THE INDIAN AGENCIES AT PEORIA AND ROCK ISLAND

(A study in the Potwatomi and Sauk and Fox Indians)

BY

DOROTHY MASSEY

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THE FORSYTH PAPERS

Among the manuscripts in the Draper Collection are the personal papers of Thomas Forsyth, an Indian agent. These papers include three volumes concerned with the affairs of two agencies, one to the Potawatomi and the other to the Sauk and Fox, during the years 1812-1830; letters from the Superintendent of Indian Affairs, William Clark, and from Ninian Edwards; Indian agency accounts; Forsyth's official correspondence with the Secretary of War, and the Superintendent of Indian Affairs; the instructions and letters received by Forsyth; and an account of the manners and customs of the Sauk and Fox. Complementary to those in the Draper Collection are a set of letters of Forsyth to William Clark during the years 1811-32 in the Missouri Historical Society. Photostat copies of the originals are in the possession of the Wisconsin Historical Society. The Wisconsin Historical Society also has typewritten copies of the correspondence of Thomas Forsyth and William Clark selected from the Tesson Collection in the Missouri Historical Society.

Generally speaking, these papers are concerned with the administration of Indian affairs, Indian life and character of which Forsyth had considerable knowledge, fur trading conditions, and adjustments on the frontier.

These papers contain little concerning contemporary political progress or social adjustment. This is only natural because Forsyth, belonging as he did to the French-English trading period, was completely out of sympathy with the growing civilization in the West and had no conception of the American Indian policy as it developed during his years as Indian agent. He saw the Indian at all times from a trader's point of view.

I. Thomas Forsyth

Forsyth was born at Detroit, December 5, 1771. His father, William Forsyth, "a Scotch Irishman" came to New York from Blackwater, Ireland, in 1750. In 1759, he was at Quebec with Wolfe From there he was sent with his garrison to Detroit where he afterwards settled, kept a tavern, and engaged in the fur trade. There he married the widow Kinzie, mother of John H. Kinzie. William Forsyth is said to have befriended American prisoners during the Revolution and also to have been opposed to the British employing the Indians to fight against the Americans.[1] Thomas Forsyth was brought up in Detroit and received enough common school education to enable him later to carry on his public and private business. While still a young man, he engaged in the Indian trade. In 1793, he left Detroit with John Kinzie, who was a trader, with whom he remained fifteen months. He continued at the trade with a Scotch merchant named named Sharp. Forsyth wintered several seasons on

Draper Mss., 22S,99

Saginaw Bay and as early as 1798 wintered on an island in the Mississippi River. By this time, he had gone into business for himself. For several years, he traded with the Indians west of the Mississippi.[2] In 1802, he had established a trading post at Chicago in partnership with John Kinzie and Robert Forsyth. In 1804, they established a trading post at Peoria and Forsyth was placed in charge of the establishment there.[3] An examination of the actual details of the trader's life at Peoria helps in an understanding of Forsyth's later attitude in Indian affairs.

At this time, no one felt that the Indian title had been extinguished in Illinois. By special consideration, the group of French Canadians around Peoria did hold title to their property. When Forsyth came there, the village consisted of about eighteen or twenty families, all French or mixed blood. Most of the inhabitants were traders, voyageurs, or boatmen. Peoria was a strategic trading post, for the abundance of fish and game made it possible for unusually large numbers of Indians to live in this section of the country. It was on the edge of the frontier, two hundred miles from any settlement, and formed a connecting link between the settlements on the Mississippi and Canada. The people of Peoria had no allegiance to

[2] Reynold's Pioneer History of Illinois (Chicago, 1887) P.248.

[3] Draper Manuscripts, 22S102

any government and no law except their own village ordinances. The article was written in 1831, but the traders gave credit to the Indians in 1831 in the same manner as had been the case for the last sixty or eighty years. That is, articles which are passed on credit are given at very high prices. Formerly, when opposition and competition in Indian trade were great, traders would sell in the spring of the year, payment down, for less than a half of prices at which they charged the same articles to the same Indians on credit the preceding autumn. This was sometimes the occasion of broils and quarrels between traders and Indians particularly when the latter made a bad hunt. The following are prices charged for some articles given on credit to Sauk and Fox Indians who are compelled to take goods of the trader at their very high prices because they cannot do without them, for if traders do not supply their necessary wants and enable them to support themselves, they would literally starve. An Indian takes on credit from the trader in the autumn, a three point blanket at ten dollars, the cost of which in England was ₱3.52, a rifle gun at $30.00, -cost ₱13.00, a pound of gunpowder at ₱4.00, cost ₱00.20. The Indian thus pays forty four dollars for goods worth ₱16.72 and with 25% added for expenses, ₱20.90. If the Indian pays all of his debts, the trader is a gainer of more than 100%. But it must be here observed that the trader takes for ₱1.00 a large buckskin which may

weigh six pounds, seventy two doeskins, four muskrats, four or five racoons,-or he allows the Indian $3.00 for an otter skin, or $2.00 a pound for beaver. In my opinion, the dollar which the trader receives of the Indian is not established too high at $1.25 and perhaps in some instances at $1.50. In the spring, the trader lowers the price on all goods and will sell a three point blanket for $5.00 and other articles in proportion, as he receives the furs down on payment, as the Indian always reserves the finest and best furs for the spring trade. In the autumn, the trader carefully avoids giving credit to Indians on any costly articles, such as silverworks, wampum, scarlet cloth, and fine bridles, unless he knows the Indian will pay all of his debts, in which case, he allows the Indian on credit everything he wishes. Traders always prefer giving on credit gunpowder, flint, lead, knives, tomahawks, hoes, domestic cloth, at the rate of three or four hundred percent and if one quarter of the prices of these articles be paid, he is amply paid. After all the trade is over in the spring, it is found that some Indians have paid all for which they were credited, others one half, one quarter, and one third. The trader has received on an average one half of the whole of the amount of Indian dollars for which he gave credit the preceding autumn, and calls it tolerable business, that is, if furs bear a good price, the trader loses nothing, but if there is any fall in prices, he

loses money." [5]

The system described above thus safeguarded the traders from the vagaries of the Indian trade and suited the Indians in as far as they understood it. The difficulty was that the Indians did not understand the difference between debit and credit. They were perfectly willing to exchange a season's hunt for a season's outfit but they did not understand that a season's hunt might not be worth a season's outfit. And it later came to be the custom for the traders to claim a large amount of the Indian annuities for debts due them for the non-payment of credits given to the Indians at different periods,-a practice Forsyth as Indian agent bitterly denounced.

The British controlled the fur trade of the North West until after the War of 1812. Down until 1796 when the military posts were surrendered, Americans were excluded from the fur trade in the North West. Forsyth kept his allegiance to Great Britain down to that year. From that time on, it is difficult to say what his position was. His enemies always claimed he was under British influence, His son, Robert, when questioned by Dr. Draper thought that his father was a secret agent of the United States from about the time he located in Peoria in 1804 and thought it very likely that to be useful to the United States, his father had to feign friendship for the British.[6] He undoubtedly kept on good terms with the British at least down to 1812, for with the commerce

[5] Draper Manuscript, 6T-152

[6] Ibid, 22,S,99

of the Northwest in the hands of British traders operating from Canada, he would have to get his goods from one of the mercantile houses in Canada.

The main distributing center for the fur trade was at Montreal, but there were branches at Michilimakinac and Detroit and it is probable that he obtained most of his goods for the Indian trade at the latter place.[7] The important articles of the trade were guns, powder, and shot, but there were also manufactured goods such as blankets, cotton cloth, kettles, knives, boots, blankets, looking-glasses, beads, and armbands that Great Britain manufactured especially for the trade. The peltries that he obtained in exchange for his goods he disposed of at Detroit, either in the open market or to the outfitter from whom he had received his goods on credit in the fall, and the outfitter shipped them to Montreal.

One of the features of the fur trade was its adaptability to monopoly. By 1798, the Hudson Bay Company had destroyed the competition of the small traders. It kept pushing them further and further back and undoubtedly accounts for Forsyth's establishing himself down in the Illinois country. There had always been intense rivalry between different trading establishments in the Indian country. When these small traders were pushed out, they transferred this hatred to the big monopolies.

[7] W. E. Stevens' "Origin of the British Fur Trade." in Mississippi Valley Historical Review, III, P.179.

At St. Louis, a group of private merchants to which Manuel Lisa, William Clark, and Auguste Chouteau belonged, fought the great monopolies, the Hudson Bay Company, and later the American Fur Company. It was this group that encouraged individual trade with the Indians. It is during this period, 1804-1812, that Forsyth , while continuing his connection at Detroit, was establishing trading, economic, and political connections with this St. Louis group.

The extent of Forsyth's establishment at Peoria may be deduced from a copy of the losses by fire sustained by Kinzie and Forsyth in 1812 at Peoria. The entire loss estimated at $1,184.50 covered most of his personal property. The list is interesting in that it gives some conception of what an average trader would possess. The house in which he lived, sixty feet long and eighteen feet wide, was valued at $400. The furniture consisted of two cupboards, valued at $20; three tables valued at $12; seven chairs valued at $7; one bedstead at $4; one common desk at $12; one small bedstead at $2. The livestock included two horses at $100, one pair of oxen at $60, seventeen cows, calves and heifers and one bull at $198, forty fowls at $10. The tools listed were one grindstone at $3, two axes, one round adze at $2, one hoe, $1, one hammer, $.50; two drawing knives, one open knife, one broad ax, $2, one large gimlet, $.50, one log chain, $5, one grindstone, $3. The vehicles were one old sled, $2; one ox yoke, $2; one oxcart, $4;

one pair of cart wheels, $50; five pack saddles $5. There was also one plough. The miscellaneous household furnishings were not so extensive. There were two teapots, one churn, one brass sieve, one crock of hog lard, one knife box, twelve forks, one old mattress, and one quire of writing paper, 50cents. There was also one large black tin tea kettle, valued at $5.00. Then there were all sizes and conditions of kettles, copper and tin. The provisions destroyed consisted of ten bushels of corn, $20; one hundred pounds of tallow, $10; forty pounds of beeswax, $5; forty pounds of bacon, $5; twenty-four pounds of maple sugar, $4; one crock of hog lard, $1; one keg containing eighty-nine gallons of whiskey, $16; and one and a half acres of corn and potatoes.

Few articles belonging obviously to the Indian trade were listed. Apparently, he kept just a few things such as earbobs and moccasins on hand through the summer months.[8]

The men entrusted with administration in the territories were not insensible to the power of these Indian traders. In 1811, Governor Edwards appointed Forsyth as Justice of the Peace for the village of Peoria.[9] In that same year, Willaim Clark is found corresponding with Frosyth over the state of affairs at Peoria which was in the heart of numerous nations of Indians. Forsyth's letter to Clark written on November 1, 1811, gives the first hint that

[8] Tesson Collection of Manuscript, 44

[9] Draper Manuscript, 6T-175

Forsyth is angling for an appointment as sub-agent to the "Potawatami.[10] The letter is as follows,

"When in St. Louis, I mentioned to you about the agency. Should you think it proper to appoint a person here, I flatter myself that I am as capable as any in all this country as I speak the Potawatomie language and am acquainted with the neighboring nations and may say that I have some influence among the Potawatomie and many of the leading characters are partially attached to me, and I am very well acquainted with the geography of the country and manners and customs of the Indians. If you will endeavor to get me the appointment, I will do my duty." [11]

Clark, who had been appointed agent of Indian Affairs at St. Louis in 1811, was endeavoring to get appointed as agents at the most vital places men who had influence with the Indians,-realizing that in case of war, the Indians would take the part of those with whom they traded.

In May of 1812, arrangements were under way for Forsyth's appointment. Forsyth wrote to Clark on the 27th of May that he had been to see Governor Edwards on the subject of his appointment as agent and that he had received Clark's letter on the subject but that he could not accept until he got his partner J. Kinzie's concurrence. He demanded $600 a year and three rations a day, instead of the $400 a year and one ration a day that he had been offered on the grounds that it was impossible for any agent to refuse a piece of

10. Draper Manuscripts, 6T PP.171 & 172

11. Ibid 6T pp 172

bread to an Indian when he came to his house, that is, if he wished to cultivate their friendship. He was also staying in Peoria that summer at the request of Governor Edwards although commercial transactions called him very much to Detroit.[12]

Forsyth received his appointment that month. In order to appreciate the position Forsyth found himself in as Indian agent, it is necessary to consider the official view of Indian relations and the role the Indian agent played in Indian affairs.

POLITICAL RELATIONS WITH THE INDIANS DURING THE WAR OF 1812

The years of 1812 to 1816 mark a transition period in our relations with the Indians. During the war, official relations were still a matter for diplomacy. Not until after the war, do they become a domestic problem. For until 1816, the Indian was more or less actively protecting his claim to the lands either as an united confederation against the United State, 1810-1812, or in alliance with Great Britain during the war between that country and the United States.

The subject of Indian relations had been one of the many problems pressing upon the new government for solution, a problem which was difficult to meet, because the relation involved contact with an inferior civilization

12 Tesson Collection, Manuscript 2.I

that did not fit in with the accepted theories of the Revolution, and was one that required more than philosophical generalizations to settle. The following statement of John Quincy Adams is an example of the generally accepted view of the situation at Washington.

"The principle of the first settlers in paying for the Indian lands the United States adopted and organized into a political system. Under that system, the Indians resident in the United States are independent in so far as they live under their own customs and not under the laws of the United States."[13]

As to rights to the land, whenever they would form settlements and cultivate the land, their possession always is respected by the United States, and undoubtedly always will be. The greater part of the Indians can never be prevailed upon to be civilized, their habits and attachments and prejudices are so averse to any settlements that they will always be hunters. It is impossible for such people to be said to have possessions.[14] Their only right to the land is the right to use it an hunting grounds, and when the lands where they hunt become necessary or convenient for the purpose of settlement, the solution adopted by the United States is an amicable arrangement with them for renouncing the right of hunting upon them, and for removing

[13] The Writings of J. Q. Adams, ed. by Worthington C. Ford, 17 Vols, New York, 1913, Vol.V, P.122

[14] Memoirs of J. Q. Adams, ed. C. F. Adams, 12 Vols, Phila., 1874, III.P.27

to remoter regions better suited to their purposes and mode of life.[15] They are dependent in so far as not to have any right to dispose of their lands to any private persons, or to any power other than the United States, and to be under their protection alone and not under that of any other power.[16]"

"This system of the United States is an improvement upon all former practices of all European nations. Between it, and taking the lands for nothing or exterminating the Indians who had used them, there is no alternative. To condemn vast regions of territory to perpetual barrenness and solitude that a few hundred savages may find wild beasts to hunt upon it, is a species of game preserve not to be endured. It is the moral and religious duty of a nation to settle, cultivate, and improve their territory,-a principle perfectly recognized by the law of nations,- and it is impossible to check its progress by a bond of paper purporting to exclude posterity from its natural means of subsistence."[17]

Thomas Jefferson on this same subject expressed the opinion,"If a country is thinly occupied by another nation, the right of this nation must be respected. But the United States in this case has the exclusive privilege of acquiring the native right by purchase or other just means.

[15] Memoirs of J. Q. Adams, Ed.C.F. Adams, Vol.III,P.28

[16] Writings of J. Q. Adams, Ed. W. C. Ford, Vol.V,P.122

[17] Memoirs of J. Q. Adams, Ed.C.F. Adams, Vol.III,P.28

This is called the right of preemption and is becoming a principle of the law of nations."[18]

James Madison felt "that it was the unqualified right of a civilized people to land used by peoples in the hunter state on the principle that the earth was intended for those who make it most conducive to sustenance and the increase of the human race."[19] Madison felt, too, that the United States would be able to obtain by just means everything from the Indians just as fast as public interest required.[20]

The situation thus produced was an anomaly in government,-for independent powers within the limits of others claiming sovereign jurisdiction were given to the Indians.[21] The result was that the United States treated the Indian tribes as independent powers when it was convenient, or suited its purpose; for example, in the making of treaties, the Indian was treated as any independent power would have been, and a treaty similar to one made with any foreign power was drawn up. On the other hand, it was not assumed by the United States that they were independent in their foreign relations.

Moreover, none of the compacts made and duly

[18] Writings of Thomas Jefferson, Ed. Paul Leicester Ford, (9 vols., New York, 1899) Vol.V, P.166

[19] Writings of James Madison, III, P.55

[20] Ibid, P.55

[21] Thwaites, R. G., Early Western Travel, (Cleveland 1907) Vol.XX, P.300

ratified by the United States Senate were ever considered more than temporary expedients. There was no doubt in the minds of the American people that the Indian in the working of natural circumstances ought to go and would go, but they did want the process to be as painless as possible, and conducted with all the benevolence becoming an enlightened, powerful nation.

The Indian policy, therefore, in addition, to providing for military protection of the frontier against Indian invasion and establishing trading houses to supply the wants of the Indians and free them from foreign influence, as part of the idea of benevolence, sent Indian agents out to live in or near the Indian settlements, entrusted with carrying on political relations with the Indian tribes. These agents were to cultivate peace, confidence and affection, and protect the Indian against wrongs from the whites, humanize their minds, and instruct them in such of the acts of civilized life as they were capable of receiving.[22]

The government had early in its career conceived the idea of establishing among the Indians, agents of respectable character, who would possess the opportunity, and most likely the power, of regulating events as they should arise, who would acquire a knowledge of the character of the most important chiefs and the proper modes of managing

[22] American State Papers, Foreign and Indian Affairs, (2 vols., Washington, 1832,) Vol.I, P.65.

them. These agents were to act purely in the mutual interests of the United States and the Indians.[23] Many of the early Indian treaties made provision for the maintenance of white men among the Indians theoretically for their benefit. Persistent effort was made to convince the Indians that such representatives were sent entirely for their benefit and that the appointment was really a great favor to the Indian. And on the whole, the Indians were inclined to look upon the appointment of the white man as their agent as an honor to them, because they recognized the superiority of the white race and because it was convenient to have an officer able to transmit their complaints to the President.[24]

They were not connected in any way with the factory system, nor did the superintendent of Indian trade have any intercourse with them, except in so far as he was directed by the War Department to forward supplies stipulated for by treaty or presents when they were to be made.[25] In 1793, a law authorizing the appointment of Indian agents to reside among the Indians as protectors and friends was discussed and instructions were given to obtain the permission of the Northwest tribes for them.[26] This meant that their status depended largely upon the agreement made with the particular tribe. In 1794, the Secretary of War recommended

[23] American State Papers, Indian Affairs, Vol.I,P.5.

[24] Ibid, Vol. II P.143

[25] Ibid, Vol. II, P.264

[26] Ibid, Vol.I, P.340.

to Congress that agents be appointed to reside in the Indian towns.[27]

The next reference to the progress of the institution of Indian agencies was in a letter to Governor St Clair written in 1800, which gives the following information. "Through the instrumentality of resident agents, it is hoped to render the visits of the Indians to the seat of government less frequent and to extend the influence of the United States within these nations. The system which begins to operate sensibly and satisfactorily, while it aimsat bettering their moral and physical condition, also has a direct tendency to bring them within a narrower compass and places them more perfectly under the management and control of the United States. Agents competent in the work are obliged to reside constantly within the Indian nations and have fixed allowances and receive instructions from the Secretary of War. Agents annually or oftener return estimates of articles wanted in agencies which, if approved, are purchased either at the seat of government or wherever convenient and transmitted for distribution.[28]

Information is difficult to find as to exactly what were the powers and duties of the Indian agent, and apparently the people connected with the system had the

[27] American State Papers, Indian Affairs, Vol.I, P.645

[28] Ibid, P.645

same difficulty for inreading a report made in 1816, to the Senate by Ninian Edwards, Governor of Illinois Territory, I came across the following statement: "The powers and duties of superintendents of Indian affairs and all other subordinate agents are very imperfectly defined by any statute law that I have seen, and if there be any common law upon the subject, it is difficult to ascertain what it is. In the law to regulate trade and intercourse with the Indians and to preserve peace on the frontier, the only powers granted to the superintendent are (1) to grant licenses to traders, in which he has no other discretion than to judge of the sufficiency of the security required, (2) to revoke such licenses for a transgression of the regulations and restrictions provided for the government of trade and intercourse with the Indian tribes, (3) to bring suit upon such bonds as he may have taken for the breach of any condition therein contained, (4) to grant licenses to purchase horses in he Indian country,(5) under directions or instructions of the President of the United States to demand satisfaction for wrongs done by the Indians. As to Indian agents, the law is perfectly silent with regard to the powers and duties of them, of superintendents in relation to them, and really I have been much at a loss to know what order I could legally give to those who have been directed to report to me and receive my orders, but in general, I have been governed more by what I conceived would conciliate the Indians and promote their happiness and advance the interests of the govern-

ment, than by any rule expressly or constructivly prescribed by law.[29]

Little practical thought was expended on constructing a machinery to carry out the policy. And even if they had been inclined to think out the details of a system, there were not the necessary facts or information as to the existing situation on which to construct a really workable plan. Furthermore, the problem was not one that would readily be reduced to a general rule. The objection made by Mr. Eustis, Secretary of War, to the location of Indian affairs in the War Department was that almost every case had to be considered on its own merits and decided by special rules. The system that naturally resulted from such conditions was a disjointed, decentralized, inefficient affair that came far from carrying out the intention of the policy the government evolved.

As early as 1816, the defects of the system were evident to everyone connected with it, and when the Senate called for a report from the Secretary of War, Governors of territories, Agents, and Sub-agents, as to the state of Indian affairs, there was a hearty response. From this material I tried to reconstruct the mechanics of the system.

The administration of Indian affairs had been assigned in 1789 to the newly created War Department, but not

[29] American State Papers, Indian Affairs, Vol.II, P.63.

until much later was the administrative work taken up. Crawford, the Secretary of War, in his report as to the state of Indian affairs explains the War Department's connection with the Indian agents. "The accounts of the government for the several tribes in amity with us are still returned and settled in the War Depaatment. From the payment of annuities to various Indian tribes within the United States, a new species of jurisprudence has sprung up which operates as a heavy tax upon the time of the Secretary of War. All losses of property by American citizens from robberies, thefts, and depredations of the tribes are remunerated out of the annuities payable to them. Evidence in all these cases is extra-judicial and requires the examination and approbation of the Secretary before remuneration can be made.[30] The complaints demanding redress were first brought to the agent, usually badly stated: no legal testimonyfor Indians by our institutions were prohibited from taking oath. They were then taken up by the agent and decided on by a self_created judicial procedure and this opinion was then transmitted to the Secretary of War, who re-examined the case and passed on it. This was the only method to follow, clumsy and round about as it was, for scarcely any of the complaints would have been sustained in a court of law.[31] Presents which are made to them, allowances, settlements by the government, every disbursement of money

[30] American State Papers, Indian Affairs, II, P.67

[31] Ibid, II, P.86

connected with the Indians, except in the preservation of trade with them, has to receive the special sanction of the head of this department. The duties incumbent upon this officer resulting from the control of the Indian department are so multifarious, so impossible to be reduced within general regulations, that a considerable portion of his time is necessarily devoted to them."[32]

The governors of the territories were ex-officio connected with the system as superintendents of Indian affairs and had the administration of all relations with the Indians in their respective territories. They called upon the agents for any information that might be necessary for ascertaining any fact or circumstance relative to said Indians. They gave the Indian agents such instructions and advice as might be necessary, and not in compatible with the laws and instructions given under the immediate direction of the President of the United States. Agents were to correspond with the governors of territories and communicate generally with the war department through that channel and consider themselves under the general direction of the governor.

Not only were the relations between the governors and their subordinates left undefined, but there was a further difficulty described by Edwards in his report. "As superintendent of Indian Affairs, by virtue of my office as governor, it would seem my duties and powers should extend to all the Indians within the limits of my territory,

[32] American State Papers, Indian Affairs, II, P.67,

yet a coordinate power in some cases and exclusive in others has been exercised by the Governor of Missouri Territory. The agent at Prairie du Chien resides within this territory, yet submits his accounts to Governor Clark. Forsyth the sub-agent at Peoria is instructed to report to and receive orders from Governor Clark. Under these circumstances, exercise of coordinating powers by Clark and myself according to the dictates of our respective judgments render us liable to counteract each other in cases in which our views and opinions were different and in other cases unnecessarily multiplies the expenses of the Government by both of us pursuing the same objects when measures adopted by one might have been sufficient. Although the mutual friendship and good understanding that have constantly existed between us have prevented any very unpleasant collisions, yet it can hardly be supposed that we have always thought exactly alike upon all subjects that were connected with our respective duties. It is my opinion that each superintendent of Indian affairs within his respective territory should in all cases be the responsible head of the Indian department therein, that all other agents should be subordinate to him, and that their accounts should undergo his examination and receive his sanction.

The delivery of annuities to Indians of one territory by the Governor of another is calculated to produce a conflict of authority and has a tendency to lessen the influence of the superintendent within whose jurisdiction they reside by putting it out of his power to retain any part of the annuities

even in those cases in which the law would justify it and diminishes the respect which they would otherwise be held in, and destroys the check which it is essential should be held over the Indians to restrain them form the commission of acts of injustice or to coerce them after such acts shall have been perpetrated.

The Sauks receive annuities from the Governor of Missouri, yet he has no cognizance of any offences committed by them. Every demand for satisfaction must be made by me as superintendent within whose jurisdiction they reside, and with the best disposition to cooperate, cases might happen in which it would be impossible for me to communicate in time the most important information, information for the want of which, annuities might be delivered when, according to the spirit and intention of the law they ought to be withheld. In losing all control over annuities, I lose the most efficient engine with which to manage them, whilst the whole burden of that duty rests upon me exclusively. Such a system is too complex for Indian comprehension. Management to be successful ought to be simple and perfectly uniform. Powers and duties of superintendent of Indian affairs and all other subordinate agents are too limited for any real utility."[33]

Judging from the evidence, one gathers that the application of the policy depended on the individual

[33]American State Papers, Indian Affairs, II, P 62.

agent and that it was left largely to his discretion. In turning to the reports of the agents, I found an element of concreteness and reality that was entirely missing in the theories and ideas of the government. The Indian agent held no sentimental view of the Indian. To him, the Indian was a practical problem His experience in a country surrounded by Indians had familiarized him with Indian habits and mode of life. In addition, many of the agents had been Indian traders sometime in their career and had thus gained an intimate knowledge of Indian character which was extremely valuable to them as agents. Their commercial training and instincts made them realize the importance of the incidental little things in the mind of the Indian. They saw the effect of little civilities, the importance of presents, things that the government did not reckon with. For instance, in the laws concerning the Indians, there was no provision for presents. Yet it was an all important custom and one that had to be observed, if a negotiation was to be successful. They knew how to play upon the Indian weakness for attention and novelty and had a natural technique that was vastly superior to anything that the government could have worked out. Fortunately, the Indian agent was better fitted for the position he filled in the Indian department than the others connected with it.

The only difference between agents and sub-agents was a matter of salary and position. An officer sent to one place might be called an agent while a person sent to another place might be listed as a sub-agent and paid about

one half as much as an agent, although he seems to have had about the same duties to perform. Originally, they were provided as assistants to agents but they soon came to have special posts assigned them where they became virtually independent in their administration of affairs. Like the agent, they reported to the superintendent and the Secretary of War. Such was the system that Thomas Forsyth found himself connected with when he received his appointment in 1812.

Whatever Forsyth's connection with the government may have been before 1812, throughout the war he was useful in furnishing information to the federal government, protecting the few settlers, and keeping the Potawatomi neutral. At outbreak of war, Potawatomi were lukewarm in their enthusiasm for the British, and several of the chiefs were in favor of maintaining friendly relations with the Americans.

The Potawatomi, numbering about 2500 souls, located east of the Rock River and around the south bend of Lake Michigan, were in a position to take advantage of any circumstance that might turn up. They were the nearest Indians to the white settlements, and Fort Edwards and Peoria marked the northermost line over which the Americans were able to claim control on the Illinois frontier.

The town of Peoria suffered right at the beginning of 1812 and at the hands of the Americans. Governor Edwards had prepared two expeditions in that year for the invasion of the Illinois valley, one under himself and one under Captain Craig. Captain Craig found Peoria practically deserted by

its citizens, French Canadians, and Forsyth, and thinking that all the property left appeared like an entire loss to its owners, appropriated it. Upon Forsyth's return trouble ensued. One morning, Craig's boats were fired upon by some unknown party and upon the slimmest of evidence the people of Peoria were adjudged guilty and their town was plundered and burned and about fory of the Inhabitants were carried away as prisoners. They were later released and Edwards gave compensation for their losses out ofthe Indian funds. Shortly after occurred the massacre at Chicago, and again Forsyth suffered considerable loss by destruction of his property.[34]

The territory that Forsyth operated in was hostile, or, to be exact, was in the hands of Indians who might veer with the winds. None of the Indian title had been extinguished at this time in Illinois. As might be expected, Forsyth's reports and letters up to 1816 gave very little information as to the normal routine at an Indian agency, for the war occupied his attention, and the extra duties incumbent upon him during the war completely obscure the ordinary routine. He probably,as far as possible, followed the order of assisting in the extinguishment of land titles, delivering presents and annuities, representing the Indian grievances and complaints, and in general whitewashing the sepulcre. Duties connected with the war were more engrossing and it is thisside of the picture that is stressed in these earlier letters.

[34] Wisconsin Historical Collection, Madison, 1903, II,351.

The Indian agent was expected to cooperate with the army not only in alleviating conditions on both sides due to war, but actually rendered service in the prosecution of the war. This relation with the army was only a temporary one, for the usual state of affairs between the Indian agent and the army was not one of cooperation or amicability. Indeed, one of Forsyth's constant complaints to the authorites was that the action of the commanding officer in refusing to allow Indians within the fort to converse greatly impeded the making or keeping of good relations, for especially in bad weather, it was difficult to carry on in the open air, the long and deliberate talks and smokes so necessary inany discussion with the Indians.[35]

During the first months of the war, the defence of the frontier was left to the ingenuity of the territorial governors. In May, 1813, the United States was divided into nine military districts. The eighth was placed under Harrison included Kentucky, Ohio, Indiana, Illinois, Missouri, and Michigan. The sub-district, including Illinois and Missouri was placed in charge of Brigadier General Howard. Whether under the command of Edwards or Howard, the army during the first year of the war had to rely upon the Indian agent to go among the Indians and procure information concerning the movements of the hostile tribes and the British, for the Indians served the United States as the medium of information concerning British movements. There was no one but the Indian agent

35 Draper Manuscripts, 4, T, 6.

who could go among the Indians and collect the information.

The type of information an agent was expected to collect and its importance can be seen readily in the instructions sent to Forsyth.

General Howard, in writing to Forsyth, says," The main object is to find out where the hostile Indians are going to fix their villages, their plan of operation for the coming year, the extent of their supplies, ammunition, probable number at each village, the situation of their villages, particularly as to each other, and the routes from one to the other." He goes on to say, "I wish the knowledge to be so clear on the subject that we could with precision conduct an army to any required point."[36]

And in a letter from Ninian Edwards,"You will collect all geographical and topographical information in your power,-anything relative to the Indian to facilitate the General in attacking them".[37]

By William Clark, Forsyth was requested "to procure through such channels as he might find practical every species of information relative to situation, objects, views, and intentions of the different tribes in Illinois and to communicate all such information to the executives of adjoining territories."[38]

[36] Draper Manuscripts, 1-T-14

[37] Ibid, 1-T-19

[38] Ibid, 1-T-9

Ninian Edwards in a letter to Forsyth in January, 1813, relative to the Indian situation said,"all the different tribes view our increase of population and nearness to their villages and hunting grounds with a jealous eye, and are predisposed to hostility. I make no calculation on their friendship and rely only on the policy of terrorizing them. I rely on your vigil and exertions at the present time and wish you to obtain most minute information concerning their activites. Remember always to test the sincerity of apparently friendly Indians."[39]

By 1814, a new policy had been instituted, for by this time, as Ninian Edwards wrote to Forsyth, "experience has finally convinced us that there can be no neutrality with savages in the vicinity of fighting forces,-we have found them faithless in their promises, so it has become equally our interest and duty to adopt new measures. You will, therefore, use your utmost exertions to engage them in war,-you will insist upon them striking a blow upon some of our enemies as a proof of the sincerity of any of their promises. Endeavor to convince them of the justice of the views of the government in regard to them, remove all their jealousies about our cupidity for their lands. Press upon them the late overtures of the British for peace and the probability of that event. Oblige them to take up the tomahawk on one side or the other. Any reasonable expense that you may incur in getting them

[39] Draper Manuscripts, 1-T-14

to strike a blow upon the enemy will be paid by the government. Promise them that they shall be provided with ammunition."[40]

Forsyth's reply to these instructions is interesting because it shows the other side of the story. "According to instructions, I sent for Gomo and the other chiefs and informed them of the necessity of striking a blow against our enemies. Gomo says it is impossible to make war with tomahawks,-and as for the second article of the treaty, which obliges them to take up tomahawks on our side, which I was to remind them of, Gomo says he knows nothing about it."[41]

Another one of the duties falling on the Indian agent was the forwarding of dispatches from one commander to another by medium of Indians. He was left to select the messenger, devise the details of the expedition, and then decide on the reliability of the information they might collect.

It would seem that the agent was acting solely in the interests of the United States and that the benevolent aspect had been totally forgotten. However, there is another side to the affair. The policy of making the Indian economically dependent on the whites had succeeded so well by this time that providing for the Indian was one of the big problems to be met. It was especially important during the war because otherwise the Indians would visit the British posts.

- 40 Draper Manuscripts, 1-T-27

41 Ibid, 4-T-5

Forsyth explained the situation to Governor Edwards in a letter. "It will soon be time for the Indians to move off to their wintering places. In that case, I cannot see how the Potawatomi can commence their hunt as they receive no presents, can get no credits, and haven't anything to purchase ammunition to commence hunting. They are surrounded by Indians who receive presents from us and the British and must and will be obliged to visit the enemy at Green Bay. Presents are very tempting to Indians particularly to those who are naked, for I can assure you that I never saw Indians so much in want of everything as the Potawatomi of Illinois. They do not have a pound of gunpowder and the British know of the condition and will no doubt soon make an offer of presents to them.[42] That the British were perfectly aware of the situation can be seen in a report of Dickson, the British agent, operating in and around Prairie du Chien, for he speaks of being obliged to feed people for forty miles around for if he hadn't, one-half of the Indians would have perished.[43]

Forsyth spent much of his time and energy combatting British influence, for he too held the popular conviction that the British government was directly inciting the Indians to revolt not only during the war, but both before and after it.

[42] Draper Manuscripts, 4-T-9

[43] Wisconsin Historical Collections, Madison, 1888, XI,211.

He was thoroughly convinced that the British had been in league with the Indians prior to the war and gives as an instance, a council fire at Brownstown in which he claims that the British were at the head of a confederation of the Shawnees, Delawares, Wyandots, Miamis, Chippewas, Ottawas, and Potawatomi. His proof is a piece of wampum in which the arrangement of the colors proves to his mind at least the validity of his statement. He also says that the British government was always represented at the council fire by their Indianagents who were most generally accompanied by a military officer. William Clark however was not inclined to credit the existence of any such confederation, and observed that no other agent but Forsyth knew anything about it. To this statement, Forsyth retorted,"that there is more besides that the Indian agents do not know, and if I had included Clark in it, I should have done right, for in Indian affairs, Clark is a perfect ignoramus. But he is superintendent, and can do no wrong." This is rather typical of the frontier attitude.[44]

The British were anxious to keep control of the fur trade and no doubt sought to keep the Indians united and under their guardianship, but there is no proof of a policy of the Home Government to incite the Indians to war on the Americans, as almost every American fondly believed. The Americans realized the hostility of the Indians but instead of accounting for it by the natural hostility of the Indian

[44] Draper Mss., 9T 11

toward the American with his desire to seize by force or fraud the Indian land, or wishing perhaps to cover this up, attributed it to British influence. The fact that the British succeeded often where the American failed only pointed to undue influence.

Forsyth paid the British system the sincere compliment of imitation, and counseled the United States government that it would do well to incorporate into their system the superior points of the British system. For example, "The British gave to all the officers of their Indian department a military brevet rank and caused them to wear military insignia." Giving agents military rank, he felt had its advantages in that it made all the measures uniform, and military rank added greatly to the importance of the agent in the Indians' view. It also obviated in some measure what the United States had experienced much embarrassment from,- the powers of an Indian agent in neighborhood of a military post in relation to the commanding officer not being clearly defined.[45] British agents were required to be able to speak some one of the Indian languages, which meant that they were acquainted with the manners and customs of the Indians to some degree.

The personnel were more carefully chosen, and a speciality was made of Indian goods far superior in quality to those sent out by the United States government. The goods sent out by the United States never compared in value with the British goods, and placed the American agents under a handicap.

[45] American State Papers, Indian Affairs, II, P.184

That the British agents had their own trials, even working under a "perfect" system, is evident from a letter written by Colonel M'Donall on the subject of Indians. "Indians despise the idea of receiving orders from an officer that does not hold a blanket in one hand and a piece of pork in the other to pay them to listen to what we may have to say, audaciously saying they are under no obligations to us but that they themselves preserved the country. The moment they finish pillaging and get their share of the prize, they march off. A man having to do with Indians is certainly more tormented than if in the infernal regions."[46]

The treaty signed at the close of the War put an end to British influence and provided for the termination of Indian hostilities. The American delegates went to the peace negotiations with no instructions as to the Indian question. The United States had avowedly gone to war over maritime rights and now refused to consider the question of Indian boundaries,- the British instructions called for the admission of the Indians as their allies, and as independent nations, to a part in the general pacification, sine qua non, and proposed that an independent Indian state with definite and inviolable boundaries be erected. An extra demand was made that the line established by the treaty of Greenville in 1795 between the Indian hunting grounds and the white settlements be made permanent. The British felt that the agressive spirit of the United States

46 Wisconsin Historical Collections, XI. P.265

in encroaching upon the Indian lands and the declared purpose to conquer Canada made such a discussion apropos.

The result was that the issues that gave rise to the war were practically dismissed from the discussion and for two months the negotiations hinged upon the Indian question and the northern boundary line.[47] This had not been anticipated by the American commissioners who had come to Ghent quite unprepared to include the Indians in the general pacification. The Americans refused to recede from the position, that, in so far as the outside world was concerned, the Indians were subjects of the country in which they resided, be it Canada or the United States.[48] Several times, the Indian question came near producing a complete rupture of the negotiations, but a compromise was finally reached,- whereby the Americans offered to grant amnesty to all the Indians who had taken arms against the United States, and the British dropped the idea of a buffer state.

Accordingly, in the summer and early autumn of 1815, sixteen separate treaties were signed with the Indians. These treaties placed things in every respect on the same footing upon which they stood before the war and agreed that every injury or act of hostility by either of the contracting parties against the other should be mutually forgiven and forgotten. They also recognized, reestablished, and confirmed

47 Abel A. Indian Consolidation in American Historical Association Reports, I, 1906, P.241

48 American State Papers, Foreign Relations, III, P.715

all and every treaty, contract, and agreement heretofore concluded between the United States and the Indians. The United States disavowed any wish to obtain from the Indians any new cession, grant, or privilege whatsoever,- but merely wished to manifest its disposition to cultivate peace and good will and to secure to themselves the advantages of treaties which already existed.[49]

To the Indian agents was given the task of notifying the Indian tribes of the cessation of hostilities, and of inducing the chiefs to attend these treaties.

IV THOMAS FORSYTH AT ROCK ISLAND ----1818-1830

With the signing of these treaties, this chapter of Indian history closes, for in theory, if not in fact, after 1816 Great Britain recognized the right of the United States to control the tribes within its borders. Gradually, the diplomatic complication dropped out, and the United States was left free to concern itself with the economic question of Indian lands and trade.

After Ghent, the problem that faced the United States was to devise some better method of acquiring the Indian lands. The frontier was moving further and further into the Indian country and the movement necessitated moving the Indians westward as rapidly as possible.

As Lewis Cass wrote in 1816, the natural progress of our settlements cannot be prevented. No sound politician

[49] American State Papers, Indian Affairs, II, P.12

would seriously propose that the present Indian boundaries should be a barrier to our expanding population and no American citizen who does not anticipate with pride the day when civilization and improvement will be co-extensive with the limits of the republic can entertain the idea for a moment that cessions of land will not hereafter be required of the Indian. The only palliative is to render the proposals as little offensive as possible by postponing the requisition of land until wanted for purposes of sale and settlement; and by reserving tracts for such Indians as will cultivate them, and by giving considerably more like an equivalent, for the value of the property than heretofore given."[50]

A new idea that influenced Indian policy during this period was that of civilizing the Indian tribes. In Monroe's annual message in 1818, he recommended the adoption of benevolent measures for civilizing the Indians and expressed the conviction that their independence as communities should cease and that the control of the United States over them should be complete and undisputed. Calhoun in 1820 said "They should be taken under our guardianship and our opinion not theirs ought to prevail in measures intended for their civilization and happiness."

During 1819, the Colonization Act was passed, and an appropriation of $10,000 was made for the instruction of the Indians in agriculture, reading, writing, and arithmetic.[51]

[50] Indian office letter book, 204, P.305

[51] U. S. Statutes at Large, Vol.III, P.516

This activity came to be more closely associated with the work of the Indian agent than the business of land transfer, which was usually arranged by special commissioners, although agents sometimes were given permission to make such agreements.

The frontier influence had a tendency to make Indian policy a practical matter of land transfer, whereas the tide water influence tended to emphasize the moral and humanitarian side. It was this later group, influenced greatly by the missionary, that put through the Colonization Act.

More men, though, seeing the inevitability of the of the Indians' ceding of their lands to the whites, felt that we did have certain moral obligations to perform. For example, Lewis Cass felt strongly that Indian boundaries should not be a barrier to our expanding population, yet he recognized that we had certain obligations to the Indians in the way of civilization.

"Our first and principle duty," he wrote to the Indian office in 1816, "is to reclaim them as far as practicable from the savage situation in which they are placed and to impart to them as many of the blessings of civilized life as their manners and customs and inevitable prejudices will permit. The point at which Indian civilization must commence is with the introduction of the idea of individual property. As long as there is community of property, so long is there no stimulus for exertion. Among the Indians, general obligations are ill defined and badly enforced. Individual rights are little respected. Personal property is acknowledged

among the Indians but violations of it are never punished by the collected will of the nation. Redress of injuries is consequently in all cases the act of the individual injured and the measure of punishment is determined by the will of the party and his power to inflict it. Indians are now prevented from permanent occupation and cultivation as much from a defect in the organization of their society as from its probable cession at no distant day to the United States. The first thing to do is to convert the wandering savage into a settled man by giving him notions of exclusive property and by insuring to him the enjoyment of it.[52]

The educational experiments of the government Cass scored. He felt that they furnished the Indian with something he couldn't appreciate and didn't want. Ever since the settlement of the country, a favored object of philanthropic individuals and the government had been to educate the Indian and so schools and colleges had been endowed. On the whole, the experiment had been unsuccessful. If the Indian was taken young enough, he unquestionably could be fitted for the enjoyment of our society,-but he had to become a stranger to the land of his father,-and he was unfit for promoting any plan of Indian improvement as a white, similarly educated.

Putting the Indian through the simple lessons of civilization was a problem for a social worker. And not many

[52] Indian Office Letter Book, Vol.I, P.354

of the early Indian agents had the zeal for what we moderns know as social settlement work. The frontiersman (and the majority of the agents were frontiersmen) was not receptive to the idea of civilizing the Indian. A common remark on the frontier was that an Indian who could read and write was generally the greatest rascal of his tribe.[53]

Thomas Forsyth felt that it was out of the question to civilize the Indians because nothing but necessity would compel them to follow our example. He didn't think it practicable for an Indian agent "to sit himself down two or three hundred miles from a white settlement, surrounded by thousands of Indians and subject to their caprices, and attempt to civilize them" However, he suggested "that the philanthropic preachers try it in the first instance and if they succeeded, let them become Indian agents", for, no doubt, under such a system of moralizing the Indians, everything would do well. But he wanted to see those preachers first succeed and see the effects of their steady habits and good example.[54] The agent always had a certain amount of what might be called social work to do. If an Indian died, he was expected to cover the dead, in other words, provide the coffin. If an Indian was sick, he was expected to furnish medical advice and medicine, and if the Indian met with any loss or accident, he was expected to supply comfort.[55]

[53] Indian Office Book, 204, Vol.I P.355

[54] Draper Mss., 4T-98

[55] Ibid

This kind of assistance, the agents were willing to give, but when the suggestion was made that they should teach the Indians the habits of organized civilization, they were skeptical and not overly sympathethic. Many of the agents were real friends of the Indians, but were not inclined to idealize them, and such was the case of Forsyth.

After the war, Forsyth continued to serve as sub-agent to the Potowatami until 1818, when he was promoted to a full agency and stationed at Fort Armstrong in charge of the Sauk and Fox.

Forsyth first visited the Sauk and Fox in June, 1817, when according to instructions from Clark, he ascended the Mississippi with the annuities of these Indians. His report to Clark of this expedition is as follows: "I was detained at Fort Armstrong two or three days owing to the Indians being on a frolic. As soon as the Indians were in a situation to do business with, I crossed over to the Fox village from the Fort and informed the head chief of the Fox nation that I was sent by you to deliver to them their annuities. Shortly after, the Indians collected and came to my boat when the chief told me that he could not accept of the annuities as they did not wish to part with their lands, saying at the same time, that they would do without goods and live on roots rather than part with their lands. I told them that I had not come here to buy any lands from any Indians, but could assure them that what land the United States had purchased of the Indians they would certainly

keep, and as they did not see proper to receive their annuities, I would take them back to St. Louis. To this, the Indians made no reply, and returned to their village. I immediately descended the river to the Sauk's village and on my arrival there informed the chiefs of my business. They requested for me to remain there all night as it required their chiefs and braves to have a meeting. To this, I assented, and to my surprise, the next morning about eight or nine o'clock, the head chief of the Fox with some of his people, came to my camp and requested of me to deliver them their annuities. On the delivery of which, they complained of the quantity being small. I told the chief that it was all I had for him, that he might take or leave them as he might think proper. He took them, saying that the Americans would be angry if he refused.

The Sauk chief sent for me, and I found a large lodge full of Indians. After some ceremony, I acquainted them with my business and what had passed the day before between myself and the Fox. They received their annuities without any hesitation.

On inquiry, I found that the whole of the Sauk Nation are now at their old village on Rock River, about a mile from its mouth. They told me that this village consisted of 100 lodges and that their numbers were 1,000 men. Indeed, I have seen many Indian Villages, but I never saw such a large one, or such a populous one. They appear stationary, there, and their old lodges are repaired and some new ones

lately built..... The Fox village is within a few hundred yards of Fort Armstrong across the channel of the river and consists of twenty lodges and numbers about 200 warriors being about one half of the whole nation.[56]

The annuities that Forsyth refers to in the above were annuities delivered to the Sauk and Fox Indians in accordance with a treaty made November 4, 1804, between these tribes and the United States Government. In that year, two Sauk chiefs, one Fox chief and one warrior, without consulting the tribes made a treaty with Harrison at St. Louis by which they ceded to the United States their title to the lands east of the Mississippi,-lying between the Illinois and the Wisconsin Rivers, but retained the privilege of living and hunting on them as long as the lands remained the property of the United States. In consideration of the cession and relinquishment of the land, the United States promised to deliver yearly goods suited to the circumstance of the Indians of the value of $1,000, $600 to the Sauk and $400 to the Fox.[57]

The Indians had always thought that the annuities were presents (as the annuities for the first twenty years were always paid in goods) until Forsyth as their agent convinced them to the contrary in the summer of 1818.

[56]Draper Mss., 4 T 40

[57]Indian Treaties between U. S. and Indian tribes (1778 - 1837) Washington, 1837.

According to Forsyth, "When the Indians heard that the goods delivered to them were annuities for land sold by them to the United States, they were astonished and refused to accept of the goods, denying that they ever sold the land as stated by me, and the Black Hawk, in particular, made a great noise about this land and never would receive any part of the annuities ever afterwards, and always denied the authority of Quashquam and the others to sell any part of the lands and always told the Indians not to receive any presents or annuities from any Americans, otherwise their lands would be claimed at some future day."[58]

The history of this tribe of Indians is an interesting one. Thomas Forsyth in his Manners and Customs of the Sauk and Fox Indians states that it is natural to suppose that the two tribes were once one people or part of some great nation of Indians. They both acknowledged that they were once Chippewas, but that wars had ensued and one band or party had been separated from another and all had become different in manners and customs and language. The Sauk were first found by the French on the St. Lawrence in the vicinity of Montreal. According to Black Hawk, they were driven by the Iroquois to Mackinac and still being pursued by their enemies, removed to Green Bay where they first formed a treaty of alliance and friendship with the Fox. The Fox also had come from the shore of the St. Lawrence, having been driven

[58] Draper Mss., 9x 54

west by the Iroquois and first established themselves at a place called Saginaw, moving from there to the Fox River of Green Bay.

While closely allied, they preserved a separate tribal existence until 1733 when they united and became known as the Sauk and Fox. Their language, manners, and customs were similar and they were so perfectly consolidated that they could hardly be called separate tribes. Their remote situation behind the lakes and swamps along the Fox-Wisconsin trade route had kept them from constant intercourse with traders and promoted their independence. They were continually at war with neighboring tribes of Sioux, Chippewa, and the Indians to the west of them.[59]

The Sauk and Fox were governed by hereditary chiefs,- the power descending to the older man of the family, which on his refusal, extended to the brother or nephews of the chief and so on through the male relatives of the family. They had no war chiefs, any individual of the nation might lead a party to war, if he had the influence to raise a party to redress any real or supposed grievance. The chiefs interfered and had some management in all their national affairs, but they were influenced in great measure by the braves or principal men in matters of war. The province of the chief was to direct; that of the braves or warriors

[59]Houck, History of Missouri, (Chicago, 1908) Vol.I P.201

to act. The authority of the chief was always supreme in war or peace. When the chiefs directed the head or principal braves of the nation to plant sentinels for any purpose, and they neglected their duty, they were flogged with rods by the women publicly. Nothing would be done, however, at a council unless the whole number present were of the same opinion.

There was no such a thing as a summary means of coercing the payment of debts. All contracts were made on honor. For the redress of civil injuries, an appeal was made to the old people of both parties and the determination was generally acceded to. In case of murder, it was determined by the relatives of the deceased. The Indians said that killing the murderer would not bring the dead to life, therefore, it was better to receive presents offered by the relatives of the murderer. Hence, horses, merchandize, and silver work, sometimes to a very large amount were given to the relatives of the murdered person, and, indeed, in some instances, the murderer would marry the widow of the person whom he had killed. Sometimes, it happened that the the relatives of the deceased would refuse to receive anything for the loss of the murdered, and then the chiefs would interfere and settle the business. The only thing that an Indian might be guilty of that was considered a national offence was aiding and assisting the enemy. Such a person, if taken in war, was cut to pieces.

The Sauk and Fox were not thievish. They seldom stole anything from the traders; sometimes they did steal a few

horses from a neighboring nation of Indians and formerly they used to steal many from the white settlements. Their excuse was always that they were in want of a horse and did not steal all that they saw,-stealing horses from the enemy was accounted honorable. The women would sometimes steal trifling articles of dress or ornament; the men very seldom. Traders felt perfectly safe among them,- so much so t at they seldom or ever closed their doors at night,-but gave the Indians free access to come in and go out at all hours of the day and night.

The Sauk and Fox had no way of declaring war. If they were injured by another nation, they waited for a deputation from the nation which committed the injury to come forward and settle the business. The causes of war were chiefly the want of territoryin which to hunt, depredations committed by one nation against another, and the desire of the young Indians to make a name for themselves. Forsyth had never heard of any peace ever having been made between two nations when a war had properly commenced, except when the Indians came within the reach of the power of the United States, so that when a war commenced, it inevitably lead to the final extermination of one or the other of the parties. In addition to a discussion of the government, war and peace customs of the Sauk and Fox, Forsyth gives in considerable detail the customs of these Indians in respect to death, religion, marriage, position of women, medicine, games, music, astronomy.

The article points to a thorough knowledge of their manners and customs and while useful for making a detailed

study of the Indian tribes, does not have much bearing on Forsyth's duties as Indian Agent.

One custom, however, described in the article, does concern Thomas Forsyth's work as agent, and that is the custom of the Sauk and Fox in leaving their villages to hunt in the autumn. About the middle of September, the Sauk and Fox all began to move from their villages to go toward the country where they intended to hunt during the ensuing winter. They generally went west into the interior, to the headwaters of the Ihoway and Demoine Rivers. Those families who had sufficient horses to transport their families and baggage, often went as far west on their hunting excursions as the Missouri River. Sometimes, they were invited by the Kansas Indians to come and hunt in their country. They generally stopped hunting during the severe part of the winter and camped for the rest of the winter. At this time, they were visited by the traders who went out to trade with them. In the spring, those that had traps went beaver hunting and the others hunted bear. Generally, they finished the hunt about the tenth of April. It was customary for them to arrive at their old villages in the month of May.[60] They then planted their corn, and, in June, left their villages for short hunting excursions, returning again the end of July or the beginning of August,-at the time when the corn was the size of roasting ears. They remained until the first or fifteenth of September, when again they left for the big winter hunt. This

[60]Draper Manuscripts. 9T 1-37

meant that they were home in their villages, at the most, not more than four or five months.[61] Thus, an agent stationed at Fort Armstrong, would only be occupied a small part of the year with his work as agent.

Forsyth received his full commission as agent to the Sauk and Fox in June, 1818. In the spring of 1818, Forsyth had received permission to go to Washington to petition Congress for the loss of property sustained at Chicago and Peoria in 1812 by the firm of Kinzie and Forsyth. This firm had suffered serious losses during the war of 1812, both at Chicago and Peoria. At the time of the massacre at Fort Dearborn, their loss had been great and that very same year all their property had been destroyed at Peoria either by Indians or a party of militia commanded by Captain Craig. In all their losses had amounted to about $15,0000.[62] The property that was destroyed was a quantity of gun-powder, which had been brought there for the purpose of selling. The congress committee reporting on the case resolved that the petition of Kinzie and Forsyth asking for compensation for gunpowder and whiskey ought not to be granted, because it had been brought by the petitioners , who were traders, to that place, for the purpose of speculation.[63]

[61] Draper Mss.. 9T,50-

[62] Ibid, 7 T 46

[63] American State Papers, XIX (Claims) P.424

As far as receiving any compensation for his losses, Forsyth's mission failed. However, while he was in Washington he took the opportunity of asking Mr. Calhoun, then secretary of war, for the pay and privileges of a full agent. In this, he was more successful for shortly after the trip, Calhoun notified Forsyth that he had been appointed Indian agent in Missouri Territory at the last session of Congress. In case of acceptance of the offer, he was to return as soon as convenient the inclosed bond prescribed by law, and duly executed with the certificate of the governor of the territory, district judge, or attorney attached. In transacting the business of the agency, he was to be governed by such instructions as he should receive from William Clark or the War Department. The compensation was to be $1200.[64]

Forsyth immediately received directions from William Clark to call upon Benjamin O'Fallon and Peter Chonteau, late Indian agents for all public property, money, books, and papers in their possession. In commencing the duties of his appointment he was to prepare to visit the different tribes of Indians on the Mississippi, within the territory between St. Louis and Prairie du Chien and then to proceed in a boat to be delivered by Mr. O'Fallon to Fort Armstrong and deliver the annuities to the Sauk and Fox. In all cases of violation of the laws by traders or intruders in the Indian lands within the territory, he was to report them to the United States[65]

[64] Lesson Collection, Mss. 5

[65] Ibid.

At Rock Island where he was to be stationed as agent he found the two families of the settler and Indian trader,-in all eleven persons and the garrison at Fort Armstrong, consisting of twenty nine men. Fort Armstrong had been built in 1816 and consisted of a rectangular space 400 feet each way, surrounded by walls of hewn timber, resting on a superstructure of stone with a blockhouse built at the northeast, southeast, and south west angles. In the interior, against one side, was erected the soldiers' barracks, also made of hewn timber. There being no quarters for the Indian agent at Rock Island, Forsyth had to make his quarters at the Fort.

It was necessary for the agent to be near the Fort for protection, for it was impossible for any agent to take his family and live at or near the Indian villages and not be in danger of being murdered in a drunken frolic of the Indians or in the fighting between hostile tribes.[66]

The situation of Forsyth's quarters was very disagreeable and disadvantageous. "Half a dozen chiefs filled his small quarters, and if there were more, they had to remain out of doors. The presents for the Indians which should have been kept out of sight and his own things were exposed to all who came into his quarters."[67]

In addition to the discomfort Forsyth's position at the Fort was disagreeable. The relation of the Indian agent,

[66] Draper Mss. 4T 70

[67] Ibid, 4T 103

and the commanding officer at the fort had never been defined. Both were called upon to cooperate in a great many instances regarding Indian affairs.

If these two officers were to be independent of one another, then they both should have had separate quarters; for nothing is so damaging to an official's independence and authority as to have to play the role of permanent guest. In addition Forsyth's disposition and training did not fit him for this sort of status.

Most every letter Forsyth addressed to the War Department contained a request for separate agency buildings,- but the War Department, short of funds, took no action to provide these buildings until 1824. In the meantime, Forsyth's relations both official and private with Major Vose became more and more strained.

In 1824, Forsyth was notified by Vose that his quarters were wanted immediately. He wrote Clark and the War Department, "I have procured a shed cabin from a trader near Fort Armstrong to screen me from the weather. It was the only place to be had in all the country. I was fortunate to get it for covering for myself, and for the goods I have for presents. The place will be wanted by the owner in September, therefore after that time, I shall have no quarters.[68]

Forsyth was given permission to spend the winter in St. Louis, and quarters were promised. When he arrived,

[68] Draper Mss., 4T190

at Rock Island in the following spring, he found that nothing had been done in the way of providing him with quarters for the coming year.

In 1825, Major Vose is found writing to Forsyth,- "from your coolness towards me since your arrival, I have been let to believe that you are dissatisfied with some of my official acts. You must be sensible that my deportment towards you personally has always been respedtful and that in almost every instance of dispute or of misunderstanding which has taken place, the origin has been of an official nature and not connected with private affairs.

To which Forsyth replied,"Not private, when you gave tongue to some liberties about me personally, and since my arrival have treated me with contempt in the presence of some of the gentlemen of your garrison. On my arrival in April common politeness dictated to me to wait on the commander of Fort Armstrong, and I intended to dwell outside of the fort. But not being able to procure a place to dwell in outside of the fort, I accepted the invitation of Dr. Craig who has shared his quarters with me. I am only waiting for the command to devolve to another when I shall demand of you such explanation as shall be satisfactory to us both."[69]

The following day, the command, having devolved on another, Major Burbank sent and proposed a meeting between Forsyth and Vose. Forsyth replied, "I have no objection to

[69] Draper Mss., 2T 17

meeting you at any time or place, with the exception of your quarters. I have to demand of you where and when that I acted ungentlemanly and indecorous towards you.[70]

Towards the end of the summer, the soldiers at the fort got busy and put up the buildings for the agency that Congress had provided for the previous year. The agency buildings consisted of a house for the agent, with a council house adjacent, a blacksmith's house and shop and a house for the interpreter.[71]

Relations even after this were never very cordial between Forsyth and the garrison at Fort Armstrong. In 1828, Forsyth complained to War Department officials that the commissary at Fort Armstrong had refused to sell the blacksmith provisions, as the other commissary had done. "It is a well known fact," he writes, "that there is always an overflow of provisions at the Fort and what is not merchandize is sold at the public auction for what it will bring. And yet the people belonging to the Indian department on the island can't procure a pound of provisions."[72]

This relation with the military was most unhappy for the authority of agent to enforce regulations without a specific order from the President was disputed and he was often openly defied except when supported by military force.

[70] Draper Mss. 2T, 18

[71] Ibid, 2T, 21

[72] Ibid, 4T, 267

Forsyth was more fortunate in his relations with the Indians than with the garrison, but his duties were arduous and complicated and became exceedingly more difficult as time went on.

As Indian agent, Forsyth was representative of the United States government and representative of the Sauk and Fox Indians. Through him the demands of the United States weremade and to him the Indians looked for redress of any injuries committed against them by the whites. In order to give dignity and influence to the agent and to procure attention to requests for land, requisitions of stolen property, representations of individual injuries, presents were made use of. An agent without the means of administering to the wants of the Indians had no means of procuring their attachment.

To the agent, of course, belonged the duty of paying the annuities due by United States and of carrying into effect various treaty stipulations.

The Sauk and Fox annuities amounting to $1,000 were always sent to St. Louis from Georgetown. Forsyth had to make a trip to St. Louis in the spring to get them and bring them up to Rock Island. Here he delivered them to the assembled Sauk and Fox, numbering in all about 6,600. In distributing the presents, the orphans and widows came first, the old and infirm next. There were no distinctions made between the men and women or children and adults. The able bodied hunters came last and received a little gun-powder, a pipe and tobacco.

Many of the articles delivered were not suitable for the Indians. Forsyth wrote time and time again that the Indians had said that they would prefer their annuities in some one article, such as gunpowder, which was much in use among them and that could be divided among the whole, saying that it was impossible to divide a blanket among two or more persons. In another letter, he wrote that the Indians laughed heartily at some of the articles, particularly the sewing silk and the short pieces of linen. It was his opinion that it would be a great saving to the government to purchase gunpowder in St. Louis at fifty cents a pound and pay the annuities in that article. This he thought would save the transportation of goods from Georgetown and would please the Indians better.[73]

One of the regulations respecting the distribution of annuities that Forsyth found impossible to enforce was that of making the individual Indians sign receipts for the article received. This system had been devised by the government to check up on the agent, but did not work here in the case of the Sac and Fox for the Indian chiefs refused to sign papers for the annuities, fearful that some of their land would be claimed. As a result, Forsyth wrote the Secretary of War that he didn't think it was possible to comply with the instruction because the Sack and Fox were so adverse to signing papers.[74]

[73] Draper Mss., 7T, 58

[74] Ibid, 4T, 167

The secretary insisted, and Forsyth placed the annuities before them and told them that they might take them after they had signed the receipts. All refused to sign or accept the annuities, saying that not a man, woman, or child of the nations would ever sign any paper as they had little enough land for their own use. Sentinels were posted by the chiefs to prevent any of the Indians from signing.[75]

This was no more than Forsyth expected. He felt anyway that the government was stooping too low to procure Indian signatures and that it made the agent look little to ask an old Indian for a receipt for a pipe, and a small piece of tobacco or a squaw for a needle.[76]

In addition to the general assembling of the tribes at the annual payment of the annuities they were freqently convened to hear the demands of the United States or to adjust some difficulty. Then they came with their own complaints and representations. A thousand different motives of business, curiosity, or amusement induced the Indians to come to the agency. When they visited the posts, if they were not fed by the government agent, they supplied themselves by stealing and then collisions were produced between white settlers and Indians. Forsyth was expected to take pity on all the sick, lame, and lazy, if not in goods, something to eat was always acceptable.[77]

[75] Draper Mss., 4T, 168

[76] Ibid, 4T, 159

[77] Indian Office Book 41, Letter Book, Vol.3, P.336

Extra presents had to be given to influential chiefs to get their good will, it being essentially necessary that they should become personally acquainted with the leading Indians and acquire their confidence.

Having gained the good will of the Indians, it was easier for the agent to observe their conduct, to ascertain what speeches and belts were among them, to check or counteract every attempt at foreign influence, and to keep the government fully advised of their feelings, proceedings, and objects. He was expected to give as early notice as possible of any hostile movements, of any tribes whether intended against each other or the United States. The government determined on the policy of stabilizing the tribes of the upper Mississippi frequently interfered in wars between the several tribes of the Mississippi and Missouri. Part of the duty of the Indian agents was to prevent, and end contests among the different tribes. They were frequently called into settle disputes between hostile tribes and more often than not got themselves into trouble for this interference. For example, Forsyth would persuade the Sauk and Fox not to go to war against the Sioux. The Sioux would make a surprise attack on the unprepared Sauk and Fox and Forsyth would be blamed for the Sauk and Fox being unprepared

At the time of Winnebago outbreak in 1827, Forsyth was asked to cooperate with General Atkinson. His part was to request the service of the Sauk and Fox in putting down the Winnebago and see that they were sufficiently supplied with

gunpowder.[78]

As for foreign influence, many of the Sauk and Fox continued to visit the British at Malden for several years after the treaty of Ghent. They had been in the habit of going to Malden for more than twenty years to receive presents and continued to go in order to receive these presents which the British continued to deal out and to make the British government fulfil their promises made during the War of 1812. However, as time wore on, the British were not so liberal, and Forsyth was able to gradually wean them from their annual visit.

Forsyth had to perform the duties arising from the laws and regulations for the government of trade in the Indian country. He was authorized to license all traders in his territory to such points as he might select.[79] By the law of May 6, 1822, the Indian agents were given the power to grant licenses to traders who might be required to give bonds as high as $5,000. The importance of the Indian agent had been somewhat diminished during the period of the factory system, for that system put the regulation of Indian trade in the hands of the factors instead of the agents. The factory system, however, was abolished by the Act of March 3, 1821, and henceforth private traders and employees of the fur companies furnished the Indians with all of their goods with the exception

[78] Draper Mss., 2T, 52

[79] Ibid, 2T, 1

of what was supplied by the United States Government as presents or annuities.

By the Act of 1822, discretionary authority was vested in the Indian agents to grant or to refuse the application of persons for licenses to trade with the Indians.[80] If a trader were found in the Indian country without a license, he forfeited all of the goods in his possession to the Indians,[81] and was liable to a fine not exceeding $100 and imprisonment of 30 days. The trader had to give the agent a correct invoice of the merchandize which he took with him and promise not to sell or exchange liquor with the Indians.[82] Indian agents, governors of territories, and military officers were to inspect goods suspected of including liquor.[83] The traders had to be watched continually by the Indian agents for liquor. Exclusion of liquor from the Indian country was almost impossible. It required unremittent attention on the part of the agent. Forsyth wrote in 1826, "I cannot find out from inquiry among the Indians that any licensed traders carry liquor into the Indian country. The persons who now trade with the Indians in th agency are much better disposed people than those of former time. Generally speaking, the present traders are a moral and good people and not wanting in giving good advice to the Indians. The Indians when in want of whiskey

[80] American State Papers Vol.II, P.365

[81] Indian Office Letter Book, A. P.92

[82] Draper Mss., 2T, 9

[83] American State Papers, Indian Affairs, Vol.II, 365

go to the settlements.[84] In laying the blame on the whites in the settlements, Forsyth undoubtedly was influenced by esprit du corps.

It was true that the attitude of the white settlers did make Forsyth's work very difficult. Not only did they keep him busy pushing them back from the Indian Lands, but they made a nuisance of themselves by selling whiskey to the Indians. They would take horses, annuities or anything that the Indian would offer in exchange for whiskey, then there would be a shooting up and somebody would be hurt. Forsyth felt that most of the troubles between the Indians and the settlers originated from this illicit sale of whiskey which he was powerless to prevent.[85]

Collisions were constantly taking place between the Indians and whites and mutual injuries committed. Horses were stolen, cattle and hogs were killed, and the Indians beaten and robbed. When a serious violation of our laws occurred, he had to assemble the chiefs together and demand the offender. In a case affecting property, only, his duty was to procure its restoration or payment. If horses were stolen, he had to send for and reclaim them. If remuneration was not made for these injuries, he had to collect the evidence and transmit it according to law to the War Department in order that the amount might be deducted from the annuities due the tribe.[86]

[84] Draper Mss., 4T, 255

[85] Ibid, 4T, 156

[86] Indian Office Files, Michigan, 1824, -1828.

In case of murder of one of our citizens by an Indian, he had to demand the surrender of the Indian by the tribe. An act of Congress, March 30, 1802, regulating trade andintercourse with the Indian tribes authorized the territorial governors to call a court for the trial of any offences capitally punishable, committed by Indians within the boundaries described by that act.[87]

Indians or other persons committing offences in the Indian towns were to be punished as if the offense were committed within the sole jurisdiction of the United States,- provided that nothing be construed in the act to extend to any offense transmitted by one Indian against another within as Indian boundary.[88]

The Indians could usually be forced to hand over the offender to the authorities and if the guilty person had been punished immediately there would have been no trouble with the Indians. The difficulty came when the offender was kept a prisoner several months for it was impossible to give an Indian who knew nothing of civil or criminal law a correct comprehension of trial by jury, and delays entailed by the method.

It was impossible to hold a speedy trial. In the first place, the place of trial was remote. There were no citizens near Rock Island, and no magistrate nearer than Prairie du Chien, which was two hundred and forty miles away. Moreover, it was difficult to collect persons necessary for an

87 Indian Treaties, Laws and Regulations relating to Indian affairs, Washington 1826, P.384
88 Ibid, P. 393

investigation or competent to serve on a jury.[89] Anything like proof in the legal acceptance of the word was unattainable.

Delay had brought reaction among the Indians and the sight of their fellow tribesman being hung was far from salutary. And if the Indian were acquitted, they thought that the United States government had been afraid to punish the offender.

On the other hand, Forsyth had to guard the rights and interests of the Indians, listen to their complaints examine into the subject fully, institute prosecutions when prosecutions were necessary, in order to convince them that the government was able to protect as well as to restrain. There were certain laws designed for the protection of the Indian. For example, under the Act of 1799, which was an act to regulate trade and intercourse with the Indian tribes and to preserve peace on the frontier, there was a provision that in case of property taken or destroyed, belonging to an Indian, the agent was to ascertain and have evidence of the value of the property destroyed and make representation of the case to the department of war, and to the governor of the territory. Then there was the provision against the whites settling on the Indian lands and the Indian agents were instructed that should it come to their knowledge that any citizen or resident of the United States had made a settlement on any lands belonging to the Indians, they were to give immediate notice

[89] Draper Mss., 4U, 183

of the name of the offender and of the place where he shall have settled to the officer of the troop, nearest to the intruder and to the Governor of the Territory.[90]

Such provisions were no safeguard once the whites began to press into a desired strip of territory. Frontier influence was too strong and all the agent could do was to try to keep the Indians out of the way of the encroaching whites and to persuade them to go further west. Such was the nature of Forsyth's work from 1822 on.

The lands occupied by the Sauk and Fox east of the Mississippi had been left untouched by early migrations. By the treaty of 1802, these tribes had ceded to the United States the region east of the Mississippi, retaining the privilege of living and hunting on the lands as long as they remained in the possession of the United States. There had been no pressure of settlement in the region and twenty years after the cession, the Indians were still living and hunting on these lands.

The discovery by the Americans of the rich lead deposits around Galena about 1822 made the removal of the Sauk and Fox only a matter of time.

The existence of these lead deposits was known to the French soon after the discovery of the Mississippi River. Lumps of lead among the Indian belongings attracted the attention of the first explorers.[91] The Indians had long known

[90] Indian Office Letter Book, "A" P.92

[91] Kellog, L. P., "The days of the lead miners" Wis. Mag. of His., III P.30

of the presence of lead and it has been established that they did some mining a century before the arrival of the Europeans.[92]

There was no considerable use of lead until the appearance of the French missionaries, explorers, and furtraders for it was not until the French introduced fire arms among the Indians of the Northwest and induced them to hunt that lead assumed a value in the eyes of the Indians both for use as bullets in their own weapons and as an article of traffic with the traders.[93]

During the first half of the eighteenth century, actual mining operations by Frenchmen could not have been considerable for they did not have men enough to exploit the mines to capacity and on account of the Fox wars. The Sauk and Fox were always suspicious and jealous of their rights and particularly were they jealous of their lead mines.

One prospector, a French Canadian by the name of Julien Dubuque, somehow maintained friendly relations with these tribes and in 1788 at a full council of Fox Chiefs at Prairie du Chien received written permissions to operate the lead mines in their country.

In exploiting the mines, Dubuque seems to have employed his Indian friends to do the mining and smelting and the Canadians and half breeds to prove the claims which

[92] Schoekel B.H."The Lead & Zinc Mining Region" in Mississippi Valley, Hist. Rev. IV, 175

[93] R. G. Thwaites,"Notes on Early Lead Mining in Fever River Regions," in Wisconsin Historical Collections XIII P.271.

the Indians discovered.[94] It is presumable that the French showed the natives how to mine and smelt the ore for there is no evidence that the American Indians ever practiced the arts of smelting or casting before the advent of the whites. The methods in vogue among the Indians however were practically such as whites have employed in early days of lead mining. The position of the lead near the surface of the ground and near the top of the Galena limestone made shallow mining possible over large areas and thus permitted Indian operations. For eight years, Dubuque worked industriously at the mines in the Iowa country. In 1796, he applied to Baron de Carondelet, Spanish intendant and governor general of the province for a formal recognition and confirmation of his rights to the property and received the grant of a tract of seven leagues in length along the west.bank of the Mississippi by three leagues in depth. When interviewed in 1805 by Zebalon M. Pike, he said that he mined annually from 20,000 to 40,000 pounds of lead, all in pigs. In 1810, Dubuque died and his entire property was claimed by the heirs of Augusta Chouteau. In 1805 Dubuque, who was not a financier, had been forced to part with his title to the southern half of the land he occupied to August Chauteau in order to pay off the debts he had accumulated for articles used in Indian trade. After Dubuque's death, the question arose as to whether Dubuque's claim was a complete and valid Spanish

[94] J. van der Zee "Early History of Lead Mining in the Iowa Country" in Iowa Journal of History and Politics XIII 9

grant. In 1806, the United States Board of Land Commissioners had pronounced that it was. In 1810, at the demand of the President, the Secretary of the Treasury rendered a hostile report and in 1811 the Land Commissioners reversed the decision of 1806. Congress decided that the mines still belonged to the Indians and under that theory that that which belonged to the Indians was in fact the property of the United States, it was decided by the Supreme Court in 1853 that the mines belonged to the National Domain.[95]

The Indians would not allow any white man after Dubuque's death to continue his work but took things into their own hands and continued operations with the crude furnace plant erected by the whites.[96] Down to September, 1811, they are said to have dug and smelted the lead ore with remarkable success, finding a market for the product at the government factory of old Fort Madison.[97]

In February, 1810, Nicholas Bolvin, United States agent for the Winnebagos, passed through on foot from Rock Island to Prairie du Chien with Indians for guide and visited the lead mines near the river. In a letter to the Secretary of War, a year later, Bolvin reported "that the Sauk and Fox had mostly abandoned the chase, except to furnish themselves

[95] J. Tasse, "Les Canadiens de L'ouest, Montreal, 1878, I.P. 256

[96] Wisconsin Historical Collections XIII 288 R. Thwaites Lead Mining in Fever River Regions.

[97] J. Vander Zee,"Early Lead Mining in Iowa,"Iowa Journal of History and Politics. XIII P.26

with meat and had turned their attention to the manufacture of lead. He reported that in 1810 they had manufactured 400,000 pounds of the metal which they exchanged for goods mainly with Canadian traders who were continually inciting them to opposition against the Americans.[98] The War of 1812 ruined what little trade in lead there had been, as far as the Americans were concerned. In the immediate neighborhood of where Galena came to be planted, there were in 1815 about twenty rude Indian furnaces. The product of these was bought almost entirely by French Canadian traders. That same year when a crew of American boatmen attempted to go up the Fever River, the Indians prevented them, fearing the cupidity of the Americans.[99]

Disregarding the protest of the Sauk and Fox, the government on August 24, 1816, regranted the territory north of a line through the south end of Lake Michigan due west to the Mississippi to the combined tribes of the Chippewa, Ottawa, Potawatomi, who claimed but never occupied the lead mines. Within the cession, the President was privileged to reserve five square leagues for mineral purposes. This reservation was intended to include the lead mines, the exact location of which was as yet undefined. A still further complication was the act passed by Congress, March 3, 1807, reserving to the government all of the mineral lands in the

[98] Wisconsin Historical Collection XIII, 285, R. G. Thwaites, "Lead Mining in the Fever River Regions

[99] Ibid, XIII, 286

Indian territory of which Wisconsin was then a part and authorizing leases of such lands for periods not to exceed five years.

Because of danger from Indian hostilities, no leases were taken in the Northwest lead regions until 1822. In 1818, several American traders who attempted to go among the Sauk and Fox miners and run opposition to the French Canadians were killed. Edward Tanner, who visited the country in 1819, wrote that "Dubuque mines" were very rich and productive, but that "so deeply rooted was the jealousy of the Indians that they allowed no trader to build his hut in the vicinity of the mines."[100] Schoolcraft in his account of the mines said that the Indians objected to visitors at the mines and that since the death of Dubuque, they had manifested great jealousy of the whites and being afraid that the whites would encroach on their rights, denied all former grants and did not make a practice of even allowing strangers to see the diggings.[101] In 1821, the government assumed regulation and control of the lead mines upon the public lands in Northwestern Illinois. From that time, lessees were able to work the land peaceably under government protection in return for one tenth of the net production of lead.

In April, 1822, a lease was granted to Colonel

[100] J. Vander Zee, "Early Lead Mining In Iowa", Journal of History and Politics, XIII P.#30.

[101] Ibid, 33.

Johnson who had for three years operated in this country without any license. The license was to run three years. He immediately took a number of workmen, including one hundred and fifty negro slaves and a supply of good tools to the mines. Camping where Galena now stands and under strong military protection, Johnson commenced operations on the most extensive scale yet known in the lead country. At once, there flocked a horde of squatters and prospectors from Missouri, Kentucky, Tennessee, and southern Illinois.[102]

The feeling of the Indians is best described by Forsyth who had the duty of acquainting them with the views of the government in granting such leases. He wrote "I told the Sauk and Fox that the President had leased to Colonel Johnson and others the lead mines on Fever River, but that they would have no objection to any of the Indians working any mines that they did not occupy. Fearful of any misunderstanding that might arise between the whites and the Indians from being such near neighbors, I advised them to work the mines on the west side of the Mississippi where no interruptions would take place. I told them Colonel Johnson and his friends would set out on the next day for Fever River and that it was the wish of the President and of myself that Johnson should not be interrupted in going up or in working the lead mines.[103]

[102] R. G. Thwaites, "Lead Mining in Fever River Region" in Wisconsin Historical Collection XIII P.290

[103] Draper Mss., 7U, 89

The Fox chiefs appeared to be much irritated that any white people should work any mines up the Mississippi and denied that they had ever sold the lands on the east side of the Mississippi River above the mouth of the Rock. The Sauk said that it was an affair that concerned the Fox and not them. I said that the government was not asking the permission of them to work the leadmines on the Fever and that Johnson and his friends would set out the next day and that I would follow. On my arrival at Fever River I found some of the Fox who resided at Dubuque's mines awaiting the arrival of the Fox from below. When they arrived and all assembled in council, I repeated what I said at Fort Armstrong to the Sauk and Fox and said that Johnson and his friends were not come to injure or destroy the Indians and that Johnson would give them all of the assistance in his power and if any of his young men injured any of the Indians, the chiefs were to make a regular complaint and they would receive satisfaction.

Much was said during that day and the next on both sides, the Indians denying their ever having sold the land higher up the Mississippi, and saying that they had no objection to leaving the mines of the Fever to Colonel Johnson for four years and made us of every argument to prevent the working of the mines.

I told the Indians at the end of the council that the Sauk and Fox owned no lands on the east side of the Mississippi and that Colonel Johnson must and should work the mines. The Indains heard this with silent sulkiness and only

ceased murmuring after they had tasted a little whiskey which made them lively and gay."[104]

"Nothing in my opinion but the imposing force of whites at Fever River kept the Indians within bounds, not that I believe they would have killed any person but they might have destroyed boats, tools, and so forth, and put it out of the power of the whites to work the mines."[105]

The importance of the lead mines to the Indians is seen in the following report of Forsyth tothe Secretary of War, in August, 1822. "From the great scarcity of game in the vicinity of the Mississippi, those Sauk and Fox Indians who have no horses to travel some distance west to make their summer hunt have recourse to the lead mines above this place for means to support their families during the summer months. The Fox, in particular, who are very improvident and illy provided with horses and arms, all go up to work these mines every summer, where they find many traders plentifully supplied with merchandize and provisions to purchase the lead and, indeed, I cannot see how the major part of the Fox and some of the Sauk would exist without the mines. The Fox have always been and continue to be very jealous of the mines, they will not allow white persons to work any of them, and it is my opinion if the whites will insist on working them some accidents must take place. From the failure of the Indian crop of corn last

[104]Draper Mss., 7T ,90

[105]Ibid, 7T, 91

year, very many families more than usual are working the mines this summer, and drawing an abundant supply of provisions and doing things for themselves and their families.[106]

That same year, Forsyth remarking on the rush of whites to the region and fearing that broils would take place between them and the Fox and suggested the appointment of a sub-agent to reside at the mines in order to avoid trouble.[107]

Forsyth continued to recommend to the government that the Indians be allowed to continue to operate the mines for in his opinion they were of importance because they explored the country and found out where the best mines were and immediately relinquished them to any lessee of the government. He had never heard that any Indian ever interfered with and of the government lessees, but on the contrary said that the Indians collected from the different places small quantities of mineral which they sold or kept for their own use.[108]

However, complaints were made about the Indians interfering with the mines at Fever and these became more numerous as the whites becoming more and more numerous encroached further and further on the mineral lands.

In 1826, Forsyth reported that some of the people of the Fever had established diggings on lands claimed by the Winnebago and that Lieutenant Thomas, government agent for the

[106] Draper Mss., 7T, 96

[107] Ibid, 7T, 94

[108] Ibid., 7T, 121

mines, was giving people licenses to work the mineral on the Winnebago land. He also reported the people had inquired if the Indians ordered them away what was to be done and Thomas had said, "You must remain there until blood is spilled and then something will be done."[109]

In the spring of 1827, about twelve or fifteen families of squatters arrived and took possession of the Sauk village near the mouth of Rock River. The squatters immediately commenced destroying the Indian bark huts. Some were burned and others torn to pieces and when the Indians arrived at the village and found fault with the destruction of their property, they were beaten and abused by the squatters. The Indians complained to Forsyth and Forsyth wrote to Clark stating from time to time what was happening between the whites and the Indians.[110] The squatters insisted that the Indians should be removed from the village saying that as soon as the land was brought into the market they would buy it all. It was uselsss for Forsyth to show them the treaty and the right the Indians had in remaining on these lands. The squatters tried every method to annoy and trouble the Indians, by shooting their dogs, claiming horses not their own, complaining that the Indians' horses broke into their cornfields, and selling the Indians whiskey for the most

[109] Draper Mss., 8Z 62

[110] Ibid, 56

trifling articles against the wishes and requests of the Indian chiefs and particularly Black Hawk who solicited the squatters not to sell any whiskey to the Indians.[111]

"The President directed that these lands be sold at the land office in Springfield, Illinois. When the time came for the lands to be offered for sale, in the autumn of 1828, there were then about twenty families of squatters at or in the vicinity of the old Sauk village on the Rock River. The most of them attended the sale of the lands and but one could purchase even a quarter section, if we except George Davenport, a trader on Rock Island[112] Therefore, all the land not sold still belonged to the United States and the Indians had a right according to the treaty to hunt and live on these lands. In April, 1830, the principal chiefs and the other Sauk and Fox Indians then resident at the old village near Rock River acquainted Forsyth that they would remove to the village on the Iowa River and asked him to write to Clark to send up a few militia to aid in their removal to the lands west of the Mississippi. Clark did not think proper to answer this letter and the Indians' idea of removal blew over.[113]

In that same year, the Fox having gotten into some trouble with the Winnebagos through the agency of their respective agents, were invited to a council at Prairie du

[111] Draper Mss., 9T. 56

[112] Ibid, 9T 56

[113] Ibid, 9T. 56

Chien to patch up their differences. Owing to certain delays, the meeting did not take place as planned and Warner, the sub-agent for the Fox, did not receive the warning sent by Street, the agent of the Winnebagos, of the presence of the Menominee Indians who were hostile to the Fox, and the Fox on their way to the council met the Menominee and a number of the Fox were killed. The Fox abandoned their village at Dubuque's mines and repaired to Rock Island to be under the protection of the troops at Fort Armstrong. No sooner did the whites in the Galena country hear of the fact than they made a rush across the river to take possession of the mines and Warner sent the following letter to Thomas Forsyth, June 5. I have since understood to a certainty that there are at least one hundred men mining in the Indian country who are determined to remain there. I will on to-morrow go order them to leave there. I have hired a guide to show me where they are but my belief is from what I can hear that they will laugh at me. Rumor says that Mr. Gratiot has gone over with forty men to take possession in the name of the claimant J. Smith and others and that it has been a concerted plan to dispossess the Indians for that purpose. If they refuse to go I shall send an express to Colonel Taylor and inform him what your instructions are, for it is a most flagrant outrage and a breach that we should not suffer to be imposed on the Indians.[114]

Forsyth at once commanded Warner to prevent any person from injurying the Indian huts or working the mines

[114] Iowa Journal of History and Politics XIII, P.40. J.Vander Zee, "Early lead mining in Iowa."

and to call on the commander of Fort Crawford for assistance.

By June 9, the Fox had not heard of the whites' invasion of the mines. Forsyth declared that the Sac and Fox were already soured against the whites because their people had been killed on the way to Prairie du Chien in answer to an invitation of a government agent and should they then learn that the whites were in possession of their mineral lands, blood would most certainly be shed. On June 16, Clark called on General Atkinson for troops to remove the intruders. By the time the soldiers arrived, the miners had recrossed the river with the exception of three who were taken prisoners.[115]

During the stay of the soldiers in the mining regions the Fox ventured back, seized the lead which they found and mined the newly discovered lodes and from one are said to have obtained more than one million pounds of ore with the assistance of traders and settlers along the river who gave them provisions, implements, and teams.[116] Just at this critical time, Clark received word from the Indian office relative to the removal of Forsyth and the appointment of Felix St. Vrain in his place.[117]

Rumors had been circulating for some time about the possible removal of Forsyth. Forsyth was a good Indian agent, (Clark said he was one of the best in the service) he was popular with the Indians and had great influence over

[115] Draper Mss., XIII 43

[116] Ibid., 44

117 Draper Mss. 2T 52

115 "Early Lead Mining in Iowa" Iowa Journal of History and politics XIII p 43

them --but on the other hand he had incurred the opposition of people who had power to secure his removal. Politics influenced the choice and position of Indian agents as much as it did in the other branches of the government service. The influence of an agent was largely dependent upon his political importance.

Forsyth was out of favor with the political faction which existed at St. Louis composed of such men as Clark and O'Fallon. The loss of this backing put him completely at the mercy of the interests anxious for his removal. The frontier influence was always suspicious of any opinion expressed in favor of the Indians and against the whites and it had great political influence in Washington and Forsyth had not been guarded in his expressions of opinion concerning the conduct of the whites in the vicinity of the lead mines. He had repeatedly upheld the rights of the Indians in their complaints against the squatters. He had seen the necessity of mvoing the Sauk and Fox away from the mines and had used all influence to get them to move further west. During the summer of 1830, Clark entertained hopes of buying the lead district from the Fox and Forsyth did everything in his power to get the Indians to go up to this purposed treaty to be held at Prairie du Chien.[118]

But until a treaty was made and the Indian moved

[118] Draper Mss. 8T, 123

away, Forsyth was opposed to the whites' trespassing on these lands. This sense of fair play to the Indians which had incurred the hostility of the whites had led him also to oppose the claims of the American Fur Company for back debts. Forsyth felt that the Fur Company ought to have been satisfied with having monopolized all the trade on the frontier together with the Indian annuities and everything an Indian had to sell without claiming a large amount for debts. Forsyth knowing the mechanics of the credit system and seeing the Fur Company was becoming wealthy in the trade with the Indians, felt that their claims for bad debts ought not to be listened to at any treaty or otherwise.[119] The private traders and the Fur Company were in the habit of presenting these claims at the treaties between the United States and the tribes and it often happened that by the time the claims of the traders had been satisfied, there was little left for the Indians. That such a thing would happen in the case of the Sauk and Fox, Forsyth fully expected. Debts had accumulated on the books of Farhnam and Davenport, agents of the American Fur Company, against the Winnebagos, Sauk and Fox, by 1830, to between $50,000 and $60,000. If there is another treaty with the Indians they well trump up another account as they did at Prairie du Chien.[120] It was decidedly to the advantage of the Fur Company to have the Indian

[119] Draper Mss., 8T, 134

[120] Ibid, 8T, 135

agents friendly to the interests of the fur company. Forsyth in his letter hints of Indian agents being threatened with dismissal from work by Mr. Astor, if they obstructed the activities of the Fur Company, and it was said that Astor had the influence at Washington to secure the appointment of his own men as agents.

There is no proof that the Fur Company exercised any undue influence in this case, knowing that there would soon have to be a settlement between the Sauk and Fox. One can only wonder if it simply was a coincidence that St. Vrain, whose name appears earlier in connection with the Fur Company, was appointed. Just what was back of Forsyth's arbitrary dismissal is difficult to say. One explanation is that Forsyth's handling of the situation had not been satisfactory to the authoritites at Washington. It was felt that he had exceeded his authority in making arrangements for the council without orders from Clark, especially when the result was disastrous.[121]

The only definite charge that can be found against Forsyth was the one concerning his continued absence from his post at Rock Island. Thomas Hunt in April, 1830, wrote from Washington in answer to inquiries made by Forsyth who apparently was getting nervous about the reports of his removal. "McKenney says that there are but few agents whose places have not

[121] Senate Documents, Vol.XIII, P.62

been applied for and yours among the rest. The ground of complaint is that you are seldom at your post and have been but seldom. McKinney has explained the matter to the secretary and he is satisfied. McKinney says you may rest easy and I think you have nothing to fear for he says he will stand your friend and attend to your interests.[122]

In 1832, Forsyth requested General Ashley, then Congressman from Missouri, to find out why he had been dismissed and received the following explanation. "Respecting the loss of your office, I can find nothing in the files against you with the exception of a letter from Clark to the War Department, dated April 12, 1830, on the subject of your continued absence from your post and the absolute necessity for your presence there. He also states that he had repeatedly requested you to return to your post and that you did not go and that your last visit was made against his wish and without his consent. Now in all these matters he does not suggest the necessity of your removal and at the same time he complains of other agents. He simply requests instructions from the Secretary of War on the subject. My opinion is that the fact of his having made these complaints to the War Department was known to the individuals who made applications for their friends for the appointment, although I find nothing on record, and urged as reasons the complaints by Clark as sufficient for your removal. I have no hesitation in saying that if Clark had

[122] Tesson Collection Mss., 25

made no complaint against you that you would not have been removed.[123] He always professed great regret at your removal.

Clark had had considerable trouble with Forsyth about the regulation that Indian agents should remain constantly at their posts. Forsyth fretted at being asked to stay at Rock Island, after the Sauk and Fox had left for their winter hunt, to be gone for seven or eight months. Not a winter passed but Forsyth requested Clark's permission to spend it in St. Louis. Private business, family, poor health, desire for a more varied diet, anything was given for an excuse to leave Rock Island. At times, one wonders from the description of his health how he was able to attend to his duties at the agency. The pressure of private business calling Forsyth to St. Louis so often and for such extended periods of time makes one speculate as to what this business could have been. Few agents at this time escaped the charge of being interested in the Indian Trade. Was Forsyth engaged in the trade? Was it land speculation?

Apparently Forsyth did not feel that these furloughed absences from his post could have been the cause of his removal for, as he wrote to Ashley in 1832, "I was always at a loss to know why I was removed, what were the charges against me, and from what source the charges came. I always had good reason to believe that Clark was inimical to me, but when I heard the nature of the charges which it is

[123] Draper Mss., 2T 52

said he has made against me at Washington. Major Campbell, the United States agent for the lead mines at the Fever informed a friend of mine that it was currently reported at Washington that Clark charged me with being friendly and holding communication with the British in Canada,-in short, that I was a traitor to the United States, and that that was the cause of my dismissal. If there is proof of such charges, I will vindicate my reputation by publishing some of Clark's foul deeds to the world.[124]

That there was some question of the wisdom of Forsyth's dismissal is seen in the following letter marked unofficial, from Andrew Hughes to McKenney. "Relative to the removal of Forsyth and the probable effect it may have on the conference proposed to be held with the Indians at Prairie du Chien,- Forsyth is out. He had friends among the Indians. What effect will this have on the chiefs who were his friends? Will he now take any interest in the Indian treaty? I should judge not. Ought not the chiefs of the Sauk be seen and have all the matter fairly explained to them?[125]

Forsyth, however, remained at Rock Island until after the treaty was held with Sauk and Fox in August.[126] He continued to be interested in Indian affairs even after this

[124] Draper Mss., 6T, 167

[125] Indian Office Miscellaneous Files,

[126] Draper Mss., 6T, 167

and always expressed his willingness to do anything he could in the Indian country. In 1831, he wrote several articles at the request of Louis Cass, who was busy at that time collecting information concerning the Indian country. Forsyth wrote his article on the Fur Trade, an article on the characters of the principal Indians of the Sauk and Fox, an article on the Trade to and West of the Rocky Mountains, and the Trade with Mexico. Everyone of these articles shows much practical knowledge and keen insight in these matters. When the question of selling the Sauk and Fox half breeds' claims to the land north of the De Moines in 1831, Ashley consulted Forsyth as to whether he would accept the appointment as one of the commissioners to settle this claim. Forsyth refused to accept any appointment coming from the War Department, and refused to have anything to do with Clark. He did advise the survey of the half breeds' lands and the employment of a Catholic priest to teach school and instruct the half-breeds in religion. This he thought would be a pleasure to the Indians and might at no great distance of time influence some of the Indians to embrace civilized life. His reason for recommending a Catholic priest was that nine tenths of the fathers of the half breeds were French Catholics and that therefore a Catholic priest would be more respected by the Indians than a clergyman of any other profession and liable to influence this group.[127]

[127] Draper Mss., 6F, 166

This suggestion is interesting in showing the progress of the idea of civilization was making even among former opponents.

The feeling that Forsyth had great influence with the Indians continued down until his death in 1833. In June of 1832, Clark was advised by a relative of his to write to Forsyth and request his services to assist the army under the command of Atkinson. According to Frosyth, Clark refused to do this becuase it would be showing the government and the people in the country that his services could not be dispensed with. It was publicly said by many whites and by the peace party of the Sauk and Fox that if Forsyth had remained at Rock Island as Indian agent that there would have been no trouble between the whites and the Indians and the Black Hawk War would never have taken place.[128]

[128] Draper Mss. 9J,59

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ACCEPTED BY Frederick L Paxson

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