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## Creating Indian Entrepreneurs: Menominees, Neopit Mills, and Timber Exploitation, 1890-1915<sup>1</sup>

BRIAN C. HOSMER

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Historians who concentrate on studying Native Americans at the turn of the twentieth century have devoted much of their energy to analyzing the impact of the Dawes Act on Indian societies. The act, which mandated the dissolution of reservations, was without question the era's dominant policy initiative. Its primary intention, so its supporters claimed, was to dismantle supposedly archaic tribal bonds by apportioning reservation lands among the tribal population and encouraging Indians, by force if necessary, to become independent farmers, latter-day versions of Jefferson's yeoman farmers. Indeed, those who supported and administered the Dawes Act assumed that, within a few years, Indians would become self-supporting market agriculturalists. This process was supposed to instill in the Indian the notion of private property, stimulate the supposedly innate human desire to accumulate wealth and possessions, and finally lead to complete assimilation of natives into mainstream American society.<sup>2</sup>

Yet, while the principal thrust of policy during this period emphasized the creation of a self-sufficient Indian yeomanry, its application proved less than uniform. In fact, on the fringes of policy-making, another philosophy existed, significantly different and seemingly at odds with the agricultural imperative. This was the drive to extract and market natural resources found on

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or near certain reservations. While the predatory non-Indian interest in Indian wealth was hardly unique to this period, what was new was an evolving Indian interest in promoting economic development. In other words, there is evidence to suggest that some Indians, working in tandem with interested policymakers—so-called friends of the Indian—and sometimes with corporate interests, attempted to use these marketable resources as a means of generating wealth and, eventually, self-sustaining economies. Such efforts took a variety of forms, from commercial fishing to the extraction of petroleum and other minerals, to lumbering. Unfortunately, most enterprises of this nature fell victim to the familiar onslaught of white speculators, soaring production costs, competition from better-funded industries outside, and ill-advised and poorly managed federal programs. Indeed, it is a sad irony that policymakers' narrow interest in promoting Indian agriculture often blinded them to potentially more lucrative projects, thereby undercutting their own professed goal of raising the Indians' standard of living.<sup>3</sup>

But on the Menominee Reservation in northeastern Wisconsin, the Indian drive to use reservation resources as a means of generating wealth achieved a comparatively high level of success. In the last years of the nineteenth century, this was a heavily wooded land, one of the largest stands of virgin timber remaining in the north-central United States. As such, its potential riches proved a temptation for white lumbermen and land speculators—in particular, the so-called Pine Ring, which sought to wrest from the tribe control over its valuable patrimony. From the mid-1860s until well into the twentieth century, the Pine Ring orchestrated a series of challenges to Menominee sovereignty over forest lands, employing methods that had proved successful in stripping other tribes of their reservation resources. To their credit the Menominees were equally unrelenting. On each occasion, they mobilized a potent opposition and steadfastly refused to part with any of their reservation lands.<sup>4</sup> In opposing one such attempt to force land sales, Neopit Oshkosh, the tribe's principal leader and head of the Owä'ssedodä'mi (Bear)<sup>5</sup> clan reiterated the tribe's "unanimous" opposition to "the sale of all our pine and agricultural lands, leaving us for homes and farms four townships of barren sand plains." Nevertheless, he did support the harvesting and sale of reservation timber. "We want to sell

our timber for a fair price," the chief noted, but "we will not consent to the sale of any more land. We want it for our children and grandchildren."<sup>6</sup>

Meeting threats posed by the Pine Ring also seems to have convinced many Menominees, from a variety of backgrounds, that their forests presented the tribe and individuals with an opportunity to generate badly needed income. As early as 1863, tribal leaders requested permission to cut and sell reservation timber, but the Indian office rejected this proposal, preferring instead to offer contracts to outside lumbering interests. This proved to be a mistake. Time and again, lumbermen either refused to abide by agreements that limited their take to "dead and down" timber or deliberately set fire to stands of timber as a means of increasing the supply of damaged trees. By 1868, many Menominees had had enough. In that year, leaders representing the interests of eight of the ten Menominee bands petitioned Washington for more stringent protection of their forests. They also renewed their call for authority to cut and sell their own reservation timber. Their effort finally bore fruit in 1872, when the interior secretary finally approved a plan permitting Indians to organize lumber camps and sell timber to mills outside the reservation.<sup>7</sup>

The logging operation proved a resounding success, and over the next five years it contributed greatly to stabilizing the reservation economy. During the first year, for example, Indian loggers harvested and delivered more than twelve million feet of timber, which added some \$60,000 to tribal funds and provided over \$3,000 in wages to Indian lumberjacks.<sup>8</sup> But with every success came new challenges from the Pine Ring. Intensive lobbying convinced the Indian bureau to shut down the logging in 1877, and with that came another drive to force land sales. Once again the Menominees resisted and in 1882 succeeded in convincing Congress and the bureau to reinstate Indian lumbering. But this victory was short-lived, for lumbering again came to an end in 1888. Citing an 1874 Supreme Court ruling, the United States attorney general instructed the secretary of the interior to halt lumbering on the grounds that the United States government, not reservation Indians, held fee title to reservation land and timber. According to the attorney general's ruling, since Indians were merely "tenants" on government land, they held *only* the right to clear timber for the purposes of creating homesteads.<sup>9</sup>

Once again, though, Menominee leaders rose to the challenge and succeeded in forcing Congress to reinstate logging. This victory was followed by a dramatic change in policy. In 1890, Congress passed landmark legislation that provided the tribe with the means for more systematic exploitation of timber. This act, while favorable to outside timber interests, also was promoted by prominent "friends of the Indian," such as General Eliphalet Whittlesey of the Board of Indian Commissioners and Charles C. Painter, of the Indian Rights Association.<sup>10</sup> Its provisions authorized the cutting of timber up to an annual maximum of twenty million feet, but also recognized Menominee ownership of, and control over, forest resources by granting individual Indians shares in each year's take and empowering them to harvest the timber themselves or contract with off-reservation firms to finance the operation. Finally, the 1890 act made available to the tribe cash loans of up to \$75,000 annually and stipulated how logging profits were to be distributed. After expenses were met and contractors and laborers were paid, one-fifth of the remainder was earmarked for a "stumpage fund" to support a tribal hospital and to aid the poor. The other four-fifths were to be deposited in a special fund, administered by the Treasury Department, earning 5 percent interest annually for the tribe.<sup>11</sup>

The act of 1890 was a decisive event in Menominee history for several reasons, not the least being the fact that it firmly established lumbering as the tribe's single most important economic activity. From that point on, farming and other more traditional economic activities such as maple sugar manufacturing and wild rice gathering declined in importance as tribal members began to participate in the larger market economy.

Lumbering proved to be a most profitable venture. During the first year under the new plan, contractors paid the tribe approximately \$235,000 in fees. These funds allowed the tribe to repay most of their initial loan. Over the course of the next two decades, total production exceeded 300 million board feet of timber, for which the tribe earned more than \$2 million, making the Menominees one of the wealthiest tribes in the country.<sup>12</sup>

Profits aside, lumbering was successful because it provided stability on a reservation ill-suited for farming. Since the decline of the fur trade in the early part of the nineteenth century, Menominees had had precious few avenues for earning money to supplement dwindling returns from more traditional subsistence

activities. Confinement to the reservation after 1854 further limited these opportunities.<sup>13</sup> Moreover, lumbering provided Menominee men with a meaningful channel for their energies. This seems to have helped them adapt to the demands of a changing world. All those who wished to participate could do so, and their efforts helped stimulate economic growth, which benefited them and the tribe as a whole. Logging also financed education and health services and in general afforded the tribe a measure of economic independence. By most accounts, Menominee men rushed to join lumbering crews and quickly became enthusiastic and accomplished forest workers. "I feel confident enough to say today," noted one prominent Menominee in 1909, "that there is not one particular work you might mention in the line of lumbering but what the Indian can do."<sup>14</sup> On other reservations, division of land among tribal families had hampered efficient logging; the Menominee lumber industry thus may have been a factor in preventing the imposition of allotment on the reservation.<sup>15</sup> In any event, as the twentieth century began, lumbering seemed to be the Menominees' ticket to continued prosperity—prosperity without the social costs suffered by other native communities that were forced to endure the wrenching experiences of allotment, dispossession of lands, and loss of control over their destiny.

Yet, as successful as the law of 1890 seemed to be, by the first decade of the new century, events conspired to necessitate far-reaching changes in logging methods on the Menominee Reservation. On 16 July 1905 a severe windstorm passed through the western part of the reservation, blowing down thousands of trees. Government officials on the scene estimated the damaged timber at between twenty-five and forty million board feet, most of it hardwood that was known to deteriorate rapidly when uprooted.<sup>16</sup> Consequently, Congress, the Indian department, and the tribe were faced with the task of adjusting the 1890 statute to permit the cutting and selling of a quantity of logs over and above the twenty-million-foot ceiling established by law. In December 1905, Commissioner of Indian Affairs Francis E. Leupp submitted to Congress the draft of a bill authorizing the sale of timber from the Menominee "blown down district." The proposed legislation was based on reports from General Superintendent of Logging Joseph R. Farr, E. M. Griffith, superintendent of forests for the state of Wisconsin, and Superintendent Shepard

Freeman of the Green Bay agency, and authorized the sale of blown down timber and standing merchantable timber on the Menominee Reservation to the highest bidder or bidders for cash after due advertisement.<sup>17</sup>

In many respects, the proposed legislation mirrored the earlier act. Yet it differed on one critical point: Outsiders were to contract directly with the department for the cutting and removal of the timber, bypassing the Indians entirely. Commissioner Leupp and secretaries Griffith and Farr defended this action by pointing out that all interested Indians were already committed to carrying out contracts under the old arrangements and lacked the resources to take on the new project. Farr also pointed out that before the timber could be cut and delivered, contractors would have to construct logging roads. This added expense, he argued, made it virtually certain that the undercapitalized Indian operations would be unable to turn a profit.<sup>18</sup>

These arguments notwithstanding, Congress rejected the bill and passed an alternate version that placed responsibility for letting contracts in the hands of the Business Committee of the Menominee Tribe, an organization formed in 1905, ostensibly to oversee lumbering operations.<sup>19</sup> The bill also expressed in a very clear fashion growing divisions within the tribe. Led by a Hampton graduate named Mitchell Oshkenaniew, the fifteen-member Menominee Business Committee generally represented the Christian, wealthy, best-educated, and most thoroughly acculturated segment of the tribe.<sup>20</sup> Oshkenaniew himself was a descendent of Osh-ke-he-na-niew, leader of the Christian faction that had settled away from the main body of the tribe after the creation of the reservation in 1854. The committee also drew a great deal of support from nonenrolled Menominees, descendents of a group that had split off from the main body of the tribe in 1849 but now sought a share of the profits from logging enterprises.<sup>21</sup> In fact, Oshkenaniew's chief "lieutenant," Thomas Prickett, was at this time filing an enrollment petition with the Indian office. Together, Oshkenaniew, Prickett, and the Menominee Business Committee exerted a great deal of influence in drawing up logging regulations following the 1905 storm, eventually securing agreements granting them the authority to appoint the superintendent of logging and to sublet contracts to outside parties. They defeated a proposal requiring that all contracts be awarded to the highest bidder. This opposition to competitive bidding resulted

from their fear that established off-reservation lumber companies, with their greater access to capital, would be able to underbid Indians and thereby deprive Indians of needed employment and revenue.<sup>22</sup>

For all its presumed authority, however, the Menominee Business Committee was less a quasi-governmental body than an organization dedicated to promoting the interests of a specific faction. Technically, tribal leadership still lay in the tribal council, which, traditionally, was composed of headmen of the various Menominee bands, presided over by the leader of the Bear clan. The acknowledged chief of the Menominees remained Neopit Oshkosh, but increasingly the council came to look for direction to Reginald Oshkosh, the aging chief's Carlisle-educated son.<sup>23</sup> Even so, a series of administrative changes enacted by the bureau during the last two decades of the nineteenth century had steadily undermined the tribal council's authority to the extent that, by 1900, its leadership role was more symbolic than substantive.<sup>24</sup>

In any event, agency Superintendent Freeman, General Superintendent Joseph Farr, and State Forester Griffith steadfastly objected to granting such sweeping authority to the business committee. Griffith was especially concerned that members of the Menominee Business Committee planned to let contracts to themselves at an inflated price and then sublet the contracts to outsiders, thereby realizing a substantial profit for themselves.<sup>25</sup> Claiming that "the Business Committee [is] apparently organized for the purpose of getting as much as possible for themselves out of the tribe," and protesting that members of the committee were unqualified to take on a project "that would tax the best and largest lumber company in this state," Griffith called upon officials in the United States Forest Service to pressure the secretary of the interior to suspend implementation of the act pending drafting of new legislation that would reinstate competitive bidding and strip the business committee of its power.<sup>26</sup>

Griffith's protests had the effect of delaying implementation of Public Law 327 for a year. But when repeal efforts failed in the Congress, the bureau finally authorized the resumption of logging in 1907 and placed John C. Goodfellow in charge.<sup>27</sup> Sadly, the abuses predicted by the state forester came to pass in large measure. In his report on logging operations for the 1907 season, Forest Supervisor J. A. Howarth (who was sent by the Forest Service to oversee the lumbering operations) documented a variety



of abuses, not the least being that the provision permitting subcontracting was leading to speculation in shares. "An Indian can sell his share for what it will fetch him and frequently is advanced money by several parties," he reported, and "some purchasers of the shares do not log afterwards but sell again or rather subcontract and therefore are merely speculators."<sup>28</sup> The result, of course, was that "some white men [were] reputed to be indirect purchasers of shares or at least subcontractors." For example, Mr. August Anderson of Shawano was said "to own the outfit and pay all the bills at Joe Gokie's camp," even though Gokie officially held the contract.<sup>29</sup>

While white control over the logging operations was certainly against the spirit of P. L. 327, such an outcome had to have been less than surprising and not necessarily injurious to logging operations. After all, non-Indians had been involved in reservation lumbering for some time, and the initial bill providing for sale of timber in the "blown down" district advocated a leading role for outside contractors. Moreover, since most Indians proved unable to raise the capital necessary to undertake such a complex operation, subcontracting became a necessary alternative to probable bankruptcy. But the shift to subcontracting did have a detrimental impact on logging practices. It soon became clear that, like the pitiful situation then prevailing in various Ojibwa lumbering operations,<sup>30</sup> it would be exceedingly difficult to police the logging practices of outsiders. By the end of the 1906-1907 season, logging supervisors on the reservation were reporting a surge in wasteful cutting practices. Merchantable timber was left in the woods, trees were cut too high from the ground, leaving two- to three-foot stumps, tops and branches were discarded when they could have been sold, and brush was piled carelessly, constituting a very real fire hazard. A disgusted Howarth observed that in one camp it looked "as if an attempt had been made to see how much could be left in the woods." He concluded that this situation was "not a compliment to either the logging or the efficiency of its superintendent."<sup>31</sup>

Waste was not the only problem in the troubled logging season of 1907. Fraud grew rampant as outside loggers cut more timber than was allotted them and sometimes attempted to arrange illegal private sales. Goodfellow steadfastly refused to intervene, and his lax enforcement provided ample opportunities for abuse.<sup>32</sup> As Howarth pointed out, it was a relatively simple mat-

ter for loggers to "deliberately cut more than their required number of logs and hold them back in the woods until the scaler has been around for the last time or even until just before the drive," at which point "they haul them to the landing and put a special mark on them, having previously sold them to another party down the river." Such contraband logs were difficult to detect, he noted, because of the number of different identifying marks used across the reservation.<sup>33</sup> The developing pattern of mismanagement also led to tensions between Farr and Freeman, with Farr at one point challenging the superintendent's managerial competence. "To put it mildly," he wrote, "a man who could not sell this timber at better prices than you [Freeman] received and who handled the cutting, scaling and the entire situation as you did is not fit or competent to manage such transactions," and called on Freeman and Goodfellow to relinquish all control over reservation logging.<sup>34</sup>

Clearly then, by the end of 1907, logging operations on the Menominee Reservation were in a state of turmoil. Not only were waste and fraud commonplace, but officials charged with overseeing procedures were themselves in open conflict. While the absence of effective administration was itself no minor problem, the infighting, waste, and fraud also threatened the tribe's hold on its resources. According to J. A. Howarth, there was a "general impression prevailing that a conspiracy exists to defeat the present operations by the Indians under their own business committee for the purposes of hereafter letting outsiders get a better chance at the timber here." While he could offer "no proof" of this conspiracy, fears such as his seem to have convinced policymakers and Indians alike that changes were in order.<sup>35</sup>

In early 1908, the federal government finally decided to act. That January, the Forest Service assumed full control over lumbering on all Indian reservations. On the Menominee Reservation, the new supervisors promptly fired Howarth and began reviewing the various lumbering contracts. This review revealed frauds so massive that the Forest Service recommended reducing final payments to the contractors as a way of making at least partial restitution to the tribe. The contractors, however, objected to this action and eventually filed breach of contract suits against the federal government. These suits would eventually come back to haunt the tribe.<sup>36</sup>

Further changes came later in that year when a committee of

concerned Menominees, *not* affiliated with the business committee, went to United States Senator Robert M. LaFollette of Wisconsin, requesting that the act of 1906 be amended or set aside entirely. They were particularly concerned that the present system so favored outside contractors that wealthy lumbermen from Oshkosh and Oconto were fixing, at an artificially low level, the prices paid for Menominee timber. LaFollette intervened and proposed legislation that not only offered greater safeguards against abuses but provided that the Menominees manage their own mills, to be erected on their reservation by the Forest Service, with Indian funds.<sup>37</sup> Seeking to sway his colleagues, LaFollette pointed to the deficiencies inherent in the 1906 law and argued that, as experienced lumbermen, the Menominees deserved the opportunity to realize even greater benefits from the exploitation of their resources. "The Menominee Indians," he argued, "have shown such aptitude in logging and lumbering as to warrant the belief that they might readily be taught to manufacture the logs into lumber." Such a program, he continued, "will not only develop the Indians industrially, but will bring them a much larger return for their product" by removing them from "the mercy of the mill men to whom they must sell" and opening "an unlimited market for [their] finished product[s]."<sup>38</sup>

But of all the arguments favoring construction of the mill, the one that proved the most compelling was the idea that, in addition to offering the tribe a more profitable means of exploiting its rich timber resources, the mill would serve as a "school of industry" for the Indians, training them in the habits of thrift, industry, acquisitiveness, and discipline. In short, its supporters presented the Menominee mill as a way of producing not simply lumber but wage earning, "Americanized" Indians whose next step, presumably, would be to leave behind the reservation and tribal life. While the desire of the whites to promote Indian assimilation was scarcely new, the proposal regarding the Menominees was significant in that it offered practical means toward achieving that lofty goal. Indeed, it seemed the best combination of the practical and the ideal, in the highest tradition of progressive era reform.

Congress and the president reacted favorably to LaFollette's arguments, and on 28 March 1908, Public Law 74, commonly known as the LaFollette Act, took effect. In addition to repealing the 1906 act, the new legislation reorganized lumbering prac-

tices on the Menominee Reservation in several significant ways. It authorized the construction, at tribal expense, of up to three on-reservation sawmills and provided that lumber and other products be advertised and sold to the highest bidder. The proceeds of these sales were to be deposited in a new treasury fund earning 4 percent interest. In addition, the act made it clear that it was the tribe's responsibility to ensure that modern forestry methods were employed, including guarantees of sustained-yield harvesting and scientific reforestation.<sup>39</sup>

Most important, however, were the provisions designed to ensure that Indians would be the chief beneficiaries of the new mill. In keeping with the intention to create a "school of industry," the act instructed the secretary of the interior to see that, wherever practicable, "none but Indians [were to be employed] in forest protection, logging, driving, sawing, and manufacturing into lumber for the market." Whites, on the other hand, were to be barred from taking part in these activities, so long as sufficient numbers of Indian employees could be secured, and Indian contractors were prohibited from subcontracting with or employing non-Indians.<sup>40</sup>

Events moved quickly after the passage of P. L. 74. On 26 June 1908, in a meeting called by agent Freeman, tribal representatives voted overwhelmingly to disband the Menominee Business Committee. Citing evidence of corruption and collusion with outside contractors, from which business committee members benefited personally but which harmed the interests of the tribe, Reginald Oshkosh declared his intention to "withdraw that contract that Mitchell Oshkennanieu [*sic*] got and banish the committee entirely, so that they will never see daylight any more." Oshkosh also objected to the committee on the grounds that it represented the interests of only one faction, and expressly excluded "pagans" from its deliberations.<sup>41</sup> Rallying behind the son of their traditional leader, those present at the meeting voted not only to do away with the committee but to punish Oshkenanieu for his alleged misdeeds. By a vote of 62-0, the council resolved "[t]hat Mitchell Oshkenanieu is hereby forever barred from representing the Menominee Tribe of Indians in any way, shape, or manner in any of their tribal affairs, either on or off the Menominee Reservation."<sup>42</sup> Thomas Prickett likewise was barred from representing the tribe.<sup>43</sup>

With the situation seemingly resolved, the Forest Service began

searching for a suitable location for the new mill. After two prospective sites were chosen and abandoned, in late 1908 workers began construction on a single large sawmill. Located in the northwest portion of the reservation in a new town named Neopit, the plant opened for business in January 1909. The Forest Service also appointed as forest supervisor E. A. Braniff, a graduate of Yale University School of Forestry, but a man who had no practical experience in management.<sup>44</sup>

Constructed at a cost of just over \$1 million, the mill was considered modern by virtually any measure. The main building housed two band saws and a host of other lumbering equipment to enable workers to produce some 40 million feet of lumber yearly. Next to it was a large brick structure which housed six large boilers and a Corliss steam engine—the plant's powerhouse. Also constructed were roads, a log pond, a boarding-house capable of housing two hundred men, and an electric plant that provided light to the mill and the surrounding town.<sup>45</sup>

From all outward purposes the establishment of the mill at Neopit seemed a wise investment. After a difficult inaugural year, the Forest Service initiated a series of capital and management improvements, and in 1911 the mill recorded a net profit (just over \$60,000) for the first time.<sup>46</sup> The Forest Service fired Forest Supervisor E. A. Braniff in 1910 and replaced him with Angus S. Nicholson, a career civil servant with no previous experience in either lumbering or Indian affairs. Nicholson also assumed Freeman's post as reservation superintendent.<sup>47</sup>

The changes seemed to work. Net profits grew steadily, and by the end of fiscal year 1913, the total amount deposited in the Menominee 4 percent fund came to more than \$245,000. Mill production also grew at a steady pace, from some two million board feet of lumber manufactured in 1909 to forty million feet during fiscal year 1913.<sup>48</sup> While the operation as a whole remained in debt due to construction costs and losses incurred during the first two years of operations, these figures do indicate an enterprise gradually growing in strength—so much so that mill superintendent Angus S. Nicholson could claim that, after "considerable readjustment and reorganization," there had been "quite a swing over into the right column effected without hindrance to work, losses, etc."<sup>49</sup>

The mill also appeared to be fulfilling its mission to generate employment. In its very first year of operations, an average of 241

male Indians were employed as loggers and millers. They earned an average of \$250 per man annually, or \$20 per month.<sup>50</sup> These figures held relatively steady. From 1909 to 1912, the mill employed an average of 205 employees per quarter, and in 1913 some 271 men out of a total of 408 "able bodied males over 18" earned an average wage of \$29.70 per month. Employment seemed available to virtually everyone. Even Mitchell Oshkenaniew, Thomas Prickett, and other members of the defunct business committee requested and received jobs.<sup>51</sup>

But beyond merely employing Indians and providing them with a new source of income, construction of the mill had a profound impact upon Menominee society. The town of Neopit quickly grew up around the plant as the promise of jobs, housing, and the comforts of settled living drew families to the area from other portions of the reservation. While the so-called pagans tended to avoid Neopit and settled in and around Zoar, some miles west of the mill town, within a few years Neopit grew into the principal settlement on the reservation, complete with modern houses, electric lights, regular streets, and lots laid out for homes to be built in coming years. Housing construction was furthered after 1912 by the creation, at Nicholson's suggestion, of a "reimbursable fund," which used tribal money to build homes for Indians—homes they could then purchase through a series of monthly payments. The Menominee mortgage plan proved an immediate success; by 1914 some 167 Indians had taken advantage of the fund.<sup>52</sup>

For the nine hundred residents of Neopit, most of whom were Menominees, town life was enriched by a variety of clubs and activities. The mill town boasted two schools, a large assembly hall, a public gymnasium, and several stores, two of which were run by Menominees. In addition, townspeople organized a marching band, a Returned Student's Club, an Indian lodge of the Catholic Knights of Columbus, a Gun and Drill Club, and five fully equipped volunteer firefighting companies. All of the traders' stores were owned and operated by members of the Menominee tribe, and, in each of the various organizations, "the Indian predominates, taking his part equally as well as his white brother."<sup>53</sup>

By virtually any account, then, the Menominee mill appeared to be nothing short of a stupendous success, an "engine of progress"—the force that created a community of hard-working, self-

supporting Indians living in a town many non-Indians would have been proud to call home. For agent Nicholson, the accomplishments at Neopit represented a personal victory as well, one which he wished to publicize. In an article published in *The Red Man*, the newsletter of the Carlisle Indian School, he wrote,

[W]hen in review all is taken into consideration (his former pursuits, modes of living, and present-day status), the work on Indian regeneration accomplished in these few later years is little short of marvelous. Sixty years ago a blanket Indian, today his children and grandchildren receiving education, taught manual work, and, in a large measure, to be self-supporting. Is this not a record of which to be proud? Has not the Menominee reason to carry his head high among his fellow tribesmen?<sup>54</sup>

A marvelous accomplishment indeed. Yet underneath the clean, new homes of Neopit, just beneath the shadow of the mill's twenty-five-foot smokestack, signs of discontent began to appear. In truth, Menominee dissatisfaction over management of their timber resources had never disappeared completely, but prior to 1910 most complaints were directed against Forest Supervisor Braniff. Moreover, for all outward purposes, the divisions that had so plagued the tribe in earlier years seemed to be on the mend; Menominees of all affiliations wrote letters and signed petitions complaining of Braniff's alleged mismanagement.<sup>55</sup> When Nicholson replaced Braniff, however, the number of complaints died down, and the new superintendent's seemingly more effective management seemed to mark the end of a turbulent era and the beginning of substantial economic development on the reservation.

Beginning in 1912, however, the substance and character of complaints began to change in important ways. Once again, charges of mismanagement and waste surfaced, this time directed against Nicholson.<sup>56</sup> But more significantly, these charges of mismanagement were accompanied by requests that control over the entire logging and milling enterprise be turned over to the Menominees. Leading the charge were old adversaries Reginald Oshkosh and Mitchell Oshkenaniew, now united in pursuit of the same goals, or so it seemed. In February 1912, the

new concerns reached Nicholson in the form of a petition, accompanied by a letter from Reginald Oshkosh. The petition, signed by twenty-four leading Menominees, including Chief Neopit Oshkosh as well as former business committee members Mitchell Oshkenaniew, George McCall, Weiskesit, John Grignon, Thomas LaBell, and Mose Tucker, called on Nicholson "to appoint, or use his influence to secure the appointment of Reginald Oshkosh as manager of our logging and lumbering operations."<sup>57</sup> In his accompanying letter, Oshkosh explained the tribe's reasoning in greater detail. "For many years the Menominee...[tribe has] had among its members men educated at Haskell, Carlisle, and other leading schools of the country," and these men, he continued, "have successfully conducted logging operations, and demonstrated their business ability in many lines." Nevertheless, Oshkosh charged, "the Government has apparently not seen fit to intrust them in positions connected with the management of their own tribal affairs," in spite of the fact that "the plant here at Neopit was built for the benefit of the Indians and with a view of intrusting them with positions of responsibility, and to eventually turn over the management of the entire plant to them." What the tribe really asked for, he explained, was a chance "to become independent and self-supporting and terminate our relations as wards of the Government."<sup>58</sup> As for his own objectives, Oshkosh summarized them this way:

I believe that having been born and reared as a child of the woods, having witnessed logging operations from the time of my childhood, having been educated in one of the leading Indian schools of the country, and having been more or less intimately associated with the present manufacturing plant at Neopit, that I am competent and qualified to succeed you as manager of the plant at Neopit. I should prefer to occupy such position under your supervision as general superintendent of the reservation until such time as you deem it advisable to intrust me with the complete management thereof.<sup>59</sup>

Nicholson replied by noting first that he lacked the "authority to create the place you ask or to take the action that you desire," and suggested that the tribe take the matter up with the commissioner of Indian affairs.<sup>60</sup> Between 26 February and 9 March



1912, three different Menominee delegations met with the Indian commissioner and with the chief of the land division of the Indian office to consider proposals to turn responsibility for management over to Oshkosh and other qualified Menominees. Still the Indian office took no concrete action.<sup>61</sup> This in spite of an impassioned speech by Oshkosh pleading with the government to "give the Indian the privilege of managing his own affairs. . . . If we are ever going to be like you we might as well get into the harness now as later."<sup>62</sup>

In this case inaction proved costly, for in the summer of 1912 resentment boiled over when agent Nicholson suddenly announced the suspension of annuity payments. Spurred on by a general sense that the tribe's financial condition was in substantial decline, a group of disgruntled Menominees, led by Mitchell Oshkenaniew, Thomas Prickett, and other members of the recently disbanded business committee, broke ranks with Oshkosh and his supporters and looked outside established channels for help.<sup>63</sup> The group called on D. F. Tyrrell, a Gillette, Wisconsin attorney, and his partner, Webster Ballinger of Washington, D.C., to investigate the impact of the Neopit project on the tribe's financial condition. Ballinger's response was anything but encouraging. After examining financial information provided by the bureau, he concluded that, once all accounts were taken into consideration, including depreciation on machinery and buildings, the mill was responsible for a loss to the tribe of nearly \$1.5 million during its first five years of operation.<sup>64</sup> In his letter to Oshkenaniew, Ballinger announced his intention to demand that the bureau commence a full investigation and, in the event that it failed to do so, promised to "bring these matters to the attention of [the Joint Committee of Congress for Indian Affairs] and ask for a full and complete investigation of the affairs of the Menominee Indians."<sup>65</sup>

Meanwhile Ballinger's partner, D. F. Tyrrell, was conducting his own investigation. After touring the reservation, Tyrrell charged Superintendent Nicholson, the Indian office's official agent at Neopit, with gross mismanagement of the tribe's timber resources. "The work," he claimed, "has been and is being carried on with little or no regard for profit," because evidence of waste could be found across the reservation.<sup>66</sup> This waste took a variety of forms, from "splendid" timber being cut and left in the woods to rot, to roads, constructed at tribal expense, being left unused, to the practice of cutting and selling only the very

best timber, leaving lesser grounds untouched. The last custom had the effect, he claimed, of skewing the mill's profit figures upwards in the short term at the cost of long-term prosperity.<sup>67</sup>

Government officials reacted quickly to the charges leveled by Ballinger and Tyrrell, and in October 1913, the Board of Indian Commissioners appointed fellow commissioner Edward E. Ayer to conduct an official investigation of the logging and lumbering operations on the Menominee Reservation. A wealthy Chicago businessman turned Indian policy reformer, who had made his fortune in the lumber industry, particularly in the selling of railroad ties, Ayer was thought to be particularly well suited to the task at hand.<sup>68</sup> He and his party, which included two employees of the Ayer & Lord Tie Company of Chicago—woodsman L. P. Holland and Philip R. Smith, the company's secretary-treasurer—arrived in Neopit in late November. They were subsequently joined by United States Superintendent of Forests J. P. Kinney, sent along at Ayer's request by Commissioner Cato Sells. Over the course of the next few weeks, Ayer and his group toured the mill and forests and conducted a series of interviews with members of the tribe, including several who were reportedly behind the decision to hire Tyrrell.<sup>69</sup>

No sooner had the Ayer party begun its investigations than a new series of charges surfaced. This time Ballinger and Tyrrell accused agent Nicholson of undercutting the project's basic mission by favoring whites over qualified Menominees in filling positions in the mill or logging camps. Moreover, the lawyers contended, when Menominees did get jobs, they typically were relegated to those that were the most dangerous and lowest paying.<sup>70</sup> In addition, the lawyers accused Nicholson of condoning the verbal abuse of Indians, refusing aid to the destitute (including denying them access to vegetables produced on the reservation farm, even when those vegetables were going to waste), permitting whites to purchase items from Indian warehouses at lower prices than those charged Indians, and using intimidation to prevent Indians from making their complaints known to the authorities. Armed with these facts, Tyrrell forwarded to the commissioner the Indians' demand that Nicholson be removed at once.<sup>71</sup>

On the surface, this new set of accusations seemed to indicate that, at the very least, support for the Neopit project was less than widespread. At most, it suggested that, in the eyes of Nicholson, industrial training for Indians was to be limited to only

the most menial of positions. Yet Ayer virtually ignored these charges and limited his investigation to debunking charges of waste and mismanagement. Drawing on testimony of his team of "experts," Holland, Smith, and Kinney, on Nicholson's own spirited defense of his management, and on affidavits of a number of Indians, Ayer presented substantial evidence attesting to the high level of the superintendent's work. He also examined the tribe's financial records and concluded that, rather than losing money, the mill had actually contributed some \$440,000 to the tribal funds.<sup>72</sup>

Lumbering practices were also deemed adequate if not exemplary. Holland, the woodsman in charge of investigating the mill yard, "found . . . the most efficient work, both in manufacture and care of stock," that he had ever seen in his nineteen years' experience in the tie and lumber business.<sup>73</sup> Likewise, Philip Smith and J. P. Kinney found little to substantiate Tyrrell's charges of gross waste and mismanagement. The trio accused Tyrrell of finding fault with mill operations as a means of stirring up discontent in order to secure for his firm a position as the tribe's legal counsel.<sup>74</sup> Several Indians shared the notion that Tyrrell was overstating cases of waste and mismanagement, seizing on the complaints of "half-breed . . . malcontents" to advance his own interests.<sup>75</sup> Of those opposed to Tyrrell, none was more vehement in denouncing his objectives than Reginald Oshkosh. Significantly, Oshkosh's evaluation of the situation also reveals that the incident had served to reopen old intratribal rivalries:

Mr. Tyrrell's solicitation among the Indians as their counselor is being entertained entirely by the descendants of the mixed bloods who withdrew from the Menominee Tribe under the treaty of 1849, and who, through the sympathy of the generous Menominee Tribe, have just recently been adopted into the tribe. . . . [and they] are employing every means to conceal from the full-blood and original members of the tribe the inside facts of their real purpose.

According to Oshkosh, this purpose was to "create dissatisfaction among [the tribe], induce them to terminate their relations with the Government as wards, and divide the reservation resources" among themselves.<sup>76</sup>

Beyond the issues of profit and loss, Ayer was particularly adamant in his condemnation of Tyrrell, Ballinger, and their Menominee allies. After discovering that the lawyers had collected a substantial sum of money up front from various Indians (one man, Louis LaFrambois was said to have taken out a second mortgage on his home in order to raise \$250—a charge later denied by LaFrambois), Ayer attacked with a vengeance.<sup>77</sup> "I cannot help but feel that if there has been a hundred times the loss in money to the Menominee Indian tribe," he wrote, "it would not have compared with the damage done by these outsiders, and the few Indians they could control inside, to the tribe, by this agitation." He also charged that the entire motive for the investigation "is the same one that has been at the bottom of every attack on Indian property—the desire and hope of getting some of it," and suggested that the lawyers' principal motivation may have been to secure permanent employment as legal counsel for the Indians. This, he argued, "would be a calamity . . . for the Menominee Reservation."<sup>78</sup>

An evaluation of Ayer's report presents some interesting problems. If one restricts judgment to those issues that most concerned Ayer—lumbering practices and questions of profit or loss—there is ample evidence to support Ayer's claims. Indeed, Tyrrell and Ballinger never presented expert testimony to rival that marshalled by Ayer's lumbering specialists. Moreover, closer examination of Neopit's financial records suggests that during this period, the mill was showing a profit. In fact, only when costs incurred in constructing the mill are included does the operation show a net loss.<sup>79</sup> Furthermore, there is ample evidence to suggest that Tyrrell, Ballinger, and their Indian allies had less than pure motives when they precipitated the crisis in 1913. As Ayer suggested, Tyrrell and Ballinger were attempting to secure positions for themselves as legal counsel for the Menominee (at an estimated fee of \$8,000 per year); in fact, at one point, Tyrrell even asked Ayer to recommend their appointment to the Indian department.<sup>80</sup> Perhaps most importantly, Tyrrell himself acknowledged that, in addition to representing this group of disgruntled Menominees, he also served as legal counsel for Wallie Cook, August Anderson, and S. W. Hollister, lumbermen from nearby Oconto who continued to press outstanding claims against the tribe in connection with the Forest Service's reorganization of the

contracting process in 1908.<sup>81</sup> Whether this constituted a conflict of interest or something more nefarious is uncertain, but it does suggest that there may have been more to Tyrrell's actions than meets the eye. Finally, what of those Indians who called on the two lawyers to undertake the investigation? In general, most support came from former members of the business committee, most notably Mitchell Oshkenaniew, Thomas Prickett, George McCall, Thomas LaBelle, and Weiskesit. They seem to have been swayed by the lawyers' promises to secure cash restitution for the government's alleged waste and misuse of tribal funds. Weiskesit, as leader of the "pagan" faction, most of whom did not work in the mill or lumberyards, may have been most drawn to the promise of renewed annuity funds.<sup>82</sup>

Yet what of the charges of favoritism brought against Nicholson? On the one hand, Nicholson's own records indicate that the very top jobs at the mill were in fact manned by whites, one of whom was his father-in-law.<sup>83</sup> This caused considerable resentment among at least some Menominees, who came to believe that they were experiencing discrimination. In fact, as early as 1911, Indian Commissioner Robert G. Valentine had cautioned Nicholson against hiring practices that could lead to charges of nepotism. So concerned was Valentine that he felt compelled to remind Nicholson that the mill was designed as "an Indian proposition particularly in the way of teaching the Indians to work."<sup>84</sup> On the other hand, it is by no means clear that significant numbers of Menominees were denied employment outright. In fact, when pressured to present names of individuals so excluded, Tyrrell was unable to do so.<sup>85</sup> This, of course, does not prove that all who wished employment secured jobs, but neither does it affirm the opposite.

What is certain, though, is that by mid-1914, turmoil on the Menominee Reservation had dissipated substantially—at least as reported in the extant records. In June, Nicholson reported the return of relative tranquility, the only lasting consequence of the affair being a brief period of "unrest and loss of time better put profitably to other uses." As for the "conspirators," Tyrrell was said to be "broke," Ballinger had fallen out of favor, and their Indian friends were "fighting among themselves. . . . attempting to get [Nicholson's] ear, each one anxious to be first to tell how it was all the work of the other fellow." Oshkenaniew, in fact, ended his association with Tyrrell in late 1913, suggesting

to Ayer that "he [Tyrrell] is not the right kind of person to have anything to do with the Menominee Indians," this despite the fact that his old ally Prickett continued to support the Oconto attorney.<sup>86</sup>

While it may be that Nicholson's statements here represent the jubilant feelings of a vindicated man, they also indicate real insight. For it seems that in the final analysis, what finally broke the mini-rebellion of 1913 was not Ayer's investigation but pressure within the tribe itself. Most of those interviewed by Ayer (including some former business committee members) largely defended Nicholson's handling of the operation and felt that the mill provided real benefits to the tribe.<sup>87</sup> Perhaps more importantly, the mill also enjoyed the support of the tribe's traditional leadership—most significantly Reginald Oshkosh, himself a foreman of a logging crew. As mentioned, Oshkosh was harshly critical of the schemes hatched by Tyrrell and his allies, charging that, in the end, their actions would render the Indian "once more an easy picking for the Grafter."<sup>88</sup>

Yet even Oshkosh's support for the mill was not unqualified. In early 1915, he authored a petition, signed by a number of other Menominee leaders, which called on Ayer to use his influence to promote an important shift in policy. This was an important document. While it recognized the value of the mill as an "engine of change" on the reservation, it also expressed the concern that, in the long run, industrial labor could become a stifling factor, breeding dependence rather than independence. Proposing "a consensus of the very best thought of we Indians, who have been reared on our Reservation, educated in the Indian schools of the nation," and who had "returned home to make our own way and blaze a path for our people," Oshkosh proceeded to outline a new vision for the future. Conceding that mill labor had proved valuable "as a center for industrial and social development," Oshkosh remained concerned that wage labor "soon takes initiative away from men," especially those who, through education or desire, should naturally wish more out of life. Consequently, he noted that "Indian boys learning farming and dairy work at school have no chance" to make use of their skills, "because old folks [were in no position] to give them a chance." Likewise, "young women educated in home making and the women's part on the farm have nothing to start themselves and when they take a husband, he has nothing to look forward to but

a job some place at which he can earn wages." He concluded by arguing that continued prosperity demanded the use of tribal funds as a source of loans to support those who wished to take up farming.<sup>89</sup>

There is more than a little irony in Oshkosh's request. By promoting assistance for agricultural development, he was echoing the prevailing views that the road to Indian assimilation passed through communities of small farmers. Yet it also may be argued that Oshkosh's concerns are an indication of the success of the Neopit project. After all, he is not so much condemning the mill as calling for an expansion of economic development, an expansion designed to benefit those who desired a more substantial piece of the American dream. He also acknowledged that the success of tribal logging and lumbering made possible this new stage of economic expansion. Perhaps that alone is an indication that, while not without its faults, Neopit Indian Mills was a remarkably successful venture in reservation economic development.

The Menominee experiences with logging and lumber mill operation underscore the existence of a generally overlooked aspect of the Indian condition during the Dawes Act era. Indeed, rather than undergoing allotment of lands and forced individualization, the Menominees retained their land base and succeeded in holding it in common, for the most part. This is interesting for several reasons. In the first place, it is quite clear that the Menominees, in avoiding allotment, did not go so far as to reject what, to many, was the ultimate objective of Indian policy: the creation of a hard-working, "Americanized" native. Indeed, logging and lumbering, by providing a means by which Indians would learn habits of thrift and labor, were designed to foster that very outcome. In a rather ironic way, then, rejection of allotment led more directly to the results assumed to flow only from the division of tribal lands.

Second, it is quite clear that a significant proportion of the Menominee population supported economic development as stimulated by the exploitation of reservation timber. This fact challenges prevailing notions that Indian peoples, especially in the years prior to the Second World War, actively fought the intrusion of the market economy into their lives. Menominees not only understood the value of their timber resources but sought the most beneficial means of exploiting them. In time, this led to the decision to sell not just logs but timber products manufactured by

Indians in their own plant. It also led some Menominees to seek outside counsel when they felt that operations were being poorly managed. Can such actions be accurately considered the work of peoples unfamiliar with and fearful of the "market?" Viewed from this angle, the Menominee experience suggests the need for a more sophisticated conceptualization of the impact of market economics on Indian peoples. This new theory must, it seems, take into account examples, such as the Menominees, where Indians demonstrated a sophisticated understanding of economic principles and were active players in the process of modernization.

Finally, while Neopit's overall impact was mixed, it does offer support for the contention that Indian societies were far more flexible than is generally thought. True, not all Menominees supported the mill, and one of the consequences of modernization was a growing gap between rich and poor. But the mill did not destroy Menominee society. In fact, it may be argued that, by providing a reliable source of income, the mill furnished the Menominees with a degree of independence far greater than that enjoyed by most tribes. This independence may have fostered a sense of security that allowed the community to weather changes and survive as a unit. This last conclusion admittedly is highly speculative and requires closer analysis. In any event, the Menominee lumbering experience does force us to reexamine our assumptions regarding the goals and pitfalls of economic development on Indian reservations.

#### NOTES

1. The material for this paper comes from the research conducted for my Ph.D. dissertation, "Experiments in Capitalism: A Comparative Study of Market Economics and Social Change among the Menominees of Wisconsin and the Metlakahtlans of British Columbia and Alaska" in progress at the University of Texas-Austin. Research for this paper was made possible by a generous grant from the Newberry Library. The author wishes to thank the Newberry and those affiliated with the D'Arcy McNickle Center for the History of the American Indian for their generous support and most helpful comments. An earlier version of this paper was presented at the Third Eagle and Maple Leaf Conference, Helsinki, Finland, in April 1990.

2. The literature on the motives behind and the impact of the Dawes Act is extensive. See especially Frederick E. Hoxie, *A Final Promise: The Campaign to Assimilate the Indians, 1880-1920* (Lincoln: University of Nebraska Press, 1983), 1-39; Francis Paul Prucha, *The Great Father: The United States Government and the American Indians*, abridged edition (Lincoln: University of Nebraska Press,



1986), 224–41; Wilcomb E. Washburn, *The Assault on Indian Tribalism: The General Allotment Law (Dawes Act) of 1887* (Philadelphia: Lippincott, 1975).

3. See H. Craig Miner, *The Corporation and the Indian: Tribal Sovereignty and Industrial Civilization in Indian Territory, 1865–1907* (Columbia: University of Missouri Press, 1976); Daniel L. Boxberger, *To Fish in Common: The Ethnohistory of Lummi Indian Salmon Fishing* (Lincoln: University of Nebraska Press, 1989); Rolfe Knight, *Indians At Work: An Informal History of Indian Labour in British Columbia, 1858–1930* (Vancouver: New Star Books, 1978); Thomas Vennum, *Wild Rice for the Ojibwa People* (St. Paul: Minnesota Historical Society Press, 1988).

4. For a complete discussion of Menominee struggles to retain control over their reservation and its resources, see Stephen J. Hertzberg, "The Menominee Indians: From Treaty to Termination," *Wisconsin Magazine of History* 60:4 (Summer 1977): 273–78, 283–90. See also Patricia K. Ourada, *The Menominee Indians: A History* (Norman: University of Oklahoma Press, 1979), 143–56, 169–73; Felix Keesing, *The Menominee Indians of Wisconsin: A Study of Three Centuries of Cultural Contact and Change* (Memoirs of the American Philosophical Society, volume 10, 1939), 163–74, 183–87; Louise Spindler, "Menominee," in *Handbook of North American Indians*, vol. 15, *Northeast*, ed., William C. Sturtevant (Washington, D.C.: Smithsonian Institution, 1978), 713–14. On the Chippewa situation, see Edward Jefferson Danziger, Jr., *The Chippewas of Lake Superior* (Norman: University of Oklahoma Press, 1978), 100–104; 110–20.

5. Spelling from W. J. Hoffman, *The Menominee Indians*, in *Fourteenth Annual Report of the Bureau of Ethnology, 1892–93* (Washington, D.C.: GPO, 1896), 45. According to Hoffman, historically, "the office of grand chief . . . has always been one of the prerogatives of the Owä'sse dodä'mi, or Bear totem."

6. *Shawano County Advocate*, 16 April 1882, quoted in Keesing, 183.

7. According to Keesing, p. 169, leaders of the two remaining Menominee bands disagreed with the other eight on the question of unlawful exploitation of tribal timberlands. In reply, the eight Menominee leaders asked the Indian commissioner to ignore such dissenting opinions on the grounds that these headmen had been "bought over with bribes." See also Hertzberg, 277–78; Ourada, 143–45.

8. Hertzberg, 278; Keesing, 173–74; Ourada, 173–74; Annual Report of the Commissioner of Indian Affairs (henceforth ARCIA), 1873, 178.

9. Hertzberg, 278–79, 283; *United States v. Cook*, 86 U.S. 591 (19 Wall.), 1874.

10. Hertzberg, 283; "Statement of Mitchell Oshkenaniew," in *Conditions of Indian Affairs in Wisconsin: Hearings before the Committee on Indian Affairs, United States Senate*, Sen. Res. 263, 60 Cong., 2d. sess., Washington, D.C.: GPO, 1910, 809 (henceforth *Hearings*, Sen. Res. 263).

11. Public Law 153, U.S. *Stats. at Large* 25 (1889) and 26 (1890). Dozens of firms, from as nearby as Oconto and Shawano, Wisconsin to as far away as Chicago, contracted with the Menominee agent to harvest reservation timber. For detailed lists, see ARCIA, 1898, 309; ARCIA, 1900, 72–74, 403–404.

12. Ourada, *The Menominee Indians*, 155–56.

13. Hertzberg, 273–76.

14. "Statement of Mitchell Oshkenaniew," in *Hearings*, Sen. Res. 263, 1910, 809.

15. While no extant study offers conclusive evidence that lumbering prevented allotment, Hertzberg, 282–83, supports the notion that it made allotment

impractical. Nevertheless, when in 1887 the tribe voted in favor of allotment, the federal government took no action. In 1919, the tribe rejected a second vote. Hertzberg, 282-83n., Danziger, 129-35, 140-45.

16. Hertzberg, 284.

17. U.S. Congress, 59th Congress, 1st sess., 1906. House Document 287, p. 1; F. E. Leupp to Gifford Pinchot, 24 August 1906, Letters Sent and Reports of J. R. Farr, General Superintendent of Logging, Menominee Mills; Records of the Bureau of Indian Affairs, Record Group 75; National Archives—Great Lakes Branch. Logging experts also asked for authority to cut the 100 million feet of standing timber in the "blown down district," explaining that it would be more economical to harvest all the timber at one time.

18. U.S. Congress, 59th Congress, 1st sess., 1906. House Doc. 287, 9.

19. P.L. 327, 28 June 1906; F. E. Leupp to Gifford Pinchot, 24 August 1906, Letters Sent and Reports of J. R. Farr, General Superintendent of Logging, Menominee Mills; Records of the Bureau of Indian Affairs, Record Group 75; National Archives—Great Lakes Branch; U.S. Cong., H. Rp. 7280, 59th Cong., 2d sess., 1907, 2-3.

20. While this characterization is generally accurate, it is also true that one member of the Menominee Business Committee, Weiskesit, was considered leader of the "pagan" Indians. He seems to have exerted very little influence, however, and may have been included for largely symbolic reasons. See *Hearings before the Joint Commission of the United States to Investigate Indian Affairs*, Part 8, Menominee Indian Reservation. 63d Cong., 2d. sess., Washington, D.C.: GPO, 1914, 775 (henceforth *Hearings*, 1914); Ourada, 122-23.

21. *Hearings*, Sen. Res. 263, 1910, 822, 856. The Interior Department approved Prickett's petition in 1911. See "Statement of Angus S. Nicholson, Superintendent of the Menominee Indian Reservation," Papers Concerning the United States Board of Indian Commissioners, collected by Mr. Edward Everett Ayer, 1913-1919, Newberry Library, Chicago, IL (henceforth referred to as Ayer Papers).

22. "Rules and Regulations for the Logging, Sawing, Hauling and Sale of Dead and Down Timber on the Menominee Reservation in the State of Wisconsin, as Provided for by Act of Congress, Public Law No. 327"; E. M. Griffith to F. E. Leupp, Commissioner of Indian Affairs, 2 October 1906; Records of the Forest Supervisor, Menominee Mills; Copies of Reports and Letters of E. M. Griffith, State Forester; Records of the Bureau of Indian Affairs, Record Group 75; National Archives—Great Lakes Branch.

23. Hoffman, 1896, 45; Louise Spindler, "Menominee," 713-14; Angus S. Nicholson, "The Menominee Indians Working Their Way," *The Red Man* 5:1 (September 1912): 20.

24. For more on the decline of the tribal council, see Hertzberg, 300.

25. E. M. Griffith to F. E. Leupp, Commissioner of Indian Affairs, 2 October 1906; Records of the Forest Supervisor, Menominee Mills; Copies of Reports and Letters of E. M. Griffith, State Forester; Records of the Bureau of Indian Affairs, Record Group 75; National Archives—Great Lakes Branch.

26. E. M. Griffith to Overton W. Price, Forest Service, 3 October 1906; Records of the Forest Supervisor, Menominee Mills; Copies of Reports and Letters of E. M. Griffith, State Forester; Records of the Bureau of Indian Affairs, Record Group 75; National Archives—Great Lakes Branch.

27. Hertzberg, 285.

28. J. A. Howarth, Jr., "Report on Logging in Recent Years on the Menominee Indian Reservation, Wisconsin (1907)," Records of the Forest Supervisor; Reports, Memoranda, and Letters of J. A. Howarth, Jr.; Records of the Bureau of Indian Affairs, Record Group 75; National Archives—Great Lakes Branch.

29. *Ibid.*

30. J. A. Howarth, Jr. to E. M. Griffith, 2 December 1907; Records of the Forest Supervisor; Reports, Memoranda, and Letters of J. A. Howarth, Jr.; Records of the Bureau of Indian Affairs, Record Group 75; National Archives—Great Lakes Branch. For the Ojibwa timber frauds, see Edmund J. Danziger, Jr., *The Chippewas of Lake Superior* (Norman: University of Oklahoma Press, 1978), 100–104.

31. J. A. Howarth, Jr., "Report on Logging in Recent Years," Records of the Forest Supervisor; Reports, Memoranda, and Letters of J. A. Howarth, Jr.; Records of the Bureau of Indian Affairs, Record Group 75; National Archives—Great Lakes Branch.

32. Hertzberg, 285.

33. *Ibid.*, 10.

34. J. R. Farr to Shepard Freeman, 10 June 1907, Letters Sent and Reports of J. R. Farr, General Superintendent of Logging, Menominee Mills; Records of the Bureau of Indian Affairs, Record Group 75; National Archives—Great Lakes Branch.

35. J. A. Howarth to E. M. Griffith, 2 December 1907; Records of the Forest Supervisor; Reports, Memoranda, and Letters of J. A. Howarth, Jr.; Records of the Bureau of Indian Affairs, Record Group 75; National Archives—Great Lakes Branch.

36. Hertzberg, 286–87.

37. John H. Hannon to F. H. Abbot, 18 November 1913. Ayer Papers; U.S. Congress, House, "Cutting Timber on the Menominee Indian Reservation," 16 March 1907, *Congressional Record*, 48, 3410–14; Public Law 74, Chapter iii, 60th Cong., 1st sess., *Statutes at Large*, vol. 35, No. 51 (1908); Hertzberg, 287; Ourada, 170.

38. Robert M. LaFollette, "Cutting and Sale of Timber on Menominee Indian Reservation, Wis.," Report to 59th Cong., 2d. sess. Senate Report 6669, 14 February 1907.

39. P.L. 74, 1908; John H. Hannon to F. H. Abbott, 18 November 1913, Ayer Papers, Newberry Library; Hertzberg, 287; Ourada, 170–71.

40. P.L. 74, 1908, 51.

41. *Hearings*, Sen. Res. 263, 1910, 857, 865; *Hearings*, 1914, 775.

42. Copy of the resolution of 26 June 1908, transmitted to M. Oshkenaniew by F. H. Abbott, Acting Commissioner of Indian Affairs, 25 April 1913, *Hearings*, 1914, 772.

43. *Hearings*, 1914, 775. Oshkenaniew and Prickett responded by attempting to convince the Senate Committee on Indian Affairs to reinstate the Menominee Business Committee, arguing that the whole affair was orchestrated by Freeman as a means of defeating the LaFollette Bill. After hearing testimony, however, Senator LaFollette refused to act, stating that the decision was an internal matter, best left up to the tribe. See *Hearings*, Sen. Res. 263, 1910, 872.

44. Hertzberg, 287; *Hearings*, 1914, 762.

45. Ourada, 172-73.
46. A. S. Nicholson to Ayer, 26 January 1914, Ayer Papers.
47. *Hearings*, 1914, 762-63.
48. A. S. Nicholson to Ayer, 26 January 1914, Ayer Papers; Barrow, Wade, Guthrie and Co., "Menominee Indian Mills, Report on Operations for the Period 1 April 1908 to 30 June 1934." Section 2, 1935; Records of the Bureau of Indian Affairs, Records of the Menominee Mills, R.G. 75; National Archives—Great Lakes Branch.
49. *Ibid.*; Keesing, 231.
50. ARCIA, 1909, 7, 56.
51. Nicholson, "The Menominee Indians. . .," 19; Keesing, 231; A. S. Nicholson, "Account of the Menominee Indian Mills with a brief statement from the Superintendent's last report," 1913, Ayer Papers, Newberry Library.
52. Keesing, 222; "Annual Report Fiscal Year Ending June 30, 1914," Ayer Papers, Newberry Library.
53. "Memorandum from Mr. Nicholson," Ayer Papers; Nicholson, "The Menominee Indians. . .," 19; "Annual Report Fiscal Year Ending June 30, 1914," Ayer Papers, Newberry Library.
54. Nicholson, "The Menominee Indians. . .," 23.
55. "Letter to the Senatorial Committee [concerning E. A. Braniff's management of Menominee logging and lumber mill]" signed by Peter LaMath, F. S. Gauthier, Reginald Oshkosh, Louis Keshena, Mose Tucker, and Thomas LaBell, 29 September 1909, in *Hearings*, Sen. Res. 263, 826-29; "Statement of August A. Breuninger [regarding charges of incompetence against E. A. Braniff]" in *Hearings*, 1914, 756-61.
56. Petition signed by forty-eight Menominees professing "no confidence in our superintendent" and requesting an immediate investigation, sent to Hon. Franklin K. Lane, secretary of the interior, 28 March 1913, *Hearings*, 1914, 772.
57. Petition, signed by twenty-four Menominees, to A. S. Nicholson, 21 February 1912, *Hearings*, 1914 779.
58. Reginald Oshkosh to A. S. Nicholson, 21 February 1912, *Hearings*, 1914, 779.
59. *Ibid.*, 780.
60. *Ibid.*, 781.
61. "Hearings, Menominee Indian Delegation, Before Commissioner of Indian Affairs," 26 February 1912, *Hearings*, 1914, 781-87; Mose Tucker, George McCall, and Weiskesit to Commissioner of Indian Affairs, 4 March 1912, *Hearings*, 1914, 787-90; "Hearings, Menominee Indian Delegation, Before Chief of the Land Division, Office of Indian Affairs," 9 March 1912, *Hearings*, 1914, 791-95.
62. "Statement of Reginald Oshkosh," *Hearings*, 1914, 793.
63. *Ibid.*, 773, 894-95.
64. Mitchell Oshkenaniew to Webster Ballinger, 6 September 1913, Ayer Papers, Newberry Library; Ballinger to Oshkenaniew, 11 September 1913, Ayer Papers.
65. Ballinger to Oshkenaniew, 11 September 1913, Ayer Papers.
66. D. F. Tyrrell to Cato Sells, 20 November 1913, Ayer Papers, Newberry Library.
67. *Ibid.*

68. Lawrence W. Towner, *An Uncommon Collection of Uncommon Collections: The Newberry Library* (Chicago: The Newberry Library, 1985), 20-21; F. H. Abbott to Edward E. Ayer, 3 November 1913, Ayer Papers, Newberry Library.

69. "Report of Mr. Edward E. Ayer on the Menominee Indian Reservation," January 1914, 7-8, 10, 18.

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