November 1829, *WCP* IV. A bill filed the next year indicated that the cost of the pursuit of the "Ioway Indians who were concerned in the battle with the citizens of Randolph Country Mo, bringing and delivering them over to the civil authority, and attending to their prosecution, trial, and return to their nation" incurred by Hughes amounted to of $1,180.32. It was charged to the contingencies of the Indian department. William Clark to John E. Eaton, 10 June 1830, *WCP* IV.

[125] "Treaty with the Sauk and Foxes, etc., 1830," *KLT*, 305-310.

[126] Buckley, *William Clark: Indian Diplomat*, 203-204.

Fig. 5.10: George Catlin's portrait of William Clark (1832)

George Catlin, "William Clark," National Portrait Gallery

In the wake of the second Prairie du Chien treaty, Clark's efforts to exert border control along the Indian boundary line north of St. Louis led to the most notorious conflict within the St. Louis Superintendency: The Black Hawk War of 1832. Sac and Fox bands disagreed about how to deal with the growing American settlements in their vicinity, particularly on the tract ceded in 1804, where they retained hunting rights until the land was sold to settlers.[127] Some like Keokuk pursued a strategy of conciliation, while the bands under Black Hawk became increasingly belligerent in the 1820s. Around the time of the Winnebago Uprising, rumors swirled that Black Hawk was organizing a

[127] "Treaty with the Sauk and Foxes, 1804," *KLT,* 74-77.

war party in defiance of the first Prairie du Chien treaty. By 1829, Governor Ninian Edwards of Illinois was lobbying for the Sac and Fox's permanent expulsion from their villages at Rock River. In 1830, Clark alerted the War Department that the growing number of settlers on the 1804 cession threatened a sharp increase in his expenditures as he struggled to maintain peace.[128]

In a turn of events reminiscent of the squatter invasion of the Delaware and Shawnee grant, American settlers piling into the Sac and Fox cession of 1804 offered up their own interpretation of the treaty of 1804, arguing the Sac and Fox right to remain on the land had vanished the moment public domain sales within the purchase area began. For their part, Black Hawk and his followers argued there was a "mistake in the treaty, claiming that it was [n]ever intended by them to except that spot (their old village, cornfield and burying ground) from any conveyance to the United States." Observing these events, George Cutler, a settler near old Fort Madison at the Des Moines rapids, sensed an opportunity in the alarm, telling his neighbors he would "buy their improvements at ½ price if they wish to quit." He fully expected some kind of "affray," that "a few may be killed on each side, but I presume 100 shots will settle the matter and the Indians will retire to the West side of the river."[129]

By 1831, squatters had temporarily occupied the Rock River village while Black Hawk's band was away hunting, and the following spring the situation spiraled out control. In May 1832, Black Hawk's followers, in conjunction with Pottawatomi and Winnebago allies killed a squatter family and the recently-appointed Indian agent, Felix St. Vrain. After having attempted to diffuse the long-simmering tensions, Clark's assessment of the situation quickly turned. He told Lewis Cass, who had since become the Secretary of War, that due "not only their entire disregard of Treaties, but also their deep-rooted hostility in shedding the blood of our women and children, a War of *Extermination* should be waged against them."[130] That spring, Black Hawk's band reoccupied their Rock River village to plant corn for the season, but soon fled as a combined contingent of Illinois state militia and federal troops marched on them. They were overtaken as they tried to escape across the Mississippi at its confluence with the Bad Axe River. Americans read about the outcome as the Battle of Bad Axe, but, as historians have noted time and again, it was really a massacre that left hundreds dead.[131]

The Black Hawk War made its namesake famous and emerged as set piece of American History, popularly known as the last Indian war of the Old Northwest. But while the conflict notoriously forced the Sac and Fox west of the Mississippi, it had another less well-known demographic legacy. Like the Winnebago Uprising, the Black Hawk War generated a punitive land cession that complemented a series of other acquisitions of Indian land north of St. Louis in the late 1820s and early 1830s. These included the Winnebago cession of 1828 and a cession by the Chippewa, Ottawa, and

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[128] William Clark to John Eaton, 6 April 1830, *WCP* IV.

[129] George Y. Cutler to Stephen B. Munn, 9 June 1831, in Ellen M. Whitney, ed. *The Black Hawk War, 1831-1832* (2 vols.; Springfield, IL, 1970), II: 38.

[130] William Clark to Lewis Cass, 8 June 1832, RG 75, M234, Roll 750.

[131] The Black Hawk War has never wanted for scholarly attention. The works undergirding this assessment include: John W. Hall, *Uncommon Defense: Indian Allies in the Black Hawk War* (Cambridge, 2009); Patrick J. Jung, *The Black Hawk War of 1832* (Norman, 2008); Kerry A. Trask, *Black Hawk: The Battle of the Heart of America* (New York, 2007); Anthony F.C. Wallace, *Prelude to Disaster: The Course of Indian-White Relations which Led to the Black Hawk War of 1832* (Springfield, IL, 1970).

Potawatomie of land around Prairie du Chien in 1829.[132] In successive treaties made at Rock Island in the fall of 1832, the Illinois Governor John Reynolds and Major General Winfield Scott extracted cessions from the Winnebago and Sac and Fox. The Winnebago cession threw additional land in southern Wisconsin open to settlement while the Black Hawk Purchase deposited a forty-mile wide strip along the Mississippi's western bank in modern-day Iowa into the public domain.[133]

The settler influx that followed propelled the Wisconsin Territory into existence in 1836, and with unexpected rapidity, led to the creation of the Iowa Territory two years later. The explosive settlement of the Black Hawk Purchase in particularly was reminiscent of the boom at Boon's Lick. In 1832, perhaps a couple of hundred non-indigenous individuals lived in what would become the Iowa Territory, primarily on the so-called "half-breed tract" at the confluence of the Des Moines and Mississippi rivers, virtually all of them either intermarried with Sac and Fox families, licensed participants in the fur trade, or employees of the Indian Office. Immediately after the Black Hawk Purchase, squatters began crossing the river in violation of the treaty, which prohibited entry until the following spring.

The army ejected more than a dozen squatter families over the winter, but with the fast approaching deadline for the Sac and Fox to vacate, the effort was half-hearted. "The time having, however, expired on the first of June, 1833, for the Indians longer to remain on the 'Purchase,' the flood-gates of emigration were opened," recalled John Newhall, an emigrant guide author who arrived with the first big push.[134] Within three years, a census indicated the Black Hawk Purchase's non-Indian population had ballooned to over 10,000 inhabitants. Two years later, when Iowa became a territory and its first Land Office opened, the population had more than doubled again to nearly 23,000.[135] Not surprisingly, the first commercially published map of Iowa, released in 1838, was a pocket map for emigrants entitled: "Iowa. A Section Map of the Black Hawk Purchase with a Part of Illinois and Wisconsin" (Fig. 5.11) When Newell published his own version a couple of years later, he dropped Black Hawk from the title, but made sure his legend told readers where to locate the "Indian Boundaries" within the territory.

The creation of the Wisconsin and Iowa territories, also created new Indian superintendencies that swallowed parts of the day to day operations of the St. Louis Superintendency. As before, the shrinking of jurisdictional boundaries came with greater expenditures. From 1832 to 1839, the superintendency's budget held relatively constant, rising from roughly $139,000 to $150,000, but in the 1840s, as the expansion of settlement into Iowa and Missouri led to more removals, its budget nearly tripled. It reached over $434,000 by 1851 when the last eastern removals entered its jurisdiction. By that point, the proportion given over to agencies and treaties associated with the nations occupying reservations on Missouri's western border likewise increased, topping out at 56% of annual expenditures. The rise could be attributed to nations entering or reentering the St. Louis Superintendency's jurisdiction as they were expelled from Iowa and the states and territories further east.

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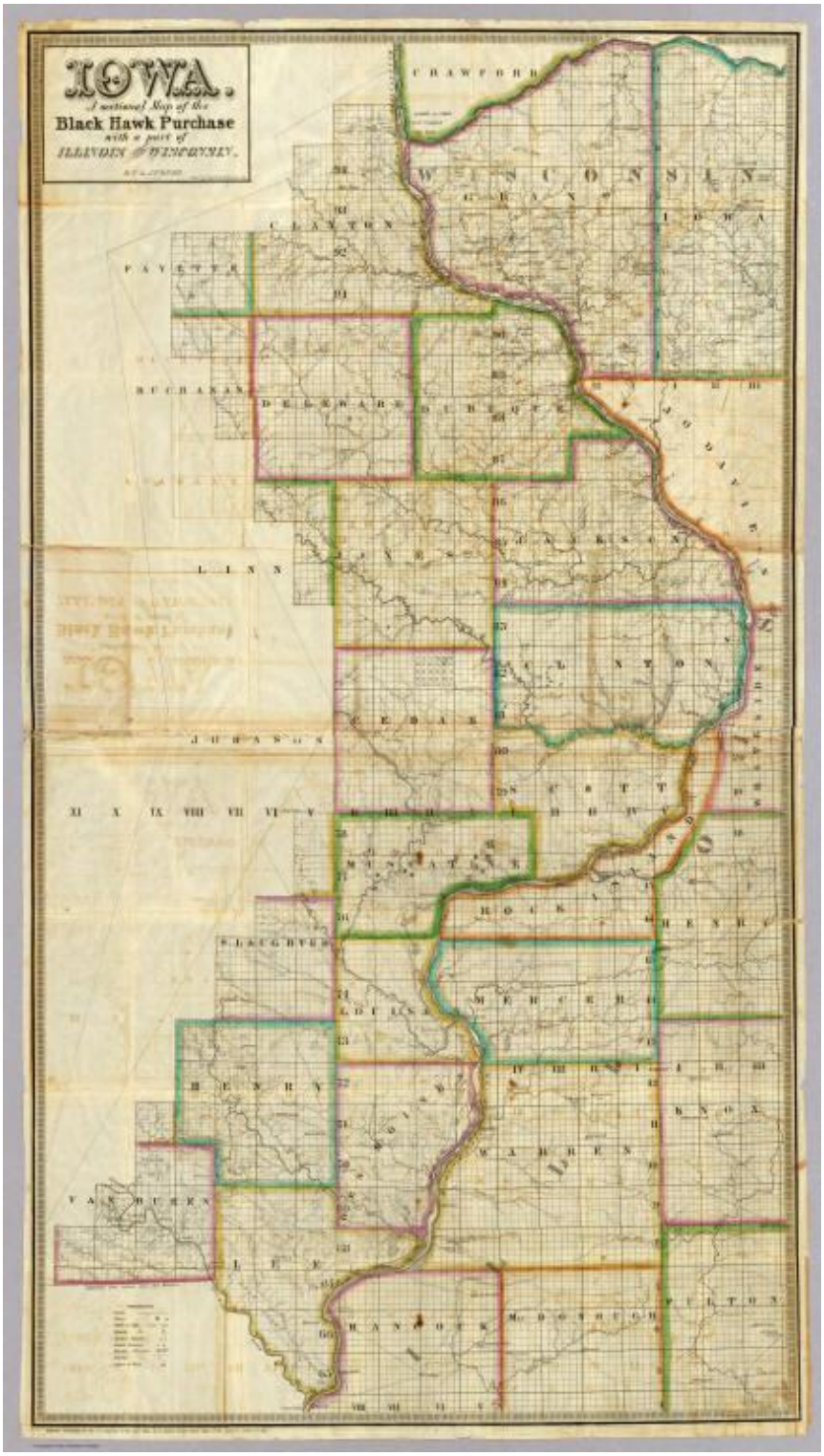
[132] "Treaty with the Winnebago, etc., 1828," "Treaty with the Chippewa, etc.," *KLT*, 292-294, 297-300.
[133] "Treaty with the Sauk and Foxes, 1832," "Treaty with the Winnebago, 1832," *KLT*, 345-351.
[134] John B. Newhall, *Sketches of Iowa, or the Emigrant's Guide* (New York, 1841), 2.
[135] Dorothy Schwieder, *Iowa: The Middle Land* (Iowa City, 1996), 48.

Fig. 5.11: Pocket map of Black Hawk Purchase (1838)



L. Judson, “Iowa. A sectional Map of the Black Hawk Purchase with a part of Illinois And Wisconsin” (1838), David Rumsey Collection

In this regard, none stood out more than the Pottawatomies, who filtered in piecemeal over nearly two-decades, and whose agency directed more of the superintendency's resources than any other.[136] The Potawatomie were divided into factions and living on scattered reservations in Illinois, Indiana, and Michigan when the united band of Potawatomi, Ottawa, and Chippewa signed the Treaty of Chicago in 1833. As originally written, the agreement provided a five-million-acre tract just west of the Missouri state line, which included an area known as the Platte Country. The Sac, Fox, and Iowa had relinquished their claim to this area at the second treaty of Prairie du Chien with the understanding that it would become a future home for eastern Indians. Missouri settlers also coveted this region, and were eager to see it brought into the public domain. Consequently, before ratifying the Treaty of Chicago, the Senate altered it to restrict the Potawatomie reservation to Iowa.[137] The united band, led by Sauganash, also known as Billy Caldwell, and Chechebinquay, known as Alexander Robinson, objected to cutting off lands "admitted to be the best and most favorable for cultivation."[138] After a hard negotiation, Caldwell secured an additional payment and more land in Iowa, as well as an outfit to explore the new territory. Still, only seven Potawatomie signed the altered treaty.

At the same time, another Potawatomie band had recently removed to the Kickapoo lands near Fort Leavenworth. In 1833, a band of Prairie Pottawatomie under the Chief Quiquito moved from Logansport, Indiana, after ceding territory in Illinois and Indiana. When they learned about the treaty of Chicago, they crossed the river to the Platte Country and built villages. The following year, bands who had signed the treaty of Chicago arrived as well. They were dissatisfied with the Iowa reservation, which was almost entirely prairie, had little timber, not much game, and, they noted, was generally unsuited to the agricultural life federal officials were pressuring them to adopt. "We have been deceived, and feel disappointed," they attested in a message sent through the subagent, Anthony L. Davis.[139] In his own letter, Quiquito asked that they not "compel us to live in the country high up the Missouri," and asked for "land on the Osage river, in exchange."[140] The pleas were enough to get a delegation to Washington in 1836, though they were only able to obtain a temporary reprieve.[141]

A few months after the Pottawatomie traveled to Washington, Clark held a treaty with the Sac and Fox of Missouri and Iowa at Fort Leavenworth. The new agreement overturned the provision in the second Prairie du Chien treaty that designated the Platte Country for removed Indians and created a reservation for the signatory tribes west of the Missouri, bringing them back into the St. Louis Superintendency.[142] As Clark described it, the treaty would "place the Indians after their removal to the strip of country assigned

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[136] According to the 1851 budget, the Potawatomie Agency required $74,146.25 in 1851, or 16% of the expenditures for the year. See RG 75, M234, Roll 756, Frame 299.

[137] "Report for the Committee on Indian Affairs, on the resolution relative to exchanging lands with the Potawatomie Indians, U.S. 24th Cong. 1st. Sess. Senate Document 348 (1836) in *NASPIA* IV, 387.

[138] [Speech by Potawatomie Chiefs enclosed with letter from Thomas Owen to Lewis Cass], ca. 22 August 1834, RG 75, M234, Roll 132.

[139] "To his Excellency Andrew Jackson, President of the United States," December 1835, *NASPIA* IV, 389.

[140] Quish-queh-lah [Quiquito] to the President, 20 November 1835, *NASPIA* IV, 388.

[141] Elbert Herring to William Clark, 8 April 1836, RG 75, M21, Roll 18. More generally on this era in Pottawatomie history, see R. David Edmunds, "The Prairie Potawatomi Removal of 1833," *Indiana Magazine of History* 68, no. 3 (September 1972): 240-253; R. David Edmunds, "Potawatomis in Platte Country: An Indian Removal Incomplete," *Missouri Historical Review* 68, no. 4 (July 1974): 375-392.

[142] "Treaty with Iowa, etc., 1836" *KLT,* II, 468-470.

them, in a situation somewhat, though not materially, better than their present one."[143] It also added another piece to the stack of reservations accumulating west of the Missouri.

In the wake of the so-called "Platte Purchase," squatters rushed into the Platte Country. Some had come in previous years, but were forced off by federal troops, who burned their improvements.[144] The new, uncontested rush crowded in around roughly 1,600 Prairie Pottawatomie still in the area. That spring Subagent Edwin James reported that the Pottawatomies had exhausted the supplies issued for their subsistence. As he requested more, he recommended delivering them at their "new homes" at Council Bluffs, in part to compel them to move north, and in part because the increasing "settlers in the 'Platte Purchase' press hard upon them." He expected the situation to worsen, too, explaining that "the state of things already bad, is likely to be much aggravated by the recklessness of the whites, and the consideration that the Indians have no legal right here."[145] He was right.

A violent encounter in 1836 erupted into the final eviction of the Potawatomie from the Platte Country. That July, a group of five whites known to be "in the practice of stealing horses and trading whiskey to the Indians" stole eight horses from a Potawatomie party passing through Carrolton County. The pursuit erupted into a confrontation that left one Potawatomie and two Americans dead. Agent John Dougherty at Fort Leavenworth reported that the "Indians concerned in the affair came in without delay to this place, told their story."[146] The killings resulted in an investigation by Agent Andrew Hughes, who exonerated the "Emigrating Potawatomies that were attacked by the whites."[147] Nevertheless, Missouri's governor exploited the incident to call out a force of 600 state militiamen to push the Potawatomie from the Platte Country.[148] The pressure kept up, and by the next summer, the Potawatomie had moved yet again.

Their exodus splintered in two directions. Most of the Prairie and Indiana Pottawatomie headed toward the Osage River west of Missouri. Quiquito's appeal for a more southerly reservation resulted in a new treaty negotiated in early 1837 that provided "a tract of country, on the Osage river south-west of the Missouri river."[149] Caldwell's band and a number of others went north to the new reserve in the Iowa Territory by Council Bluffs. Over the next few years, additional Pottawatomie bands removed from the east joined these reservations. The most notorious of these ongoing removals became known as the Pottawatomie Trail of Death, a forced emigration of a band from Indiana in the fall of 1838, whose smaller-scale tragedy has been overshadowed by the contemporaneous Cherokee Trail of Tears. The US army forced over 800 members of the Yellow River band to make a grueling march of more than 600 miles that killed 43, included 28 children.[150]

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[143] William Clark to Lewis Cass, 17 September 1836, Ratified and Unratified Treaties with Various Indian Tribes, 1801-1869, RG 75, T494, Roll 3.
[144] For a more detailed account of the Platte Purchase, see H. Jason Combs, "The Platte Purchase and Native American Removal," *Plains Anthropologist* 47, no. 182 (August 2002): 265-274.
[145] Edwin James to William Clark, 27 June 1837, *WCP* XXXIV.
[146] John Dougherty to William Clark, 14 July 1836, RG 75, M234, Roll 751.
[147] Andrew Hughes to William Clark, 14 July 1836, RG 75, M234, Roll 751.
[148] Bert Anson, "Variations of the Indian Conflict: The Effects of the Emigrant Indian Removal Policy, 1830-1854," *Missouri Historical Review* 59, no. 1 (Oct. 1964): 64-89, 82.
[149] "Treaty with the Potawatomi, 1837," *KLT*, II, 488-489.
[150] Bowes, *Land Too Good For Indians*, 170.

Still, the piecemeal Potawatomi dislocation into the reservations forming on Missouri's western boundary was not over. The last would be added after reservations were parceled out to the Miami, Wyandot, and Sac and Fox of the Mississippi. In 1840, after years of resisting giving up their land, the Miami signed a treaty that exchanged their last 500,000 acres in Indiana for a similarly sized parcel abutting the Missouri border. In 1843, the Wyandot of Ohio did the same, obtaining a small reservation on a parcel of land carved out of the Delaware reserve. After pressing for the removal of the Sac and Fox of Mississippi from central Iowa, and obtaining a cession for the last of their lands in 1842, settlers began clamoring for the Potawatomi Iowa lands.[151] At back-to-back councils at Council Bluffs and the Osage River in June 1846, the Superintendent at St. Louis dissolved both Pottawatomie reservations and combined them into a 576,000 acres tract straddling the Kansas River on a section of land acquired through a reduction in the Kansas reservation.

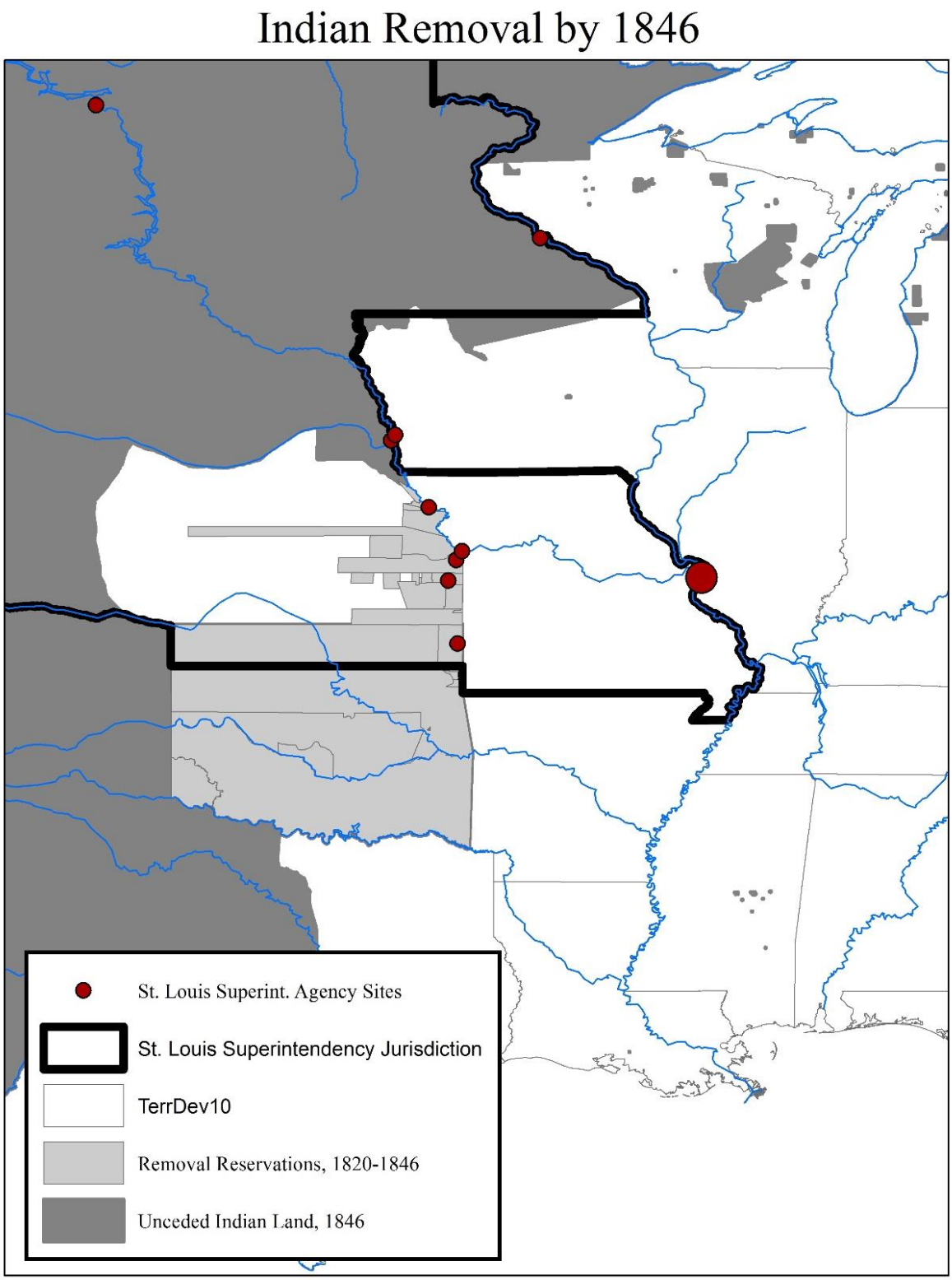
Like many other removals, there was a lag between treaty-signing and travel. The Sac and Fox did not leave their homes in Iowa until 1845. The Miami staved off removal for six years, until forced in 1846 to journey by steamboat and foot to the Osage River sub-agency, where they arrived as winter set in and survived by camping in federally issued tents. Large parties of Potawatomis left Council Bluffs for their new reservation in 1847, but the St. Louis Superintendency did not report them reunited until the following year. At the time, still more Potawatomi bands made their way to the Indian Territory west of Missouri. The last group, whose march harkened back to the treaty of Chicago, did not arrive from Wisconsin until 1851, removed to the wall of reservations in Indian Territory (Fig. 5.12).[152]

Conclusion

Ironically, all this movement did not actually place much distance between Indians and settlers, in part because of the growing expenditures flowing through the St. Louis Superintendency's coffers. Treaty payments generated economic activity that encouraged settlers to take up land in proximity to the reservations lining Missouri's western border. That proximity could be seen in agent reports of predatory trade practices, depredations, and whiskey dealers involving "the emigrating tribes that have been located on our borders."[153] The agent Anthony Davis described a buzz of activity surrounding the distribution of provisions, when "one portion" of nearby settlers sought to purchase their annuity goods "at one fourth of its value and another portion of them furnish them liquor for the money."[154] In 1836, Agent Richard W. Cummins forwarded a report to St. Louis in which the Piankeshaws complained that in recent years the Osage had developed a "habit" of stealing horses and other livestock from their village as they passed through "on their way to the white settlements on grand River to buy whiskey."[155] The following year, the agent at Fort Leavenworth reported as many as ten distilleries

[151] On the Sac and Fox removal, see William T. Hagan, *The Sac and Fox Indians* (Norman, OK, 1958); Grant Foreman, *Last Trek of the Indians*, 142-147.
[152] Robert A. Trennert, "The Business of Indian Removal: Deporting the Potawatomi from Wisconsin, 1851," *The Wisconsin Magazine of History* 63, no. 1 (Autumn, 1979): 36-50.
[153] John Dougherty to William Clark, 9 June 1836, *WCP* XXXIV.
[154] Anthony L. Davis to William Clark, 30 June 1837, *WCP* XXXIV.
[155] Richard W. Cummins to William Clark, 7 July 1836, *WCP* XXXIV.

Fig. 5.12: Indian Removal by 1846



Drawn by the author

lined up "along the state line," constructed "for the purpose of buying up their guns, ammunition, hoes, axes, Blankets, strouds, Knives, Kettles, Horses, Skins &c &c."[156] They whiskey dealers sent out runners to invite the Indians to come and trade in the settlements. Agents talked incessantly about "horse thieves and whisky dealers" because they were charged with policing these activities, and found it utterly impossible to stop.[157] While their talk focused on these vices, it revealed how removal had created proximity and markets, not separation and isolation as its architects had argued it would.

Indeed, as the Indian population living west of Missouri's state line neared 20,000 by 1850, the settler population directly east of them ballooned to 88,000, with 60%, or nearly 53,000, in counties directly across the line from Indian agencies.[158] The bulk of the newcomers on both sides centered around the town of Westport on the Missouri River near its confluence with the Kansas River, and a central point for the distribution of annuities. Along the border, an exchange economy emerged that went well beyond whiskey selling or horse stealing. Reservation Indians sold livestock and agricultural goods. They found work as carpenters, blacksmiths, and day laborers. A generation of dislocations into the St. Louis Superintendency created a population contemporaries referred to as "border Indians," not "removed Indians."[159]

Clark never saw the outcome of the removal plan he sketched in 1821. By the mid-1830s, aging and in ill-health, his involvement in the daily operations of the superintendency waned. To assist him, the War Department appointed Capt. Ethan Allen Hitchcock the superintendency's Disbursing Officer. On September 1, 1838, after 4,000 Cherokees fell on the trail of tears, and a few days before the Yellow River band of Pottawatomie departed on their trail of death, Clark died at his son's home in St. Louis. Capt. Hitchcock commemorated the passing in the superintendency's correspondence ledger, compelled "to make a record of the date from the Office so lately under his Superintendence."[160] Then he wrote a receipt for $27,787 worth of Indian goods.[161]

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[156] John Dougherty to William Clark, 9 June 1836, *WCP* XXXIV.
[157] Andrew S. Hughes to William Clark, 14 July 1836, *WCP* XXXIV.
[158] Federal Census of 1850, Minnesota Population Center, *National Historical Geographic Information System: Version 2.0.* (Minneapolis, MN: University of Minnesota, 2011).
[159] Anson, "Variations of the Indian Conflict," 64-89; Bowes, *Exiles and Pioneers*, 89-121.
[160] Ethan Allen Hitchcock to Secretary of War, 2 September 1838, RG 75, M234, Roll 751.
[161] [Statement of letters written by Major EA Hitchcock], 30 September 1838, RG 75, M234, Roll 751.

Conclusion

The unbroken chain of removal past 1838 serves as a reminder that the St. Louis Superintendency's operations were not simply synonymous with Clark's long tenure. In 1839, Joshua Pilcher became superintendent. Pilcher emigrated to Missouri during the War of 1812, took over the Missouri Fur Company, then parlayed his regional knowledge into a post as subagent, then agent, for the Upper Missouri Agency before finally replacing Clark.[162] Two more superintendents followed Pilcher by 1851, when the superintendency's name officially changed to the Central Superintendency. That change came after the creation of the Department of Interior in 1849, which became the new home of the Indian Office.[163] Like the shift to the War Department, the titular appearance of the Central Superintendency at St. Louis did little to alter day-to-day activities. The change did, however, reflect that those operations had come to revolve largely around administering the border Indians' treaties, a focus that became more pronounced during the 1850s, as three more superintendents came through. Finally, in 1859, the headquarters moved to St. Joseph, Missouri, and the Indian superintendency at St. Louis that first appeared in 1804 disappeared and began a long descent into obscurity.[164]

That move was a long time coming, and frames the period covered here as a coherent era in the superintendency's history. Immediately after Clark's death in 1838, the Secretary of War asked John Dougherty, another agent on the Upper Missouri, if he would advise moving the headquarters from St. Louis. Dougherty thought it was a good idea. He had spent the past years working with Pilcher and others to establish boundaries with the Omaha and Pawnee, pushing for the removal of the Sac and Fox to a reservation, and promoting a plan to build a cordon of forts to "for the protection of our own citizens, as that of the emigrating Indians."[165] The nations within the superintendency's jurisdiction, he reasoned, resided at least 300 miles from St. Louis and their frequent visits brought them "through a white population most of whom are unfriendly." He recommended Fort Leavenworth as a potential new headquarters site. It lay four hundred miles upriver from St. Louis, had a garrison to amplify the "superintendents [sic] strength, and influence," and a post office to send messages to Washington.[166] Communications proved to be the sticking point, and Fort Leavenworth's irregular link to Washington torpedoed the plan, so the headquarters stayed put.

Though the advice went unheeded, the request prompted Dougherty to describe the function of the superintendency in a way that aptly reflected on the kind of triangulation between officials, settlers, and Indians that had guided its work since 1804. As Dougherty put it, the superintendent's chief obligation was the "judicious supervision over the conduct of the agents, citizens, and Indians."[167] Translate that into action, and one finds that by the time of Clark's death, this manner of supervision had stewarded

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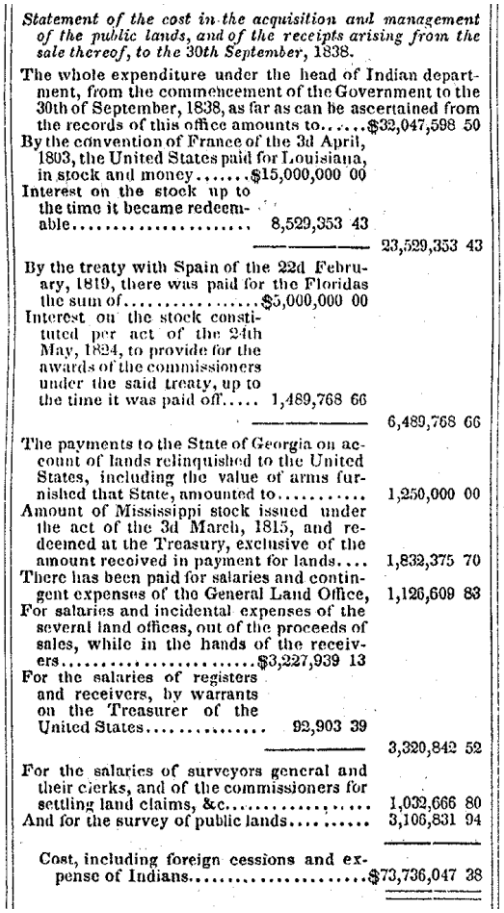
[162] On Pilcher, see John E. Sunder, *Joshua Pilcher: Fur Trader and Indian Agent* (Norman, OK, 1968); Chester L. Guthrie and Leo L. Gerald, "Upper Missouri Agency: An Account of Indian Administration on the Frontier," *Pacific Historical Review* 10, no. 1 (March 1941): 47-56.
[163] Hill, *The Office of Indian Affairs*, 28-31; Prucha, *The Great Father*, 322-323.
[164] Hill, *The Office of Indian Affairs*, 31, 159.
[165] See, for example, Joshua Pilcher to C.A. Harris, 26 December 1837, RG 75, M234, Roll 884.
[166] John Dougherty to T. Hartley Crawford, 4 December 1838, Indians Collection, Missouri History Museums Archives, St. Louis, MO.
[167] Ibid.

twenty-three land cessions from twenty Indian nations into the public domain, extinguishing Indian title to over 183 million acres of land in Upper Louisiana. That land had been carved into the states of Missouri and Arkansas, the Iowa Territory, and a bevy of reservations. By 1840, this space had undergone a demographic upheaval atop a landscape of opportunities forged by the superintendency's operations. Over 80,000 Native American had been removed to reservations on lands originally ceded within the St. Louis Superintendency, and about a quarter of those remained within its jurisdiction. At the same time, the non-indigenous population had exploded by more than 5,000%, from roughly 10,000 inhabitants, to more than 524,000. These new arrivals pressed into newly christened public domain land, as either squatters or settlers who purchased tracts from land offices.

The work of the St. Louis Superintendency was the operation of the Indian treaty system. It steered the practical expansion of the United States, and contemporaries knew it. The month Clark passed away, the Treasury Department issued a "Statement of the cost in the acquisition and management of the public lands," on which the most expensive line, by far, was "expenditures under the head of Indian Department." The Louisiana Purchase was a distant second (Fig. 6.1). It could have been Clark's epitaph.

Fig. 6.1: Statement of the Cost in the Acquisition and Management of the Public Lands



Statement of the cost in the acquisition and management of the public lands, and of the receipts arising from the sale thereof, to the 30th September, 1838.

The whole expenditure under the head of Indian department, from the commencement of the Government to the 30th of September, 1838, as far as can be ascertained from the records of this office amounts to		$32,047,598 50
By the convention of France of the 3d April, 1803, the United States paid for Louisiana, in stock and money	$15,000,000 00	
Interest on the stock up to the time it became redeemable	8,529,353 43	
		23,529,353 43
By the treaty with Spain of the 22d February, 1819, there was paid for the Floridas the sum of	$5,000,000 00	
Interest on the stock constituted per act of the 24th May, 1824, to provide for the awards of the commissioners under the said treaty, up to the time it was paid off	1,489,768 66	
		6,489,768 66
The payments to the State of Georgia on account of lands relinquished to the United States, including the value of arms furnished that State, amounted to		1,250,000 00
Amount of Mississippi stock issued under the act of the 3d March, 1815, and redeemed at the Treasury, exclusive of the amount received in payment for lands		1,832,375 70
There has been paid for salaries and contingent expenses of the General Land Office,		1,126,609 83
For salaries and incidental expenses of the several land offices, out of the proceeds of sales, while in the hands of the receivers	$3,227,939 13	
For the salaries of registers and receivers, by warrants on the Treasurer of the United States	92,903 39	
		3,320,842 52
For the salaries of surveyors general and their clerks, and of the commissioners for settling land claims, &c		1,032,666 80
And for the survey of public lands		3,106,831 94
Cost, including foreign cessions and expense of Indians		$73,736,047 38

"Public Lands," 25th Cong., 3d Sess., H. of R., Treasury Dept., Doc. 164, p. 13

Those costs would only increase over time, gesturing at the importance of the administration of Indian affairs in the colonization of North America in the nineteenth century. How to fully trace that interaction is a project much larger than has been possible here. This dissertation has sought to contribute to it by providing several chapters in the life the St. Louis Superintendency, which although little-known, provided the sinew that ties together a series of familiar events from the history of the Missouri River Valley. Chapter 1 reassessed the well-known price of the Louisiana Purchase, showing that to account for the cost of acquiring this territory requires accounting for the price of Indian title through treaties administered by institutions like the St. Louis Superintendency. Chapter 2 highlighted just how much Indian affairs mattered when it came to questions of the legal incorporation of the Louisiana Purchase. Chapter 3 followed the Indian delegations sent east by Lewis and Clark to show how their expedition helped install an apparatus for conducting Indian affairs in the Missouri River Valley. Chapter 4 traced how a land grab orchestrated by the St. Louis Superintendency fueled demographic growth that made the Missouri Compromise of 1820 possible. Chapter 5 highlighted this superintendency's role in the ordeal of removal, as both the source of a plan for building a wall of reservations west of Missouri and receiving ground for thousands of eastern Indians.

But just as this superintendency extended beyond Clark's life, its history goes beyond these chapters. And, here too, Pilcher and Dougherty provide a kind of guide to the need for additional work. Because this study has focused on the lower Missouri River Valley, it has given little attention upriver where they worked. Representatives of the St. Louis Superintendency, for instance, were on hand during the Yellowstone Expedition of 1819, which sought to extend American authority over the fur trade on the Upper Missouri. While the expedition helped define Clark's amorphous jurisdiction, it also exposed a set of "real and perceived grievances" that erupted in the Arikara War of 1823, the first plains war involving the US army.[168] In that conflict's wake, the Upper Missouri Agency expanded in the late 1820s, when Pilcher and Dougherty joined up.

Indian agents, the army, and the fur trappers were not the only ones plying the river in 1820s and 1830s, either. In these decades, the St. Louis Superintendency hosted a series of visitors who created images of the American West for the United States and the world. Artists like George Catlin, Karl Bodmer, and Alfred Jacob Millers, writers like Washington Irving, and naturalists like Maximilian zu Wied, passed through Clark's office to obtain passports and see his Indian council room, which doubled as the only museum west of the Mississippi. They received guidance, information, and introductions from agents, and hopscotched fur trade forts licensed by the superintendency. It was in these places that their interactions with indigenous peoples generally occurred, and as a result, they pawned off images of the world of the St. Louis Superintendency as vistas on an unadulterated West, smuggling Plains peoples of this era into the global imagination as the archetype of a somehow timeless indigenous world.[169]

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[168] Roger L. Nichols, "The Arikara Indians And The Missouri River Trade: A Quest For Survival," *Great Plains Quarterly* (Spring 1982): 78; William R. Nester, *The Arikara War: The First Plains Indian War, 1823* (Missoula, MT, 2001).

[169] John C. Ewers, "William Clark's Indian Museum in St. Louis, 1816-1838," in Whitfield J. Bell, Jr., Clifford K. Shipton, ed., *A Cabinet of Curiosities: Five Episodes in the Evolution of American Museums* (Charlottesville, 1967), 49-72; Brian W. Dippie, *Catlin and His Contemporaries: The Politics of Patronage* (Lincoln, NE, 1990), esp. 22-24, 40.

In 1837, Pilcher was at the heart of one of the greatest changes to that world to take place in the nineteenth century. That June, he disembarked from the steamboat *St. Peter's* to deliver annuities to the Yankton and Santee Sioux agency, and brought an unwanted gift. Twenty-five days after he arrived, small pox broke out. As the disease struck, Pilcher reported, the Sioux bands scattered. The epidemic reached down to the border tribes, who, like the Sioux, escaped the brunt of it. The real devastation followed the *St. Peter's* upriver and hit nations like the Mandan and Blackfeet with an indescribable force. Amongst the shaky accounts were reports that the Mandan population had plummeted by anywhere from 80% to 98%. The event remade the indigenous demographic landscape, and the St. Louis Superintendency played a key role, not just in 1837, but a few years earlier when it administered vaccines to tribes like the Sioux and border Indians, leaving the groups further north—the Indians further from the settlements—vulnerable.[170]

It was this altered landscape that over quarter-million American emigrants trundled over in the 1840s and 1850s as they lit out for places Oregon and California. They jumped off in the "annuity towns" of western Missouri, passing through the reservations of the border Indians, on their way to the Platte River road. Thousands of wagons rolling over the plains took a toll on the environment, as emigrants and their livestock lapped up and polluted drinking water, felled scarce trees for firewood, and trampled and consumed prairie grasses. They killed buffalo, and got much of the blame for their plummeting numbers, though a détente between the Cheyenne, Arapahoe, Kiowa, and Commanche contributed far more to the dramatic rise in buffalo hides entering the market. More importantly, the travelers doubled as vectors for diseases—smallpox, cholera, and measles—that ran rampant among both the border and plains tribes.[171] The prairie and mountain tribes blamed the whites intruding on the plains for all these ills, "and I suppose justly," added Pilcher's successor, Supertintendent David D. Mitchell.[172]

By the late 1840s, the superintendent at St. Louis had already begun advocating for the acquisition of Indian lands west of Missouri. Luke Lea, Mitchell's successor, pushed for "the laying off of the Nebraska Territory" in his annual report of 1851.[173] A few years later, the Kansas-Nebraska Act coincided with a burst of treaty-making with the border Indians, creating a complex legal landscape for the acquisition of public land that became the scene for a notorious fight over slavery's future.[174] "Bleeding Kansas" was intimately tied up with the rush to obtain Indian land that brought more than 100,000 squatters into the Kansas Territory between 1854 and 1860. Consider the petitions coming out of Leavenworth, the county erected around the fort. In 1856, eighty of its residents petitioned Congress for Kansas' admission as a free state after pro-slavery

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[170] Andrew C. Isenberg, "An Empire of Remedy Vaccination, Natives, and Narratives in the North American West," *Pacific Historical Review* 86, no. 1 (Feb. 2017): 84-113; Clyde D. Dollar, "The High Plains Smallpox Epidemic of 1837-38," *Western Historical Quarterly* 8, no. 1 (Jan., 1977): 15-38.
[171] Elliot West, "Animals," in *The Way to the West: Essays on the Central Plains* (Albuquerque, NM, 1995), 51-84; John D. Unruh, Jr., *The Plains Across: The Overland Emigrants and the Trans-Mississippi West, 1840-1860* (Urbana, IL, 1979), 84-85.
[172] *ARCIA* (1851), 62.
[173] *ARCIA* (1851), 60.
[174] Miner and Unrau, *The End of Indian Kansas,* 1-24; Paul Wallace Gates, *Fifty Million Acres: Conflicts Over Kansas Land Policy, 1854-1890* (Ithaca, NY, 1966).

ruffians seized the ballot box. It was an intensely felt desire, but it apparently paled in comparison to strident calls to revise a recent Delaware treaty, which produced a petition with over 900 signatures in 1855.[175] Not surprisingly, then, the superintendency bled cash in the mid-1850s, when its expenditures crossed a million dollars, hitting an all-time high that swallowed a third of the Indian Office's budget.[176]

The rush to Kansas brought the question of removing the superintendency's headquarters back to the fore. In 1857, yet another plea came from Leavenworth, this time a memorial from "many prominent citizens" seeking to relocate it to "some suitable point on the Missouri" and suggesting their county seat.[177] The initial appeal went nowhere, but the question resurfaced two years later, when residents of Kansas City lobbied to become the new home. The editor of *The Weekly Border Star* bluntly laid out why the honor mattered:

> This Indian Superintendency is worth striving for. It is a business bureau of importance, and dispenses a vast deal of money. Belonging to it are the agencies of the Blackfeet, the Indians of the Upper Missouri, the Indians of the Upper Platte, the Indians on the Arkansas, the Omahas, the Ottoes, Missourians and Pawnees, the Ioways and Sac and Foxes, the Delawares, the Shawnees and Wyandotts, the Potawatomires, the Kaws, the Weas, Piankechaws, Kaskaskias, Peorias, Miamies, etc.[178]

Kansas City residents pressed their congressman to lobby on their behalf, yielding a letter to the Indian Commissioner praising the town's proximity "to the mass of Indians under this superintendency," regular steamboat service, daily stage coaches, and telegraph line.[179] According to the *Border Star*, he also bent the ear of the superintendent at St. Louis, Alexander M. Robinson, who pushed the commissioner to make a decision on "Kansas City, or any other point" before ice floes shut down traffic on the Missouri River.[180]

The Commissioner of Indian Affairs chose St. Joseph. Roughly seventy miles upstream from Kansas City, St. Joseph lay closer to the Upper Missouri and Upper Platte agencies that dealt with the independent plains tribes, particularly the Sioux.[181] Just as importantly, St. Joseph had just opened a train station for the newly built Hannibal and St. Joseph Railroad, which had helped the town grow to nearly 9,000, making it the second largest city in the Missouri River Valley, after St. Louis. The railroad bypassed roughly 400 miles of snags in the Missouri River, making it possible to place the superintendent's office closer to the agencies under its stewardship while establishing a

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[175] "Memorial," in *Letter from the Secretary of the Interior, transmitting reports in reference to the carrying out of treaty stipulations with the Delaware Indians*, House and Senate, 1 February 1855, H. Ex Doc. 110, p. 97.
[176] [Estimate Budget for 1855], RG 75, M234, Roll 55, frame 836.
[177] [Memorial of Citizens of Leavenworth on relocation of Superintendency Headquarters], 9 June 1857, RG 75, M234, Roll 56.
[178] "Central Superintendency of Indian Affairs," *The Weekly Border Star*, 29 October 1859, p. 3.
[179] S.H. Woodson to A.B. Greenwood, 1 November 1859, RG 75, M234, Roll 56.
[180] A.M. Robinson to Charles E. Mix, 22 October 1859, RG 75, M234, Roll 56. Also see "The Indian Superintendency," *The Weekly Border Star*, 12 November 1859, p. 2.
[181] S.H. Woodson to A.B. Greenwood, 1 November 1859, RG 75, M234, Roll 56.

fast and secure connection to Washington. As *The Weekly Border Star* acknowledged, the commissioner favored St. Joseph "on account of the facility of transporting money, etc. to that point by railroad."[182]

The move was at once monumental and unceremonious.[183] After 55 years, it no longer made sense to anchor Indian affairs in the Missouri River Valley at St. Louis. So, in November 1859 Superintendent Robinson had the office packed up and shipped upriver. The last letter he sent from St. Louis simply announced plans to begin operations from the new location.[184] His correspondence resumed from St. Joseph in early December 1859, in letters about lost shipments, payment for contractors, transporting annuity goods, and carving up Pawnee territory. One suggested squeezing Poncas and Omahas into a western section of the Pawnee reserve while making a move to "acquire title" to an eastern section for settlement by whites. Robinson gave all the usual reasons why concentration on less land would benefit the Pawnee—it would induce industry, it would insulate them against Sioux raids—but "ultimately," he admitted, it meant "less expense to the Government" and the acquisition of "a tract of country which would add greatly to the population, products and wealth of the Territory."[185] As the superintendency at St. Louis slipped quietly into the past, the flywheel of dispossession spun forward.

[182] "Central Superintendency of Indian Affairs," *The Weekly Border Star*, 29 October 1859, p. 3.
[183] For an example of just how unceremonious, compare the annual reports for 1859. The only indication of the change is the source location of the Central Superintendent's letter containing his report for the year. See *ARCIA* (1859) and *ARCIA* (1860).
[184] A.M. Robinson to A.B. Greenwood, 22 November 1859, RG 75, M234, Roll 56.
[185] A.M. Robinson to A.B. Greenwood, 10 December 1859, RG 75, M234, Roll 56.

Appendix

Expenditures on Indian Cessions in the Louisiana Territory, 1804-2012

The appendix is composed of five tables:

Table 1: Lists original payments in terms of US expenditures for 222 Indian cessions within the Louisiana Purchase.
Table 2: Lists Indian Claims Commission awards/settlements.
Table 3: Lists Court of Claims awards/settlements.
Table 4: Lists trust accounting awards/settlements.
Table 5: Lists post-ICC settlements.

General Notes:

1. Acres in *italics* were generated in ArcGIS
2. Inflation values for 1803 and 2012 were computed using 2012 conversion factors from a CPI index compiled by Robert Sahr from *Historical Statistics of the United States Millennial Edition* (2006) before 1913 and the US Bureau of Labor Statistics since 1913, see http://oregonstate.edu/cla/polisci/download-conversion-factorsyear.
3. In the source column:
    - v(olume) and p(age) in parenthesis refers to ICC decisions, published in 43 volumes and available at http://digital.library.okstate.edu/icc/.
    - Unpublished ITCS Reports are indexed by treaty date, see the *Index to the General Accounting Office Reports on Offsets* (http://images.crl.edu/052.pdf), *and* available on microfiche as part of the Records of the U.S. Indian Claims Commission (the originals are in Record Group 279 and 411 at the National Archives, College Park, Maryland.
    - Court of Claims decisions (Ct. Cl.) are available electronically through LexisNexis; US Statutes at Large (Stat.) and Annual Report of the Commissioner of Indian Affairs (ARCIA) through Hein Online; and Congressional/Senate documents through Proquest Congressional.
    - Treaty text are widely available, most conveniently through Charles J. Kappler, ed. *Indian Affairs: Laws and Treaties* (1902-1971) (http://digital.library.okstate.edu/kappler/

Table 1: Original Payments

Cession Date	Nation (s)	Acres	Orig. Cost	In LP	Prorated Acres	Prorated Cost	Cost	Source
1804.11.03	Sauk and Fox	3,651,424.39	$20,000.00	45%	1,638,722.75	$8,975.80	$0.01	ICC Dkt. 83 (v. 25, p. 429; v. 32 p. 395-97)
1805.09.23	Sioux Nation	155,520.00	$2,000.00	25%	38,880.00	$500.00	$0.01	ICC Dkt. 361 (v. 18, 526a-b; v. 10 p. 181-82, 186-89, 194, 218a-
1808.11.10	Great and Little Osage	12,113,000.00	$56,833.79	100%	12,113,000.00	$56,833.79	$0.00	ICC Dkt. 105 (v. 23, p. 492; 447-48)
1818.08.24	Quapaw	34,755,448.24	$19,630.00	100%	34,755,448.24	$19,630.00	$0.00	ICC Dkt. 14 (Cause 1); 128 Ct.Cl. 45 (v. 1, p. 475)
1818.09.25	Great and Little Osage	*1,965,169.05*	$3,095.42	100%	1,965,169.05	$3,095.42	$0.00	ICC Dkt.106/ITCS Report (v. 23, p. 492; v. 19, p. 491, v. 19, p.
1824.08.04	Sauk and Fox	1,241,700.00	$27,799.61	100%	1,241,700.00	$27,799.61	$0.02	ICC Dkt.135 (v.12, p. 540a-540b, v. 15 p. 265a-
1824.08.04	Iowa	1,551,200.00	$19,346.23	100%	1,551,200.00	$19,346.23	$0.01	ICC Dkt.135 (v.12, p. 540a-540b, v. 15 p. 265a-
1824.11.15	Quapaw	1,161,284.75	$28,037.00	100%	1,161,284.75	$28,037.00	$0.02	ICC Dkt. 14 (Cause 2); 128 C.C. 45 (v. 1, p. 473, 492, 494-5,
1825.01.20	Choctaw	*5,452,119.10*	$200,000.00	100%	5,452,119.10	$200,000.00	$0.04	7 Stat. 234
1825.06.02	Great and Little Osage	*37,081,154.40*	$808,261.40	100%	37,081,154.40	$808,261.40	$0.02	ICC Dkt.107 (v. 23, p. 492; 447-48; v. 19, p. 481,
1825.06.03	Kansas	18,314,240.00	$106,555.42	100%	18,314,240.00	$106,555.42	$0.01	ICC Dkt.34 (v. 1, p. 618)
1825.11.07	Shawnee nation residing in	*513,130.38*	$58,863.78	100%	513,130.38	$58,863.78	$0.11	ITCS Report
1828.05.06	Cherokee nation west of Mississippi river	3,289,053.41	$90,960.00	100%	3,289,053.41	$90,960.00	$0.03	27 Ct. Cl. 1
1829.09.24	Delaware	*1,809,122.80*	$19,628.64	100%	1,809,122.80	$19,628.64	$0.03	72 Ct. Cl. 525
1830.07.15	Iowa, Oto, Missouri, OmahaSauk and Fox, Sissaton and Wahpeton Sioux, Medawakanton and	14,673,660.00	$69,583.86	100%	14,673,660.00	$69,583.86	$0.01	ICC Dkt. 143; 359; 363 (second claim) (v. 15, 406-07, 428-29; v. 16 p. 688; v. 18, 526a-b; v. 10, p. 186-89, 218a-c; 1981 U.S. Ct.
1832.09.21	Sauk and Fox	4,484,800.00	$745,741.79	100%	4,484,800.00	$745,741.79	$0.17	ICC Dkt.158 (v. 20, p. 492-93, 505-07)
1832.10.24	Kickapoo	1,868,500.00	$143,000.00	100%	1,868,500.00	$143,000.00	$0.08	ICC Dkt.193 (v. 19, p. 37-39)
1832.10.26	Shawnee and Delaware	See 1825.11.07;	$37,611.87	100%	Na	$37,611.87	$0.02	ITCS Report
1832.12.29	Seneca and Shawnee	127,000.00	$6,937.05	100%	127,000.00	$6,937.05	$0.05	ITCS Report
1833.05.13	Quapaw	See 1824.11.15	$284,678.75	100%	Na	$284,678.75	$0.25	ICC Dkt.14 (Cause 2); 128 C.C. 45 (v. 1, p. 473, 494-5, 498,
1833.09.21	Missouri, Oto	792,000.00	$39,410.15	100%	792,000.00	$39,410.15	$0.05	ICC Dkt.11 (Cause 3); 131 Ct.Cl. 593; 350 U.S. 848 (v. 2, p. 360-
1833.10.09	Confederated Pawnee: Grand Pawnee, Pawnee Loup, Pawnee Republicans, Pawnee Tappaye residing on the Platt and Loup	13,074,000.00	$148,200.00	100%	13,074,000.00	$148,200.00	$0.01	ICC Dkt.10 (Cause 1-2); 157 Ct.Cl. 134; 370 U.S. 918 (v. 10, p. 410b-c, e-f; v. 8, p. 677)
1835.07.01	Caddo	636,321.00	$80,000.00	100%	636,321.00	$80,000.00	$0.13	ICC Dkt.226 (v. 40, p. 287-88, 294, 298)
1836.09.10	Sioux: Wahashaw's Band	See	$400.00	100%	Na	$400.00	$0.00	Treaty text
1836.09.17	Iowa, and Sauk and Fox of the Missouri	See 1808.11.10	$106,695.87	100%	Na	$106,695.87	$0.01	ITCS Report
1836.09.27	Sauk and Fox	See 1808.11.10	$0.00	100%	Na	$0.00	$0.00	Treaty text

Table 1: Original Payments cont'd

Cession Date	Nation (s)	Acres	Orig. Cost	In LP	Prorated Acres	Prorated Cost	Cost	Source
1836.09.28	Sauk and Fox	108,800.00	$193,056.12	100%	108,800.00	$193,056.12	$1.77	ICC Dkt. 209 (v. 20, p. 494-97, 506)
1836.11.30	Wahpekute, Sisseton, and Medwankanton Sioux	See 1830.07.15	$550.00	100%	Na	$550.00	$0.00	Treaty text
1837.11.23	Iowa	See	$127,732.50	100%	Na	$127,732.50	$0.01	ICC Dkt.138 (v. 15, p. 179; v. 5, p. 348-49)
1837.10.21	Yankton Sioux	See	$4,000.00	100%	Na	$4,000.00	$0.00	ICC Dkt. 332-A (v. 20, p. 260-61; v. 10, p. 171-75)
1837.10.21	Sauk and Fox	990,833.50	$146,127.06	100%	990,833.50	$146,127.06	$0.15	ICC Dkt. 231 (v. 20, p 461-2 (Acreage), .497-500,
1838.10.19	Iowa	4,356,566.50	$162,500.00	100%	4,356,566.50	$162,500.00	$0.04	ICC Dkt. 153, 158, 209, 231 (v. 22, p. 395, 409-14; v. 20, p. 502-
1839.01.11	Osage	See	$575,724.72	100%	Na	$575,724.72	$0.01	ITCS Report
1842.10.11	Sauk and Fox	8,592,000.00	$1,427,517.34	100%	8,592,000.00	$1,427,517.34	$0.17	ICC Dkt. 153 (v. 22, p. 395, 409-14)
1846.01.14	Kansas	6,559,040.00	$329,927.25	100%	6,559,040.00	$329,927.25	$0.05	ICC Dkt. 33, 35 ((Docket 33) v. 1, p. 612-15, 638, 643; v. 2, p.
1846.06.05 and .17	Chippewa, Ottawa, Potawatomi	5,909,565.62	$1,051,000.00	100%	5,909,565.62	$1,051,000.00	$0.18	ICC Dkt. 15-J, 71-A (v. 7, p. 179; on treaty allowance see v. 4, p. 435)
1846.10.13	Winnebago	*2,040,557.91*	$219,730.92	100%	2,040,557.91	$219,730.92	$0.11	ITCS Report
1847.08.02	Chippewa of the Mississippi and Lake Superior	1,104,000.00	$71,000.00	100%	1,104,000.00	$71,000.00	$0.06	ICC Dkt. 18-T (v. 28, p. 103-116; v. 25, p. 175-177)
1847.08.21	Chippewa (Pillager band)	814,500.00	$19,706.94	93%	759,276.90	$18,370.81	$0.02	ICC Dkt. 144 (v. 32 p. 168, 188-190)
1848.08.06	Pawnee (four confederated bands)	110,419.00	$2,000.00	100%	110,419.00	$2,000.00	$0.02	ICC Dkt. 10 (Cause 3); 157 C.C. 134; 370 U.S. 918 (v. 10, 410e-
1850.04.01	Wyandot	148,000.00	$185,000.00	100%	148,000.00	$185,000.00	$1.25	Treaty text
1851.07.23	Sisseton and Wahpeton Sioux	1,120,000.00	$305,000.00	91%	1,024,755.20	$279,062.80	$0.27	ICC Dkt. 142; 363 (second claim) (v. 18, 526a-b; v. 10, p. 186-
1851.08.05	Mdewakanton and Wahpekute Sioux	960,000.00	$250,000.00	91%	878,361.60	$228,740.00	$0.26	ICC Dkt.362; 363 (second claim) (v. 18, 526a-b; v. 10, p. 186-
1851.08.05	Sioux ("half-breeds")	*322,582.35*	$150,000.00	100%	322,582.35	$150,000.00	$0.46	Treaty text
1851.09.17	Arapaho, Arikara, Assiniboin, Cheyenne, Crow, Gros Ventre,	*7,165,755.17*	$1,050,439.13	100%	7,165,755.17	$1,050,439.13	$0.15	81 Ct. Cl. 238; 77 Ct. Cl. 347 (ICC v. 32, p.131)
1854.03.15	Missouri, Oto	3,587,892.29	$463,423.74	100%	3,587,892.29	$463,423.74	$0.13	ICC Dkt. 11A; 11 (Cause 4) [131 C.C. 593; 350 U.S. 848] (v.
1854.03.16	Omaha	7,482,097.87	$975,739.54	100%	7,482,097.87	$975,739.54	$0.13	ICC Dkt. 225-A; 138 (v. 4 p. 660-61, v. 6, p 759, v. 7, p. 572-c;
1854.05.06	Delaware	1,517,955.00	$1,067,898.19	100%	1,517,955.00	$1,067,898.19	$0.70	ICC Dkt.72, 298; 27-A, 241 (v. 21, p. 369-70; v. 23 p. 135 ;; v.
1854.05.10	Shawnee	1,404,790.00	$829,000.00	100%	1,404,790.00	$829,000.00	$0.59	ICC Dkt. 334 (v. 6, 376a)
1854.05.12	Menomini	*737,906.33*	$242,686.00	72%	534,207.29	$175,692.53	$0.33	10 Stat. 1054
1854.05.17	Iowa	99,249.25	$184,446.85	100%	99,249.25	$184,446.85	$1.86	ICC Dkt. 79-A/68 Ct. Cl. 585 (v. 23, p. 342)
1854.05.18	Sauk and Fox of the Missouri	96,000.00	$48,000.00	100%	96,000.00	$48,000.00	$0.50	ICC Dkt. 195 (v. 15, p. 120-22; v. 13, p. 313-322, 325a)

Table 1: Original Payments cont'd

Cession Date	Nation (s)	Acres	Orig. Cost	In LP	Prorated Acres	Prorated Cost	Cost	Source
1854.05.18	Kickapoo	618,000.00	$300,000.00	100%	618,000.00	$300,000.00	$0.49	ICC Dkt. 316 (v. 10, p. 31-32)
1854.05.30	Kaskaskia, Peoria, Piankishaw, Wea, Kaskaskia	207,758.85	$346,671.00	100%	207,758.85	$346,671.00	$1.67	ICC Dkt. 65 (v. 15, p. 155-156; v. 20, p. 69a-c)
1854.06.05	Miami	254,158.34	$121,974.23	100%	254,158.34	$121,974.23	$0.48	ICC Dkt. 251, 124-A (v. 6, p. 551)
1855.01.31	Wyandot	24,793.77	$0.00	100%	24,793.77	$0.00	$0.00	10 Stat. 1159
1855.02.22	Chippewa of the Mississippi	10,233,700.00	$1,334,686.85	38%	3,938,132.43	$513,614.19	$0.13	ICC Dkt. 18-B (v. 14 p. 282-287, 292, 328a-c)
1855.02.27	Winnebago	897,900.00	$107,601.42	100%	897,900.00	$107,601.42	$0.12	ITCS Report
1855.06.22	Chickasaw, Choctaw	*11,756,147.25*	$800,000.00	100%	11,756,147.25	$800,000.00	$0.07	119 U.S. 1 (v. 3, p.)
1855.10.17	Nez Percè, Blackfoot and Flathead Nations	*11,843,504.07*	$408,535.29	100%	11,843,504.07	$408,535.29	$0.03	ICC Dkt. 279-C (v. 32, p. 109; 226 Ct. Cl. 724)
1856.08.07	Creek, Seminole	2,037,414.62	$1,000,000.00	100%	2,037,414.62	$1,000,000.00	$0.49	ICC Dkt. 276 (v. 16, p. 478a-c)
1857.09.24	Pawnee (four confederated bands)	9,878,000.00	$2,144,281.20	100%	9,878,000.00	$2,144,281.20	$0.22	ICC Dkt. 10 (Cause 4); 157 C.C. 134; 370 U.S. 918 (v. 10, 410d-
1857.11.05	Tonawanda Seneca	208,000.00	$256,000.00	100%	208,000.00	$256,000.00	$1.23	173 U.S. 464; 19 S. Ct. 487
1858.03.12	Ponca	2,334,000.00	$455,500.00	100%	2,334,000.00	$455,500.00	$0.20	ICC Dkt. 322 (v. 26 p. 203-204, 208; v. 20 p. 278-279)
1858.04.19	Yankton Sioux	15,390,291.00	$556,560.67	100%	15,390,291.00	$556,560.67	$0.04	ICC Dkt. 332-C
1858.06.12	Otoe and Missouria	15,697.00	$19,621.27	100%	15,697.00	$19,621.27	$1.25	ICC Dkt.11 (Cause 2); 131 C.C. 593; 350 U.S. 848 (V. 2 p. 341-
1858.06.19	Sioux (Medewakanton and Wahpekute bands)	320,000.00	$148,274.43	100%	320,000.00	$148,274.43	$0.46	ICC Dkt. 363; 363 (second claim) (v. 18, 526a-b, v. 10, p. 189-
1858.06.19	Sioux (Sissaton and Wahpeton)	569,600.00	$196,539.80	88%	498,855.11	$172,129.36	$0.35	57 Ct. CL 357
1859.02.28	Omaha, Iowa, Yankton, Santee Sioux "half breeds"	15697.34	19621.67	100%	15,697.34	$19,621.67	$1.25	11 Stat. 401
1859.04.15	Winnebago	99,366.51	$401,435.84	100%	99,366.51	$401,435.84	$4.04	ICC Dkt. 243/ITCS Report
1859.07.16	Swan Creek and Black River Chippewas	3,801.31	$23,172.32	100%	3,801.31	$23,172.32	$6.10	12 Stat. 1105
1859.10.01	Sauk and Fox of the Mississippi	285,658.20	$282,557.48	100%	285,658.20	$282,557.48	$0.99	ICC Dkt. 219 (v. 18, p. 613, 638a-b)
1859.10.05	Kansa	255,854.49	$404,010.23	100%	255,854.49	$404,010.23	$1.58	80 Ct. Cl. 264
1860.05.30	Delaware	223,966.78	$286,742.15	100%	223,966.78	$286,742.15	$1.28	74 Ct. Cl. 368
1860.08.21	New York Indians	1,605,660.00	$0.00	100%	1,605,660.00	$0.00	$0.00	41 Ct.Cl. 462; 173 U.S. 464; 19 S. Ct. 487; 33 Ct. Cl. 521
1861.02.18	Arapaho of Upper Arkansas, Cheyenne of Upper Arkansas	24,038,837.39	$256,547.67	85%	20,326,760.12	$216,931.58	$0.01	ICC Dkt. 329-A, 329-B (v. 12, p. 229-33; v. 10, p.8, 48; v. 16 p.
1861.03.06	Sauk and Fox of the Missouri,	27,301.05	$52,294.29	100%	27,301.05	$52,294.29	$1.92	ICC Dkt. 79/ITCS Report
1861.11.15	Potawatomi	640.00	$0.00	100%	640.00	$0.00	$0.00	ICC Dkt. 15-B, 111 (v. 3, p. 61, 65, 74-76; v. 3, p. 570a-b)

Table 1: Original Payments cont'd

Cession Date	Nation (s)	Acres	Orig. Cost	In LP	Prorated Acres	Prorated Cost	Cost	Source
1862.06.24	Ottawa of Blanchard's Fork and Roche de Boeuf	50,777.56	$56,635.71	100%	50,777.56	$56,635.71	$1.12	ICC Dkt. 303 (v. 8, p. 834-835)
1862.06.28	Kickapoo	123,832.61	$154,790.39	100%	123,832.61	$154,790.39	$1.25	ICC Dkt. 316-A (v. 23, p. 198)
1862.07.01	Patawatomi (Prairie and Citizens bands)	1,454.65	$0.00	100%	1,454.65	$0.00	$0.00	ICC Dkt. 15-B, 111 (v. 3, p. 68; v. 3 p. 570a-b)
1863.02.21	Winnebago	*116,597.21*	$261,192.11	100%	116,597.21	$261,192.11	$2.24	ITCS Report
1863.03.03	Sioux (Sissaton, Wahpeton, Medewakanton, and	737,084.03	$944,810.78	100%	737,084.03	$944,810.78	$1.28	ICC Dkt. 363/57 Ct. Cl. 357
1864.05.07	Chippewa (Pillager), Chippewa (Winnibigoshish), Chippewa of the Mississippi	*249,509.47*	$921,281.37	63%	156,691.95	$578,564.70	$3.69	ICC Dkt.18-N (Cause 1)/ITCS Report (v. 14 p. 229-230)
1865.03.06	Omaha	100,000.00	$100,000.00	100%	100,000.00	$100,000.00	$1.00	ICC Dkt. 225-B, C, D (v. 8, p. 395-396)
1865.03.08	Winnebago	*289,626.42*	$213,347.24	100%	289,626.42	$213,347.24	$0.74	ICC Dkt. 243/ITCS Report
1865.03.10	Ponca	*18,319.88*	$24,090.00	100%	18,319.88	$24,090.00	$1.31	ITCS Report
1865.09.29	Osage	844,632.95	$327,738.97	100%	844,632.95	$327,738.97	$0.39	ICC Dkt. 9 (v. 3 p. 230; v. 3, p. 443)
1865.10.14	Arapaho, Cheyenne	1,878,543.61	$20,048.22	93%	1,743,814.46	$18,610.36	$0.01	ICC Dkt. 329-A, 329-B/14 Stat. 703 (v. 12, p. 229-33; v. 10, p.8,
1866.03.21	Seminole	2,037,414.62	$325,362.00	100%	2,037,414.62	$325,362.00	$0.16	ICC Dkt. 205 (v. 12, p. 822-23)
1866.04.28	Chickasaw and Choctaw	4,499,551.00	$554,420.93	100%	4,499,551.00	$554,420.93	$0.12	ICC Dkt. 23; 16 (v. 1, p. 302-03)
1866.06.14	Creek	738,128.28	$219,802.20	100%	738,128.28	$219,802.20	$0.30	ICC Dkt. 167
1866.07.04	Delaware	92,598.33	$422,433.97	100%	92,598.33	$422,433.97	$4.56	ITCS Report
1866.07.19	Cherokee	2,921,542.74	$3,164,860.95	100%	2,921,542.74	$3,164,860.95	$1.08	ICC Dkt. 173-A/ITCS Report (v. 27, p. 34 A-B; v22, p. 425)
1867.02.18	Sauk and Fox of the Mississippi	132,718.00	$139,524.38	100%	132,718.00	$139,524.38	$1.05	ICC Dkt. 219 (v. 18, p. 613, 638a-b)
1867.02.23	Kaskaskia, Mixed Seneka, Ottawa of Blanchard's fork	*139,025.65*	$611,136.57	100%	139,025.65	$611,136.57	$4.40	ITCS Report
1867.02.27	Potawatomi	340,218.34	$339,808.76	100%	340,218.34	$339,808.76	$1.00	ICC Dkt.15-B, 111 (v. 3, p. 61, 65, 74-76; v. 3, p. 570a-b)
1867.03.19	Chippewa of the Mississippi	1,621,678.00	$1,083,387.86	65%	1,050,295.97	$701,666.98	$0.67	ICC Dkt. 18-N (Cause 2) (v. 14 p. 230-232, 234, 281, 293)
1867.10.21	Comanche, Kiowa	126,708,269.66	$1,933,500.00	7%	8,703,844.46	$132,815.98	$0.02	ICC Dkt. 257/15 Stat. 581 (v. 34, p. 266)
1867.10.28	Cheyenne and Arapahoe	*6,652,505.02*	$1,157,535.49	100%	6,652,505.02	$1,157,535.49	$0.17	ICC Dkt. 329-A, 329-B (v. 12, p. 229-33; v. 10, p.8, 48; v. 16 p.
1867.11.16	Santee Sioux	*14,024.93*	$0.00	100%	14,024.93	$0.00	$0.00	Treaty text
1868.04.29	Sioux	48,142,000.00	$0.00	100%	48,142,000.00	$0.00	$0.00	ICC Dkt. 74
1868.05.07	Crow	30,530,764.80	1,111,768.07	100%	30,530,764.80	$1,111,768.07	$0.04	ICC Dkt. 54 (v. 6, p. 126a)
1868.05.10	Northern Cheyenne and Northern Arapahoe	25,292,619.00	$1,162,016.41	85%	21,386,932.77	$982,577.84	$0.05	ICC Dkt. 329-C, 329 D (v. 12, p. 229-33; v. 10, p. 8, 60-61)

Table 1: Original Payments cont'd

Cession Date	Nation (s)	Acres	Orig. Cost	In LP	Prorated Acres	Prorated Cost	Cost	Source
1868.07.03	Shoshone and Bannock	44,672,000	$1,182,080.00	6%	2,486,175.49	$65,787.48	$0.03	ICC Dkt. 326D-H
1868.08.18	Arikara, Gros Ventre, Mandan	98,645.67	$0.00	100%	98,645.67	$0.00	$0.00	ICC Dkt. 350-D
1869.04.07	Shawnee	22,140.70	$0.00	100%	22,140.70	$0.00	$0.00	ICC Dkt. 334-B (v. 25, p. 311, 324; v. 12, p. 185; v. 22, p. 27)
1869.07.13	Santee Sioux	*2,776,230.27*	$0.00	100%	2,776,230.27	$0.00	$0.00	Treaty text
1869.08.31	Santee Sioux	50,119.11	$0.00	100%	50,119.11	$0.00	$0.00	Treaty text
1870.04.12	Arikara, Gros Ventre, Mandan	4,686,612.43	$0.00	100%	4,686,612.43	$0.00	$0.00	ICC Dkt. 350-D
1870.07.15	Great and Little Osage	*4,922,354.07*	$886,923.64	100%	4,922,354.07	$886,923.64	$0.18	16 Stat. 362
1872.09.20 (1873.05.02;	Sioux, Sisseton	9,286,441.00	$800,000.00	47%	4,400,844.39	$379,120.00	$0.09	ICC Dkt. 363(a) (v. 41, p. 2; v. 26, p. 267)
1872.09.26	Eastern Shoshone	700,642.00	$27,500.00	100%	700,642.00	$27,500.00	$0.04	ICC Dkt. 63 (v. 3, p. 333-34, 343; v. 6, p. 638)
1873.03.03	Miami	10,608.13	$50,494.70	100%	10,608.13	$50,494.70	$4.76	ICC. Vol. 4, p. 457
1873.12.31	Santee Sioux	160.00	$0.00	100%	160.00	$0.00	$0.00	Agreement text
1874.06.22	Omaha	12,347.55	$20,198.89	100%	12,347.55	$20,198.89	$1.64	ITCS Report
1874.06.23	Eastern Shawnee	*3,963.11*	$6,000.00	100%	3,963.11	$6,000.00	$1.51	ITCS Report
1874.08.19	Blackfoot, Blood, Gros Ventre, Piegan, River Crow	12,261,749.76	$0.00	100%	12,261,749.76	$0.00	$0.00	81 Ct. Cl. 101
1875.06.23	Sioux	6,766,825.99	$25,000.00	100%	6,766,825.99	$25,000.00	$0.00	97 Ct. Cl. 613
1876.03.08	Crow	*1,993,554.04*	$0.00	100%	1,993,554.04	$0.00	$0.00	Agreement text
1876.04.10	Pawnee	283,819.07	$766,376.91	100%	283,819.07	$766,376.91	$2.70	ICC Dkt. 10 (Cause 5); 157 C.C. 134; 370 U.S. 918 (v. 10, 410e-
1876.08.15	Otoe and Missouria	119,846.17	$462,262.73	100%	119,846.17	$462,262.73	$3.86	ICC Dkt. 11 (Cause 5); 131 C.C. 593; 350 U.S. 848 (v. 2, p. 365-
1876.09.23, 26-	Sioux; Northern Cheyenne; Northern Arapahoe	7,345,157.00	$0.00	100%	7,345,157.00	$0.00	$0.00	ICC Dkt. 74-B
1877.06.30	Ponca	96,000.00	$48,389.46	100%	96,000.00	$48,389.46	$0.50	ICC Dkt. 323 (v. 28, p. 350-51; v. 17, p. 287-a)
1878.03.19	Shoshone	1,171,770	$0.00	100%	1,171,770.00	$0.00	$0.00	304 U.S. 111; 85 Ct. Cl. 331
1879.08.09	Sioux	5,562,035.45	$0.00	100%	5,562,035.45	$0.00	$0.00	94 Ct. Cl. 150
1880.06.12	Crow	1,581,124.19	$750,000.00	100%	1,581,124.19	$750,000.00	$0.47	Agreement text
1880.07.13	Arikara, Gros Ventre, Mandan	6,639,254.66	$0.00	100%	6,639,254.66	$0.00	$0.00	ICC Dkt. 350-D
1880.07.13	Sioux (Drifting Goose's band)	69,120.00	$0.00	100%	69,120.00	$0.00	$0.00	Agreement text
1880.07.13	Gros Ventre, Piegan, Blood, Blackfoot, River Crow	5,453,147.58	$0.00	100%	5,453,147.58	$0.00	$0.00	Agreement text
1881.02.14	Creek	176,198.99	$175,000.00	100%	176,198.99	$175,000.00	$0.99	ICC Dkt. 167 (ICC v. 18, p. 437-38, 447; v. 25, p. 351)
1881.03.03	Otoe and Missouria	42,261.00	$516,429.42	100%	42,261.00	$516,429.42	$12.22	ICC Dkt. 11 (Cause 6); 131 C.C. 593; 350 U.S. 848 (v. 2, p. 365-

Table 1: Original Payments cont'd

Cession Date	Nation (s)	Acres	Orig. Cost	In LP	Prorated Acres	Prorated Cost	Cost	Source
1881.08.20	Pine Ridge, Rosebud, Standing Rock Sioux	*176,094.06*	$0.00	100%	176,094.06	$0.00	$0.00	ARCIA, 1881: xlviii-xlix
1881.08.22	Crow with the Northern Pacific Railroad	5,650.00	$25,000.00	100%	5,650.00	$25,000.00	$4.42	22 Stat. 157
1882.08.07	Omaha	50,157.00	$512,173.74	100%	50,157.00	$512,173.74	$10.21	22 Stat. 341
1883.06.14	Cherokee	2,121,928.74	$2,627,411.00	100%	2,121,928.74	$2,627,411.00	$1.24	ICC Dkt. 173A (v. 22, p. 426-30, 436; v. 27 p. 33. 34a-b)
1884.03.20	Sioux	104,981.29	$0.00	100%	104,981.29	$0.00	$0.00	94 Ct. Cl. 150
1885.03.03	Sauk and Fox of Missouri	*26,647.87*	$41,669.15	100%	26,647.87	$41,669.15	$1.56	ITCS Report
1886.12.14	Arikara; Gros Ventre; Mandan	14,782,831.64	$800,000.00	99%	14,700,195.61	$795,528.00	$0.05	ICC Dkt. 350-A, 350-C (v. 21, p. 92-93, 109; v. 20, p. 37; v. 35,
1886.12.28, 31, 1887.01.21,188	Gros Ventre; Piegan; Blood; Blackfeet; River Crow; Sioux;	14,969,156.00	$4,300,000.00	100%	14,969,156.00	$4,300,000.00	$0.29	ICC Dkt. 279-A (v. 18, p.320, 322, 346-8; v. 19, p. 361-2; v. 21,
1888.07.04	Winnebago	320.00	$461.27	100%	320.00	$461.27	$1.44	ITCS Report
1889.01.14 (from	Chippewa of Minnesota (Red Lake and Pembina bands), Mississippi	3,669,200.96	$26,538,914.19	14%	513,321.21	$3,712,794.10	$7.23	ICC Dkt.189-A, 189-B, 19, 188/ITCS Report
1889.01.19	Creek	2,669,754.89	$2,280,857.10	100%	2,669,754.89	$2,280,857.10	$0.85	ICC vol. 18, p. 445 ; ICC v. 21, p. 280 (v. 21, p. 280; v. 18 p.
1889.03.02	Sioux; Sioux, Pine Ridge; Sioux, Rosebud; Sioux, Standing Rock;	9,261,592.62	$3,000,000.00	100%	9,261,592.62	$3,000,000.00	$0.32	Ct. Cl.
1889.03.02	Seminole	495,086.87	$1,912,942.02	100%	495,086.87	$1,912,942.02	$3.86	102 Ct. Cl. 565
1889.03.02	Yankton Sioux	6.00	$1,682.99	100%	10.00	$1,682.99	$168.30	25 Stat. 1012
1889.12.12	Sioux: Sisseton, Wahpeton	608,865.56	$1,522,164.15	65%	396,607.11	$991,517.94	$2.50	58 Ct. Cl. 302
1890.05.20	Iowa	270,681.27	$83,719.00	100%	270,681.27	$83,719.00	$0.31	68 Ct. Cl. 585
1890.06.12	Sauk and Fox of Oklahoma	391,188.05	$481,000.00	100%	391,188.05	$481,000.00	$1.23	ICC Dkt. 220 (v. 17, p. 544, 547, 583-a; v. 11, p. 584; v. 11, p.
1891.03.03	Choctaw and Chickasaw	2,393,160.00	$2,942,650.00	100%	2,393,160.00	$2,942,650.00	$1.23	34 Ct. Cl. 17
1890.06.25	Citzen Band of Potawatomi	362,832.22	$160,000.00	100%	362,832.22	$160,000.00	$0.44	ICC Dkt. 96 (v. 19, p. 368)
1890.06.26	Absentee Shawnee	569,045.92	$63,266.58	100%	569,045.92	$63,266.58	$0.11	ITCS Report
1890.10.13-11.13	Cheyenne and Arapahoe	4,608,878.00	$1,500,000.00	100%	4,608,878.00	$1,500,000.00	$0.33	ICC Dkt. 329-B (and 329-A) (v. 16, p. 165)
1890.12.08	Crow	*1,973,968.00*	$946,000.00	100%	1,973,968.00	$946,000.00	$0.48	24 Stat. 1032
1891	Crow	36,164	$0.00	100%	36,164.00	$0.00	$0.00	Agreement text
1891.02.18	Yankton Sioux	648	$0.00	100%	648.20	$0.00	$0.00	65 Ct. Cl. 427; 272 U.S. 351; 47 S. Ct. 142; 61 Ct. Cl. 40
1891.06.04	Wichita and affliated bands	574,010.00	$1,294,742.98	100%	574,010.00	$1,294,742.98	$2.26	ICC Dkt. 226, 373, 374, 375
1891.06.21-	Kickapoo	184,300	$279,650.00	100%	184,300.00	$279,650.00	$1.52	ICC Dkt. 318 (v. 21, p. 40)
1891.10.21	Tonkawa	90,710.89	$30,600.00	100%	90,710.89	$30,600.00	$0.34	27 Stat. 643-44

Table 1: Original Payments cont'd

Cession Date	Nation (s)	Acres	Orig. Cost	In LP	Prorated Acres	Prorated Cost	Cost	Source
1891.12.19	Cherokee	6,022,754.17	$7,795,851.99	100%	6,022,754.17	$7,795,851.99	$1.29	ICC Dkt. 173 (v. 19, p. 105; v. 13, p. 96; v. 12, p. 436-38; v. 9, p.
1892.10.6-21	Comanche; Kiowa; Apache	2,033,582.00	$2,000,000.00	100%	2,033,582.00	$2,000,000.00	$0.98	ICC Dkt. 32 (v. 1, p. 520-21)
1892.11.23	Pawnee	170,447.34	$80,000.00	100%	170,447.34	$80,000.00	$0.47	ICC Dkt. 10 (Cause 6); 10 (Cause 7); 157 C.C. 134; 370 U.S.
1892.12.31	Yankton Sioux	201,110.00	$600,000.00	100%	201,110.00	$600,000.00	$2.98	ICC Dkt. 332-D
1895.09.26	Blackfeet	*367,302.77*	$1,500,000.00	39%	143,578.65	$586,350.00	$4.08	279-C, 250-A
1895.10.09	Indians of Ft. Belknap Reservation	14,758.00	$360,000.00	100%	14,758.00	$360,000.00	$24.39	ICC Dkt. 250 (v. 11, p. 488-89)
1896.04.21	Eastern Shoshone; Arapaho	64,000.00	$60,000.00	100%	64,000.00	$60,000.00	$0.94	30 Stat. 93-96
1897.04.23	Choctaw; Chickasaw (Atoka Agreement)	2,840,000.00	$34,470,650.27	100%	2,840,000.00	$34,470,650.27	$12.14	ICC Dkt. 269 (v. 7, p. 69-71, 73-74, 91a)
1901.03.01	Creek	86,407.21	$843,508.76	100%	86,407.21	$843,508.76	$9.76	ICC Dkt. 169 (v. 39, p.410, 434; v. 40, p. 90; 1978 U.S. Ct. Cl.
1897.12.16	Seminole	2,786.00	$88,038.54	100%	2,786.00	$88,038.54	$31.60	ICC Dkt. 150 (v. 6, p. 335a; v. 4, p. 85)
1898.03.10	Rosebud Reservation Sioux	120,295.64	$148,361.50	100%	120,295.64	$148,361.50	$1.23	105 Ct. Cl. 658/30 Stat. 1362-66
1899.01.02	Quapaw	160.00	$20,000.00	100%	160.00	$20,000.00	$125.00	31 Stat. 1067; 32 Stat. 997
1899.02.28	Prairie band of Potawatomi and Kickapoo of Kansas	980.00	$22,786.00	100%	980.00	$22,786.00	$23.25	30 Stat. 909
1899.08.14	Crow	1,137,500.00	$726,125.54	100%	1,137,500.00	$726,125.54	$0.64	Senate Report, S. 2378, 1915-1916, 64th Cong. 1st Sess., p. 78
1900.02.11	Lower Brule Sioux	25,968.24	$0.00	100%	25,968.24	$0.00	$0.00	ICC Dkt. 74 (v. 9, p. 544, 556)
1901.02.25	Mdewakanton Sioux	120.00	$1,560.00	100%	120.00	$1,560.00	$13.00	31 Stat. 805
1901.09.14	Sioux, Rosebud Reservation	416,000.00	$1,040,000.00	100%	416,000.00	$1,040,000.00	$2.50	33 Stat. 254-58
1902.05.27	Peoria and Western Miami	6,851.00	$40,150.00	100%	6,851.00	$40,150.00	$5.86	32 Stat. 263
1902.06.25	Arikara, Hidatsa, Mandan	208,000.00	$260,000.00	100%	208,000.00	$260,000.00	$1.25	57 Cong. H.R. Doc. 194; 36 Stat. 455-59
1902.06.30	Creek	10,689.10	$924,945.79	100%	10,689.10	$924,945.79	$86.53	ICC Dkt. 273 (v. 29, p. 529)
1902.07.01	Choctaw and Chickasaw	640.00	$25,587.50	100%	640.00	$25,587.50	$39.98	32 Stat. 655
1902.07.01	Cherokee	50,300.00	$1,277,397.08	100%	50,300.00	$1,277,397.08	$25.40	32 Stat. 716
1903.03.03	Kickapoo	319.72	$10,680.00	100%	319.72	$10,680.00	$33.40	32 Stat 1001
1904.04.21	Eastern Shoshone; Arapaho	811,006.40	$499,294.39	100%	811,006.40	$499,294.39	$0.62	33 Stat. 1016-22
1906.03.20	Kiowa, Comanche, Apache	1,841.92	$10,320.31	100%	1,841.92	$10,320.31	$5.60	34 Stat. 80
1906.04.26	Cherokee, Choctaw, Chickasaw	22,311.39	$0.00	100%	22,311.39	$0.00	$0.00	34 Stat. 137
1906.06.05	Kiowa, Comanche, Apache	401,465.92	$3,974,837.60	100%	401,465.92	$3,974,837.60	$9.90	34 Stat. 213
1906.06.21	Shawnee	20.00	$1,665.60	100%	20.00	$1,665.60	$83.28	34 Stat. 362
1906.06.28	Kiowa, Comanche, Apache	21,251.75	$210,409.53	100%	21,251.75	$210,409.53	$9.90	34 Stat. 550
1906.06.28	Osage	0	$0.00	100%	1,472,000	$0.00	$0.00	ICC Dkt. 126 (v. 7,p. 878-79, p. 888-a)

Table 1: Original Payments cont'd

Cession Date	Nation (s)	Acres	Orig. Cost	In LP	Prorated Acres	Prorated Cost	Cost	Source
1906.04.21	Lower Brule Sioux	59,432.13	$121,887.91	100%	59,432.13	$121,887.91	$2.05	105 Ct. Cl. 725
1907.01.21	Rosebud Sioux	1,083,559.41	$3,484,408.46	100%	1,083,559.41	$3,484,408.46	$3.22	105 Ct. Cl. 725
1907.03.01	Blackfeet	156,000.00	$102,531.02	91%	141,258.00	$92,841.84	$0.66	34 Stat. 1035
1908.03.27	Kiowa, Comanche, Apache	8.89	$38.21	100%	8.89	$38.21	$4.30	35 Stat. 49
1908.05.23	Chippewa Indians of Minnesota	190,944.93	$1,913,134.59	63%	190,944.93	$1,208,374.07	$10.02	87 Ct. Cl. 1
1908.05.29;	Sioux of Cheyenne River	1,549,886.54	$2,545,838.79	100%	1,549,886.54	$2,545,838.79	$1.64	ICC Dkt.192/ITCS Report
1908.05.29	Cheyenne and Arapahoe	960.00	$68,484.00	100%	960.00	$68,484.00	$71.34	35 Stat. 447-48
1908.05.30	Fort Peck Indians (Assiniboine and Sioux)	598,741.00	$3,627,935.51	100%	598,741.00	$3,627,935.51	$6.06	ITCS Report
1909.03.03	Quapaw	240.00	$18,985.75	100%	240.00	$18,985.75	$79.11	35 Stat. 752
1909.03.03	Kansas	2,278.22	$33,130.00	100%	2,278.22	$33,130.00	$14.54	35 Stat. 778
1909.03.03	Osage	1,896.46	$33,328.60	100%	1,896.46	$33,328.60	$17.57	35 Stat. 778
1910.05.27	Pine Ridge Sioux	762,698.21	$252,610.76	100%	762,698.21	$252,610.76	$0.33	105 Ct. Cl. 725
1910.05.30	Rosebud Sioux	288,683.85	$593,392.90	100%	288,683.85	$593,392.90	$2.06	105 Ct. Cl. 725
1910.06.01	Arikara, Hidatsa, Mandan	356,435.00	$1,736,924.20	100%	356,435.00	$1,736,924.20	$4.87	ICC Dkt. 350-F (v. 28, p. 264-65, 278, 281-83, 305, 326-27)
1913.02.14	Standing Rock Sioux	1,271,630.48	$650,971.44	100%	1,271,630.48	$650,971.44	$0.51	105 Ct. Cl. 725
1915.06.28	Fort Peck Indians (Assiniboine and Sioux)	24,453.00	$23,858.75	100%	24,453.00	$23,858.75	$0.98	U. S. National Resources Board, *Report on Land Planning* , Pt. 10 (Washington, 1935), p. 30, 34
1921.03.04	Shoshone and Arapahoe	100,000.00	$150,000.00	100%	100,000.00	$150,000.00	$1.50	41 Stat. 1404
1937.08.19	Shoshone and Arapahoe	260.00	$650.00	100%	260.00	$650.00	$2.50	50 Stat. 700
1940.03.14	Shoshone and Arapahoe	6,500.00	$6,500.00	100%	6,500.00	$3,821.70	$0.59	54 Stat. 49
1942.08.01	Pine Ridge Sioux	343,188	$437,500.00	100%	343,188.00	$437,500.00	$1.27	70 Stat. 625
1947.07.31; 1949.10.29	Three Affiliated Tribes of the Fort Berthold Reservation	152,360.00	$12,605,625.00	100%	152,360.00	$12,605,625.00	$82.74	61 Stat. 686 (P.L. 80-296); 63 Stat. 1028 (P.L. 81-437)
1952.07.18	Shoshone and Arapahoe	*33,282.28*	$458,000.00	100%	33,282.28	$458,000.00	$13.76	66 Stat. 780
1954.07.06	Yankton Sioux	2,851.40	$227,710.00	100%	2,851.40	$227,710.00	$79.86	68 Stat. 452
1953.08.15	Shoshone and Arapahoe	161,500.00	$1,009,500.00	100%	161,500.00	$1,009,500.00	$6.25	67 Stat. 592
1954.09.03	Cheyenne River Sioux	104,420.00	$10,544,014.00	100%	104,420.00	$10,544,014.00	$100.98	68 Stat. 1191-1216
1956.08.03	Shoshone and Arapahoe	388.23	$118,015.61	100%	388.23	$118,015.61	$303.98	70 Stat. 987
1958.07.15	Crow	5,677.94	$2,500,000.00	100%	5,677.94	$2,500,000.00	$440.30	72 Stat. 361
1958.08.14	Crow	4,900.00	$37,617.00	100%	4,900.00	$37,617.00	$7.68	72 Stat. 575
1958.09.02	Standing Rock Sioux	55,993.82	$12,211,553.00	100%	55,993.82	$12,211,553.00	$218.09	72 Stat. 1762 (P.L. 85-915)
1958.01	Santee Sioux	593.10	$52,000.00	100%	593.10	$52,000.00	$87.67	116 Stat. 2838
1958.09.02; 1962.10.03	Lower Brule Sioux	22,296.00	$4,345,988.00	100%	22,296.00	$4,345,988.00	$194.92	72 Stat. 1773 (P.L. 85-923); 76 Stat. 698 (P.L. 87-734)

Table 1: Original Payments cont'd

Cession Date	Nation (s)	Acres	Orig. Cost	In LP	Prorated Acres	Prorated Cost	Cost	Source
1958.09.02; 1962.10.03	Crow Creek Sioux	15,597.00	$5,937,614.00	100%	15,597.00	$5,937,614.00	$380.69	72 Stat. 1766 (P.L. 85-916); 76 Stat. 704 (P.L. 87-735)
1970.03.24	Winnebago	687.3	$45,000.00	100%	687.30	$45,000.00	$65.47	110 Stat. 3026
TOTAL (222)					**576,315,508.50**	**$188,077,737.93**		
TOTAL (1803 Dollars)						**$191,234,674.63**		
TOTAL (2012 Dollars)						**$3,902,748,461.84**		

Table 2: ICC Awards

Cession Date	Nation (s)	In LP	ICC Prorated Award	ICC Docket	Date
1804.11.03	Sauk and Fox	45%	$883,930.05	ICC Dkt. 83	1973.12.26
1805.09.23	Sioux Nation	25%	$16,170.00	ICC Dkt. 361	1967.07.25
1808.11.10	Great and Little Osage	100%	$6,943,166.21	ICC Dkt. 105	1970.09.15
1818.08.24	Quapaw	100%	$0.00	ICC Dkt. 14 (Cause 1)	na
1818.09.25	Great and Little Osage	100%	$301,820.65	ICC Dkt.106	1970.09.15
1824.08.04	Iowa	100%	$633,193.77	ICC Dkt.135	1965.05.07
1824.08.04	Sauk and Fox	100%	$965,560.39	ICC Dkt.135	1965.05.07
1824.11.15	Quapaw	100%	$927,668.04	ICC Dkt. 14 (Cause 2)	1954.05.07
1825.06.02	Great and Little Osage	100%	$5,695,013.15	ICC Dkt.107	1970.09.15
1825.06.03	Kansas	100%	$0.00	ICC Dkt.34	na
1830.07.15	Sioux, Medawakanton and Wahpakoota Sioux	100%	$3,357,130.45	claim)	1967.07.25;
1832.09.21	Sauk and Fox	100%	$3,530,578.21	ICC Dkt.158	1973.11.23
1832.10.24	Kickapoo	100%	$540,000.00	ICC Dkt.193	1968.02.29
1833.05.13	Quapaw	100%	$0.00	ICC Dkt.14 (Cause 2)	1954.05.07
1833.09.21	Missouri, Oto	100%	$531,565.80	350 U.S. 848	1956.02.17
1833.10.09	Confederated Pawnee: Grand Pawnee, Pawnee Loup, Pawnee Republicans, Pawnee Tappaye residing on the Platt and Loup Fork	100%	$4,417,700.00	ICC Dkt.10 (Cause 1-2); 157 C.C. 134; 370 U.S. 918	1962.07.06
1835.07.01	Caddo	100%	$383,475.55	ICC Dkt.226	1977.08.04
1836.09.28	Sauk and Fox	100%	Dismissed	ICC Dkt. 209	na
1837.10.21	Sauk and Fox	100%	$943,799.79	ICC Dkt. 231	1973.11.23
1837.10.21	Yankton Sioux	100%	$1,250,000.00	ICC Dkt. 332-A	1969.01.28
1837.11.23	Iowa	100%	$1,222,267.50	ICC Dkt.138	1965.03.22
1838.10.19	Iowa	100%	$4,579,206.40	ICC Dkt. 153, 158, 209, 231	1973.11.23;
1842.10.11	Sauk and Fox	100%	$10,601,282.66	ICC Dkt. 153	1970.02.04
1846.01.14	Kansas	100%	$2,398,220.02	ICC Dkt. 33, 35	1952.05.15
.17	Chippewa, Ottawa, Potawatomi	100%	$3,288,974.90	ICC Dkt. 15-J, 71-A	1959.02.26
1847.08.02	Chippewa of the Mississippi and Lake Superior	100%	$529,000.00	ICC Dkt. 18-T	1972.05.31
1847.08.21	Chippewa (Pillager band)	93%	$377,814.19	ICC Dkt. 144	1973.10.25
1848.08.06	Pawnee (four confederated bands)	100%	$97,380.00	370 U.S. 918	1962.07.06
1851.07.23	Sisseton and Wahpeton Sioux	91%	$5,234,263.82	ICC Dkt. 142; 363 (second claim)	1982.02.19

Table 2: ICC Awards con't

1851.08.05	Mdewakanton and Wahpekute Sioux	91%	$4,438,943.99	ICC Dkt.362; 363 (second claim)	1982.09.24
1854.03.15	Missouri, Oto	100%	$2,224,468.55	ICC Dkt. 11A; 11 (Cause 4)	1956.02.17
1854.03.16	Omaha	100%	$4,335,833.86	ICC Dkt. 225-A; 138	1964.04.14
1854.05.06	Delaware	100%	$9,630,238.85	ICC Dkt.72, 298; 27-A, 241	1969.09.10
1854.05.10	Shawnee	100%	$1,269,338.02	ICC Dkt. 334	1961.05.29
1854.05.17	Iowa	100%	$1,377,207.27	ICC Dkt. 79-A	1969.05.21
1854.05.18	Sauk and Fox of the Missouri	100%	$192,000.00	ICC Dkt. 195	1965.03.10
1854.05.18	Kickapoo	100%	$771,441.26	ICC Dkt. 316	1967.09.29
1854.05.30	Kaskaskia, Peoria, Piankishaw, Wea, Kaskaskia	100%	$1,133,404.97	ICC Dkt. 65	1968.11.13
1854.06.05	Miami	100%	$413,932.39	ICC Dkt. 251, 124-A	1961.05.31
1855.02.22	Chippewa of the Mississippi	38%	$1,513,191.16	ICC Dkt. 18-B	1965.07.27
1855.06.22	Chickasaw, Choctaw	100%	$417,656.00	119 U.S. 1	1954.08.16
1855.10.17	Nez Percè, Blackfoot and Flathead Nations	100%	$64,698.62	ICC Dkt. 279-C	1981.01.07
1856.08.07	Creek, Seminole	100%	$1,037,414.62	ICC Dkt. 276	1966.08.17
1857.09.24	Pawnee (four confederated bands)	100%	$2,794,718.80	370 U.S. 918	1962.07.06
1858.03.12	Ponca	100%	$1,878,500.00	ICC Dkt. 322	1971.09.08
1858.04.19	Yankton Sioux	100%	$15,269,924.83	ICC Dkt. 332-C	1980.06.27
1858.06.12	Otoe and Missouria	100%	Dismissed	350 U.S. 848	1953.03.31
1858.06.19	Sioux (Medewakanton and Wahpekute bands)	100%	$144,998.00	ICC Dkt. 363; 363 (second claim)	1982.09.24
1859.10.01	Sauk and Fox of the Mississippi	100%	$574,417.12	ICC Dkt. 219	1967.09.29
1861.02.18	Arapaho of Upper Arkansas, Cheyenne of Upper Arkansas	85%	$8,200,955.84	ICC Dkt. 329-A, 329-B	1965.10.18
1861.03.06	Sauk and Fox of the Missouri, Iowa	100%	$2.000.08	ICC Dkt. 79	
1862.06.24	Ottawa of Blanchard's Fork and Roche de Boeuf	100%	$406,166.19	ICC Dkt. 303	1965.02.11
1862.06.28	Kickapoo	100%	$125,209.61	ICC Dkt. 316-A	1970.09.24
1862.07.01	Patawatomi (Prairie and Citizens bands)	100%	$23,844.83	ICC Dkt. 15-B, 111	1955.08.08
1863.03.03	Sioux (Sissaton, Wahpeton, Medewakanton, and Wahpekute bands)	100%	Dismissed	ICC Dkt. 363	1965.06.21
1864.05.07	Chippewa (Pillager), Chippewa (Winnibigoshish), Chippewa of the Mississippi	63%	$0.00	ICC Dkt.18-N (Cause 1)	na
1865.03.06	Omaha	100%	$164,166.14	ICC Dkt. 225-B, C, D	1960.02.11
1865.09.29	Osage	100%	$864,107.55	ICC Dkt. 9	1955.03.01

Table 2: ICC Awards con't

1865.10.14	Arapaho, Cheyenne	93%	$703,552.62	ICC Dkt. 329-A, 329-B	1965.10.18
1866.03.21	Seminole	100%	Dismissed	ICC Dkt. 205	1963.11.07
1866.04.28	Chickasaw and Choctaw	100%	$3,489,843.58	ICC Dkt. 23; 16	1950.10.10
1866.06.14	Creek	100%	$0.00	ICC Dkt. 167	1971.05.26
1866.07.19	Cherokee	100%	$3,887,557.57	ICC Dkt. 173-A	1973.05.30
1867.02.18	Sauk and Fox of the Mississippi	100%	$324,991.42	ICC Dkt. 219	1967.09.29
1867.02.27	Potawatomi	100%	$335,616.37	ICC Dkt.15-B, 111	1955.08.08
1867.03.19	Chippewa of the Mississippi	65%	$0.00	ICC Dkt. 18-N (Cause 2)	na
1867.10.21	Comanche, Kiowa	7%	$2,404,220.00	ICC Dkt. 257	1968.01.29
1867.10.28	Cheyenne and Arapahoe	100%	$2,683,993.89	ICC Dkt. 329-A, 329-B	1965.10.18
1868.04.29	Sioux	100%	$39,749,700.00	ICC Dkt. 74	1985.02.02
1868.05.07	Crow	100%	$10,242,984.70	ICC Dkt. 54	1961.05.29
1868.05.10	Northern Cheyenne and Northern Arapahoe	85%	$6,418,701.54	ICC Dkt. 329-C, 329 D	1963.06.27
1868.07.03	Shoshone and Bannock	6%	$832,758.71	ICC Dkt. 326D-H	1968.02.13
1868.08.18	Arikara, Gros Ventre, Mandan	100%	$27,630.60	ICC Dkt. 350-D	1976.03.17
1869.04.07	Shawnee	100%	$300,000.00	ICC Dkt. 334-B	1971.05.19
1870.04.12	Arikara, Gros Ventre, Mandan	100%	$1,312,717.67	ICC Dkt. 350-D	1976.03.17
(1873.05.02;	Sioux, Sisseton	47%	$6,222,146.35	ICC Dkt. 363(a)	1977.12.01
1872.09.26	Eastern Shoshone	100%	$433,013.60	ICC Dkt. 63	1957.04.22
1876.04.10	Pawnee	100%	$6,000.00	370 U.S. 918	1962.07.06
1876.08.15	Otoe and Missouria	100%	$0.00	350 U.S. 848	na
.10.11, 16, 21, 24,	Sioux; Northern Cheyenne; Northern Arapahoe	100%	$105,994,430.52	ICC Dkt. 74-B	1980.06.30
1877.06.30	Ponca	100%	$1,013,425.13	ICC Dkt. 323	1972.08.23
1880.07.13	Arikara, Gros Ventre, Mandan	100%	$1,859,651.73	ICC Dkt. 350-D	1976.03.17
1881.02.14	Creek	100%	$50,000.00	ICC Dkt. 167	1971.05.26
1881.03.03	Otoe and Missouria	100%	$0.00	350 U.S. 848	na
1883.06.14	Cherokee	100%	$3,887,557.57	ICC Dkt. 173A	1973.05.30
1886.12.14	Arikara; Gros Ventre; Mandan	99%	$8,238,792.14	ICC Dkt. 350-A, 350-C	1976.03.17
1887.01.21,1887.0	Assinboine	100%	$12,949,675.73	ICC Dkt. 279-A	1968.08.23
1889.01.14	Chippewa of Minnesota (Red Lake and Pembina bands), Mississippi Chippewa of White Earth reservation, Pillager, Winnibagoshish)	14%	$6,589,989.50	ICC Dkt.189-A, 189-B, 19, 188	1997; 1999.05.26

Table 2: ICC Awards con't

1890.06.12	Sauk and Fox of Oklahoma	100%	$692,564.15	ICC Dkt. 220	1967.02.14
1890.06.25	Citzen Band of Potawatomi	100%	$797,508.99	ICC Dkt. 96	1968.08.27
1890.10.13-11.13	Cheyenne and Arapahoe	100%	$1,859,480.05	ICC Dkt. 329-B (and 329-A)	1965.10.18
1891.06.04	Wichita and affliated bands	100%	$2,000,000.00	ICC Dkt. 226, 373, 374, 375	1981.07.17
1891.06.21-09.09	Kickapoo	100%	$273,250.00	ICC Dkt. 318	1969.06.11
1891.12.19	Cherokee	100%	$14,364,476.15	ICC Dkt. 173	1963.08.08
1892.10.6-21	Comanche; Kiowa; Apache	100%	$2,126,166.00	ICC Dkt. 32	1974.07.17
1892.11.23	Pawnee	100%	$142.75	157 C.C. 134; 370 U.S. 918	1962.07.06
1892.12.31	Yankton Sioux	100%	$717,614.14	ICC Dkt. 332-D	1979.10.18
1895.09.26	Blackfeet	39%	$32,805.95	ICC Dkt. 279-C, 250-A	na
1895.10.09	Indians of Ft. Belknap Reservation	100%	Dismissed	ICC Dkt. 250	1962.11.20
1897.04.23	Choctaw; Chickasaw (Atoka Agreement)	100%	$190,934.78	ICC Dkt. 269	1959.01.23
1897.12.16	Seminole	100%	$34,053.66	ICC Dkt. 150	1958.06.04
1901.03.01	Creek	100%	$1,115,706.20	ICC Dkt. 169	1978.04.04
1902.06.30	Creek	100%	$400,000.00	ICC Dkt. 273	1973.03.14
1906.06.28	Osage	100%	Dismissed	ICC Dkt. 126	
1910.06.23;	Sioux of Cheyenne River Reservation	100%	Dismissed	ICC Dkt.192	1957.03.29
1910.06.01	Arikara, Hidatsa, Mandan	100%	$9,101,912.37	ICC Dkt. 350-F	1972.08.23
TOTAL	**(106 ICC cases)**		**$372,581,526.15**		
TOTAL (1803 Dollars)			**$84,294,813.80**		
Total (2012 Dollars)			**$1,720,302,322.45**		

Table 3: Court of Claims Awards

Cession Date	Nation (s)	In LP	Ct. Cl. Prorated	Ct. Cl. Cit.	Ct. Cl. Dates
1825.06.03	Kansas	100%	$0.00	80 Ct. Cl. 264	1934.12.03
1825.11.07	Shawnee nation residing in Missouri	100%	$1,152.78	28 Ct. Cl. 447	1893.06.12
1828.05.06	Cherokee nation west of Mississippi river	100%	$4,179.26	27 Ct. Cl. 1	1891.12.30
1829.09.24	Delaware	100%	Dismissed	72 Ct. Cl. 525	1931.10.20
1833.09.21	Missouri, Oto	100%	Dismissed	53 Ct. Cl. 643; 52 Ct. Cl. 424	1918.11.94
1833.10.09	Confederated Pawnee: Grand Pawnee, Pawnee Loup, Pawnee Republicans, Pawnee Tappaye residing on the Platt and Loup Fork	100%	Dismissed	56 Ct. Cl. 1	1920.12.06
1846.01.14	Kansas	100%	$0.00	80 Ct. Cl. 264	1934.12.03
1851.07.23	Sisseton and Wahpeton Sioux	91%	$721,877.39	42 Ct. Cl. 416	1907.05.13
1851.08.05	Mdewakanton and Wahpekute Sioux	91%	$184,468.77	57 Ct. Cl. 357	1922.06.05
1851.09.17	Arapaho, Arikara, Assiniboin, Cheyenne, Crow, Gros Ventre, Mandan,	100%	Dismissed	81 Ct. Cl. 238; 77 Ct. Cl. 347	1935.03.04; 1933.04.10
1854.03.15	Missouri, Oto	100%	Dismissed	53 Ct. Cl. 643	1918.11.04
1854.03.16	Omaha	100%	$117,735.31	53 C.C. 549	1918.06.10
1854.05.06	Delaware	100%	$150,000.00	Petition 24928; 72 Ct. Cl. 483	1905.01.10; 1931.10.20
1854.05.10	Shawnee	100%	$10,506.39	28 Ct. Cl. 447; 37 Ct. Cl. 233	1893.06.12;1902.02.17
1854.05.17	Iowa	100%	Dismissed	68 Ct. Cl. 585	1929.12.02
1855.02.22	Chippewa of the Mississippi	38%	Dismissed	87 Ct. Cl. 1	1938.01.12
1855.02.27	Winnebago	100%	Dismissed	100 Ct. Cl. 1	1942.10.05
1855.06.22	Chickasaw, Choctaw	100%	$2,858,798.62	119 U.S. 1	1886.11.15
1855.10.17	Nez Percè, Blackfoot and Flathead Nations	100%	$0.00	81 Ct. Cl. 101	1935.04.08
1858.03.12	Ponca	100%	Dismissed	82 Ct.Cl. 697	1936.01.06
1858.04.19	Yankton Sioux	100%	Dismissed	97 Ct. Cl. 56	1942.10.05
1859.04.15	Winnebago	100%	$0.00	100 Ct. Cl. 1	1942.10.05
1859.10.01	Sauk and Fox of the Mississippi	100%	Dismissed	44 Ct. Cl. 610; 45 Ct. Cl. 287	1909.05.20; 1910.03.21
1859.10.05	Kansa	100%	Dismissed	80 Ct. Cl. 264	1934.12.03
1860.05.30	Delaware	100%	Dismissed	74 Ct. Cl. 368	1932.05.02
1860.08.21	New York Indians	100%	$1,998,844.46	41 Ct.Cl. 462; 173 U.S. 464; 19 S. Ct. 487; 33 Ct. Cl. 521	1906.06.13; 1899.01.30; 1898.11.14
1861.02.18	Arapaho of Upper Arkansas, Cheyenne of Upper Arkansas	85%	Dismissed	92 Ct. Cl. 607	1941.01.06
1861.03.06	Sauk and Fox of the Missouri, Iowa	100%	Dismissed	68 Ct. Cl. 585	1929.12.01

Table 3: Court of Claims Awards con't

Cession Date	Nation (s)	In LP	Ct. Cl. Prorated	Ct. Cl. Cit.	Ct. Cl. Dates
1863.02.21	Winnebago	100%	$0.00	100 Ct. Cl. 1	1942.10.05
1865.09.29	Osage	100%	Dismissed	66 Ct. Cl. 64	1928.05.28
1865.10.14	Arapaho, Cheyenne	93%	Dismissed	92 Ct. Cl. 607	1941.01.06
1866.03.21	Seminole	100%	Dismissed	102 Ct. Cl. 565	1944.12.04
1866.04.28	Chickasaw and Choctaw	100%	Dismissed	88 Ct. Cl. 271	1939.01.09
1866.06.14	Creek	100%	$296,011.42	87 Ct. Cl. 280	1938.05.02
1866.07.19	Cherokee	100%	$1,140.49	40 Ct. Cl. 252	1905.03.20
1867.10.28	Cheyenne and Arapahoe	100%	Dismissed	92 Ct. Cl. 607	1941.01.06
1868.04.29	Sioux	100%	Dismissed	85 Ct. Cl. 181; 105 C.C. 725	1937.05.03; 1946.02.04
1868.05.07	Crow	100%	Dismissed	81 Ct. Cl. 238	1935.03.04
1868.05.10	Northern Cheyenne and Northern Arapahoe	85%	Dismissed	92 C.C. 607	1941.01.06
1868.08.18	Arikara, Gros Ventre, Mandan	100%	$18,729.82	71 Ct. Cl. 308	1930.12.01
1870.04.12	Arikara, Gros Ventre, Mandan	100%	$889,845.60	71 Ct. Cl. 308	1930.12.01
1872.09.20	Sioux, Sisseton	47%	Dismissed	58 Ct. Cl. 302	1923.04.23
1874.08.19	Blackfoot, Blood, Gros Ventre, Piegan, River Crow	100%	$622,465.57	81 Ct. Cl. 101	1935.04.08
1875.06.23	Sioux	100%	Dismissed	97 Ct. Cl. 613	1942.06.01
1876.04.10	Pawnee	100%	Dismissed	56 Ct. Cl. 1	1920.12.06
1876.08.15	Otoe and Missouria	100%	Dismissed	53 Ct. Cl. 643	1918.11.04
1878.03.19	Shoshone	100%	$4,408,444.23	304 U.S. 111; 85 Ct. Cl. 331	1937.06.01
1879.08.09	Sioux	100%	Dismissed	94 Ct. Cl. 150	1941.04.07
1880.07.13	Arikara, Gros Ventre, Mandan	100%	$1,260,593.16	71 Ct. Cl. 308	1930.12.01
1881.02.14	Creek	100%	Dismissed	93 Ct. Cl. 561	1941.05.05
1881.03.03	Otoe and Missouria	100%	Dismissed	53 Ct. Cl. 643	1918.11.04
1884.03.20	Sioux	100%	Dismissed	94 Ct. Cl. 150	1941.04.07
1889.01.14 (from agreements on 1889.07.08-	Chippewa of Minnesota (Red Lake and Pembina bands), Mississippi Chippewa of White Earth reservation, Pillager, Winnibagoshish)	14%	Dismissed	80 Ct. Cl. 410	1935.01.14
1889.03.02	Sioux; Sioux, Pine Ridge; Sioux, Rosebud; Sioux, Standing Rock; Sioux, Cheyenne River; Sioux, Lower Brulé; Sioux, Crow Creek	100%	Dismissed	105 Ct. Cl. 658	1946.02.04
1889.03.02	Seminole	100%	Dismissed	102 Ct. Cl. 565	1944.12.04

Table 3: Court of Claims Awards con't

Cession Date	Nation (s)	In LP	Ct. Cl. Prorated	Ct. Cl. Cit.	Ct. Cl. Dates
1890.05.20	Iowa	100%	$254,632.59	68 Ct. Cl. 585	1929.12.02
1891.02.18	Yankton Sioux	100%	$328,558.00	65 Ct. Cl. 427; 272 U.S. 351; 47 S. Ct. 142; 61 Ct. Cl. 40	1928.04.16
1891.03.03	Choctaw and Chickasaw	100%	Dismissed	34 Ct. Cl. 17	1899.01.09
1891.12.19	Cherokee	100%	Dismissed	59 Ct. Cl. 862; 102 Ct. Cl. 720	1924.06.23; 1945.01.08
1892.11.23	Pawnee	100%	$315,777.03	56 Ct. Cl. 1	1920.12.06
1897.04.23	Choctaw; Chickasaw (Atoka Agreement)	100%	Dismissed	83 Ct. Cl. 140	1936.04.06
1898.03.10	Rosebud Reservation Sioux	100%	Dismissed	105 Ct. Cl. 658	1946.02.04
1901.03.01	Creek	100%	Dismissed	92 Ct. Cl. 346; 97 Ct. Cl. 602	1941.01.06; 1942.06.01
1906.04.21	Lower Brule Sioux	100%	Dismissed	105 Ct. Cl. 725	1946.02.04
1907.01.21	Rosebud Sioux	100%	Dismissed	105 Ct. Cl. 725	1946.02.04
1908.05.23	Chippewa Indians of Minnesota	63%	Dismissed	87 Ct. Cl. 1	1938.01.12
1908.05.29; 1910.06.23;	Sioux of Cheyenne River Reservation	100%	Dismissed	105 Ct. Cl. 725	1946.02.04
1958.07.15	Crow	100%	$2,592,621.98	Repayment of Reclamation Projects (Washington: GPO, 1972), 311.	1964
TOTAL	**(68 Ct. Cl. Cases)**		**$17,036,382.87**		
TOTAL (1803 Dollars)			**$14,352,581.91**		
TOTAL (2012 Dollars)			**$292,909,834.90**		

Table 4: Trust Settlements

Award Date	Nation(s)	In LP	Prorated Tribal Trust Award	Source
1968.01.29	Kiowa, Commanche, Apache	100%	$6,000,000.00	ICC Dkt. 258, 259
1969.01.09	Miami	100%	$10,000.00	ICC Dkt. 251-A
1965.08.27	Ponca	100%	$1,289.99	ICC Dkt. 324
1969.06.18	Cheyenne River Sioux	100%	$1,300,000.00	ICC Dkt. 114
1972.09.08	Yankton Sioux	100%	$4,750,000.00	ICC Dkt. 332-B
1965.02.24	Shoshone of WInd River	100%	$120,000.00	ICC Dkt. 157
1976.07.15	Choctaw	100%	$250,000.00	ICC Dkt. 249
1966.02.28	Iowa	100%	$9,394.59	ICC Dkt.79
1966.04.21	Kickapoo	100%	$11,511.53	ICC Dkt. 145
1969.06.18	Arikara, Hidatsa, Mandan	100%	$64,894.12	ICC Dkt. 350-E, 350-H
1981.05.29	Arikara, Hidatsa, Mandan	100%	$10,250,000.00	ICC Dkt. 350-G
1974.09.25	Sauk and Fox of Missouri, Mississippi, and Oklahoma	100%	$20,421.78	ICC Dkt. 95
1982.04.16	Chippewa Cree of the Rocky Boys Reservation	100%	$25,000.00	ICC Dkt. 221-C
1981.11.06	Creek	100%	$1,300,000.00	ICC Dkt. 277
1981.09.04	Blackfeet	100%	$9,600,000.00	ICC Dkt. 279-D
1980.07.18	Indians of Fort Peck	100%	$9,000,000.00	ICC Dkt. 184
1981.01.07	Indians of Fort Belknap Reservation	100%	$2,117,140.06	ICC Dkt. 250-A
1964.12.23	Seminole of Oklahoma	100%	$63,680.00	ICC Dkt. 248
1980.12.19	Seminole of Oklahoma	100%	$100,000.00	ICC Dkt. 247
1981.12.11	Standing Rock Sioux	100%	$1,500,000.00	ICC Dkt. 119
1981.01.07	Assinboine, Blackfeet, Gros Ventre	100%	$2,399,237.17	ICC Dkt. 279-C
2012.04.11	Indians of Fort Peck (Assiniboine and Sioux)	100%	$75,000,000.00	salazar-announce-1-billion-settlement-tribal-trust; http://www.oregonlive.com/pacific-northwest-news/index.ssf/2012/06/native_tribes_start_getting_1.html
2012.04.11	Northern Cheyenne	100%	$50,000,000.00	Ibid
2012.04.11	Standing Rock Sioux	100%	$48,900,000.00	Ibid
2012.04.11	Blackfeet	100%	$19,000,000.00	Ibid

Table 4: Trust Settlements con't

Award Date	Nation(s)	In LP	Prorated Tribal Trust Award	Source
2012.04.11	Chippewa Cree of the Rocky Boys Reservation	100%	$8,000,000.00	Ibid
2012.04.11	Pawnee	100%	$4,442,000.00	Ibid
2012.04.11	Minnesota Chippewa (White Earth)	100%	$1,990,000.00	Ibid
2012.04.11	Leech Lake Chippewa	100%	$3,000,000.00	Ibid
2012.04.11	Minnesota Chippewa (Leech Lake)	100%	$1,990,000.00	Ibid
2012.04.11	Kickapoo	100%	$1,000,000.00	Ibid
2012.04.11	Santee Sioux	100%	$675,000.00	Ibid
Total (32 trust cases)			**$262,889,569.24**	
TOTAL (1803 Dollars)			**$18,854,254.37**	
TOTAL (2012 Dollars)			**$384,780,701.47**	

Table 5: Post-ICC Settlements

Cession Date	Nation(s)	In LP	Prorated Post-ICC Award Prorated	Post ICC Source	Post-ICC Award Date	Type of Award
1891	Crow	100%	$85,000,000.00	108 Stat. 4632	1994.11.02	Settlement Act
1906.04.26	Cherokee, Choctaw, Chickasaw Nation	100%	$41,293,245.00	H.R. 3534 (107th)	2002.10.30	Settlement Act
Non-specific	Northern Cheyenne	100%	$68,163,000.00	Public Law 102-374, Sept. 30, 1992, 102nd Cong.	1992.09.30	Settlement Act
Non-specific	Chippewa Cree	100%	$39,550,500.00	Public Law 106-163, 106th Cong.	1999.12.09	Settlement Act
Non-specific	Crow	100%	$476,000,000.00	Public Law 111-291, Nov. 30, 2010, 111th Cong.	2010.11.30	Settlement Act
Non-specific	Fort Peck Indians (Assiniboine and Sioux)	100%	$50,000,000.00	H. R. 5098, 103rd Cong. 2nd Sess	1994.09.23	Settlement Act
1947.07.31; 1949.10.29	the Fort Berthold Reservation	100%	$149,200,000.00	61 Stat. 686 (P.L. 80-296); 63 Stat. 1028 (P.L. 81-437)	1992.10.30	Settlement Act
1954.07.06	Yankton Sioux	100%	$23,023,743.00	68 Stat. 452	2002.12.13	Settlement Act
1954.09.03	Cheyenne River Sioux	100%	$290,722,958.00	68 Stat. 1191-1216	1999.11.08	Settlement Act
1958.09.02	Standing Rock Sioux	100%	$90,600,000.00	72 Stat. 1762 (P.L. 85-915)	1992.10.30	Settlement Act
1958.01	Santee Sioux	100%	$4,789,010.00	Senate Report 107-214. 107th Cong, 2nd Sess. 2002	2002.12.13	Settlement Act
1958.09.02; 1962.10.03	Lower Brule Sioux	100%	$39,300,000.00	72 Stat. 1773 (P.L. 85-923); 76 Stat. 698 (P.L. 87-734)	1997.12.02	Settlement Act
1958.09.02; 1962.10.03	Crow Creek Sioux	100%	$27,500,000.00	72 Stat. 1766 (P.L. 85-916); 76 Stat. 704 (P.L. 87-735)	1996.10.01	Settlement Act
1906.06.28	Osage	100%	$380,000,000.00	"United States and Osage Tribe Announce $380 Million Settlement," justice.gov Oct. 21, 2011	2011.10.14	Settlement
TOTAL	**(14 settlement acts/settlements)**		**$1,765,142,456.00**			
TOTAL (1803 Dollars)			**$109,836,722.09**			
TOTAL (2012 Dollars)			**$2,629,196,423.55**			

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Abbreviations

ASPIA	*American State Papers: Indian Affairs*
ARCIA	*Annual Report of the Commissioner of Indian Affairs*
BLC	Nasatir, ed., *Before Lewis and Clark: Documents Illustrating the History of the Missouri, 1785-1804* (2 vols.)
FO	Founders Online, National Archives
LPFB	Marshall, ed., *The Life and Papers of Frederick Bates* (2 vols.)
KLT	Charles Kappler, ed., *Indian Affairs, Vol. II: Laws and Treaties*
JLCE	*Journals of Lewis and Clark* (13 vols.)
LLCE	Jackson, ed., *Letters of the Lewis and Clark Expedition* (2 vols.)
NASPIA	*New American State Papers: Indian Affairs*
PCL	Pierre Chouteau Letter Book, Chouteau Family. Papers, 1752-1946, Missouri Historical Society
TUL	"Transfer of Upper Louisiana," *Glimpses of the Past*
TPUS	*The Territorial Papers of the United States* (28 vols.)
WCP	William Clark Papers, Kansas Historical Society

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Record Group 75, Bureau of Indian Affairs (BIA) Records:
M1 Papers of the Michigan Superintendency
M15 Letters Sent by the Secretary of War Relating to Indian Affairs
M16 Letters Sent by the Superintendent of Indian Affairs, 1807-1823
M234 Letters received by the office of Indian Affairs 1824-81
M271 Letters Received by the Office of the Secretary of War Relating to Indian Affairs, 1800-1823
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Boston Patriot & Chronicle
City Gazette
Collier's
Columbian Centinel
Columbia Sentinel

Connecticut Gazette
Connecticut Sentinel
The Daily Advertiser
The Democrat
The Enquirer
Hornet
Independent Chronicle
Maryland Herald
Mercantile Advertiser
Missouri Gazette
Morning Chronicle
National Intelligencer
The National Intelligencer and Washington Advertiser
Niles Register
New-England Palladium
New York Commercial Advertiser
The New-York Evening Post
New-York Herald
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