The American Indian Policy in the Upper Old Northwest Following the War of 1812

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The year 1815 marked a turning point in American Indian affairs in the Upper Old Northwest. Prior to the War of 1812, despite the occupation of Michilimackinac, the United States government evinced only minor interest in the great Indian tribes of the Upper Great Lakes and the Upper Mississippi. British influence among the natives remained virtually unchallenged. After the War the situation changed radically. The tribes assumed added importance in the minds of public officials, and as a consequence an impressive campaign was begun to bring the Indians firmly under national control.

The principal cause of the change was the War itself. Throughout the period of hostilities Canadian traders and British troops stationed at the Upper Lake border posts, anxious to thrust back the boundaries of the United States and gain a fur monopoly, had waged a war of conquest. That they succeeded was only too evident at the War's conclusion. By late 1814, as a result of the cooperation of northern warriors, much of the Upper Northwest was under British rule. Both Michilimackinac and Prairie du Chien were occupied by British troops, and Canadian fur companies controlled the Indian trade. Clearly the British influence among the natives had paid rich dividends.

The foundation of the new policy was laid at Ghent. There by signing a treaty which provided for the restoration of peace upon the basis of the status quo ante bellum, the American commissioners won a significant victory. British demands for the creation of an Indian buffer zone and the drastic revision of the international boundary west of Lake Superior were repulsed, and British recognition of...
American jurisdiction over the conquered region was secured. Moreover, because the treaty was silent on Article III of Jay's Treaty, a measure which the Downing Street envoys had been anxious to revive, the way was paved for eliminating the gains of the Canadian fur interests.\(^3\)

Seeking not to repeat the errors of the prewar years, the United States War Department dispatched troops into the Indian country during 1815 and 1816 to re-occupy posts evacuated by the British, and to erect a chain of forts from Lake Michigan to the Upper Mississippi. Indian agencies were established, and in some localities there were placed government trading houses. The duties of the various persons associated with the outposts differed, but in the main each was concerned with the problem of British influence. Soldiers were to serve as symbols of national power and to provide for the defense of the frontier. Factors were to trade goods to the Indians at cost, and thereby provide a more attractive price for the natives' furs than could be offered by British traders.\(^4\) Indian agents were to inform tribesmen that the past was forgotten, to provide assurances that the nation's intentions were peaceful, and to distribute presents in order to win the Indians' friendship.\(^5\)

Congress, thoroughly imbued with the postwar spirit of nationalism, gave its support to the offensive. In April of 1816 an Act was passed without opposition which stated that "licenses to trade with the Indians within the territorial limits of the United States shall not be granted to any but citizens of the United States, unless by the express direction of the President . . ." The Act declared forfeited all merchandise in the hands of foreigners, and forbade foreigners to be in the Indian country without passports obtained from authorized persons.\(^6\) The purpose of the Act was obvious. Indians residing upon American soil were to be separated from the British traders responsible for persuading them to espouse the British cause during the War.

Having launched its program the United States immediately encountered thorny problems. Most troublesome was the practice pursued by members of the Canadian Indian Department stationed at
Drummond Island and Fort Malden. Reluctant to sever ties with tribes over which they had long exerted a powerful influence, the Canadians renewed the ancient British policy of distributing presents to Indians that visited their posts from the United States. The strategy was effective. Just as they had done before and during the War American Indians in large numbers flocked each summer to the Canadian agencies from all parts of the Northwest in order to join Canadian wards in receiving such gifts as blankets, calico cloth, strouds, ribbons, thread, needles, scissors, twine, fish, fishing line, kettles, knives, flints, gun powder, and tobacco.

The resumption of the British practice greatly annoyed frontier officials. Governor Lewis Cass, ex officio Michigan Superintendent of Indian Affairs, instructed Indian agents to observe the movements of the Indians carefully, and when it became apparent that the number of American visitors at the British posts was increasing annually he indignantly informed the War Department that strong measures would have to be undertaken to have the visits terminated. "An influence," declared Cass in 1819, is acquired and preserved over the minds of the Indians, to be exerted as future circumstances may require.

Is it compatible with the honour of the interest of the United States, that a foreign power should thus subsidize a body of people living within our jurisdiction? That by a timely and provident distribution of necessary articles to these savages, they should prepare and keep them prepared for such fearful consequences as accompany Indian hostilities? It is perfectly farcical to assign any philanthropick motive for this conduct....

... The Indians are kept in a state of feverish excitement. Their minds are embittered and poisoned towards us. They are taught by precept and by habit to look to the agents of a foreign Government for counsel and protection. The sound and humane policy of the United States towards them, and the efforts which we are making to meliorate their condition and to bring them within the pale of civilization are rendered fruitless.

As a result of the Cass letter a formal note was dispatched to London in late 1819 by the United States State Department requesting that British authorities in Canada be ordered to "supercede for the future" their relations with the Northwest natives. Enclosed
with the note were the Cass charges and various supporting affidavits. The request, however, had very little impact upon the existing situation. The British Colonial office turned the matter over to Canadian officials for investigation, and they, in turn, concluded that the Cass complaints were unfounded and the circumstances greatly exaggerated. The Canadians agreed to follow the Colonial Office's instructions to reduce expenditures upon presents, but could see no harm in exchanging what were termed friendly civilities with old friends.

The federal administrators also encountered difficulties in their efforts to Americanize the fur trade. Less than two weeks after the passage of the Act aimed at excluding British traders, Secretary William H. Crawford of the War Department informed Governor Cass and the Upper Lake Indian agents that it would be necessary for the time being to continue to permit foreigners to conduct their business upon American soil. Such a decision was deemed expedient, explained Crawford, for one basic reason. Without the trade of the British the Indians would be cut off from "... the regular supply of those articles, which their wants and habits ... rendered indispensable," and, unfortunately, few enterprising citizens were yet available in the Northwest to replace the foreigners. Nor did the Secretary consider the Indian factors adequate to meet the task. "The fund hitherto employed by the government for this object," he declared, "is wholly incompetent ..." Therefore, in order to protect the Indians' welfare, and also to keep them tranquil, Crawford temporarily softened the government's offensive by empowering the Indian agents to license all foreign applicants whose characters were deemed "above suspicion" and who could be relied upon to observe the national trading regulations.

Immediately thereafter the War Department became active in encouraging interested Americans to take charge of the trade. This was sufficiently demonstrated in early June of 1816 when George Graham, the chief clerk, addressed a joint letter to the commanding officer and the Indian agent at Michilimackinac relating that "Mr. John Jacob Astor of New-York, has engaged extensively in the Indian
trade, and has appointed his agent. I am directed by the Secretary of War," declared Graham, "to request, that you will give to these gentlemen every possible facility and aid in the prosecution of their business, that may be compatible with your public duties." 14

The War Department's orders were greeted with consternation upon the frontier. Astor at the time was still a partner in the South West Fur Company of Montreal, and it did not appear that there was much to be gained from promoting his interests. William H. Puthuff, Michilimackinac agent, raised the question as to what procedure should be followed if an American citizen also applied for a license to trade within the Upper Lake country. Should the British traders employed by the South West Fur Company then be permitted to obtain licenses for the same district? 15 The problem was referred by Puthuff to Cass through Ramsay Crooks, Astor's chief assistant. Cass, although opposed to the entry of any foreigners into the Indian country, 16 promptly replied that it was not the duty of the frontier administrators to question whether or not the government policy was "wise or politick..." In the execution of the trust reposed in us, we have nothing to do, but to ascertain as nearly as possible the views and objects of the Government, and carry them into effect." He instructed Puthuff to consider applicants for licenses only on the basis of their personal character and conduct. 17

During 1817 the government's orders with regard to the British traders remained in effect with only the qualification that licenses be issued for periods not exceeding twelve months. 18 Astor, in the meantime, taking advantage of the 1816 act, bought out his Canadian partners in the South West Fur Company and reorganized his interests in the American Fur Company. 19 Thereupon the War Department reiterated its support of Astor in a letter to Cass, who, in turn, instructed Puthuff that Ramsay Crooks, Astor's Michilimackinac assistant, "... should have the selection of such persons to enter the Indian country and conduct the business as he may require." 20 Such instructions to Puthuff were deemed necessary for the Indian agent, utilizing his discretionary power to reject Canadian
applicants not "above suspicion," had discriminated against Astor employees.²¹

In 1818 the practice of licensing British traders finally came to an end. The War Department proclaimed the President's intention of enforcing the 1816 exclusion law and instructed Indian agents to issue trading permits only to American citizens. The decision undoubtedly reflected the Department's favorable reaction to Astor's negotiation concerning the South West Fur Company. With a reorganized American Fur Company ready to supply the wants of the Indians there no longer prevailed the need to rely upon the trade of foreigners. Not long after, however, John C. Calhoun, the new Secretary of War, felt obliged to make a slight modification in the order. Recognizing the important role played in the fur trade by such persons as the French-Canadian voyageurs, Calhoun directed that American traders could employ foreign boatmen and interpreters "as assistants" if they were properly bonded. A rigid set of requirements was prescribed to prevent abuses of the privilege, and the rule was laid down that "for each foreign interpreter, an American citizen must be employed in order to be trained in the duties of an interpreter."²²

The directive of 1818 remained in force for many years. One of its important results was the naturalization of British-born traders who had resided in the Upper Northwest since the time of Jay's Treaty (1794). A test case, arising from the rejection of a Green Bay trader's application to enter the Indian country in behalf of the American Fur Company, occurred in 1819, and in a judgment rendered by the United States Attorney General the individual was declared not to be a citizen by virtue of his failure to take an oath of allegiance to the nation in accord with the opportunities presented by Article II of Jay's Treaty and subsequent acts of Congress.²³ Soon thereafter numerous frontier residents of British origin applied for and obtained citizenship papers which enabled them to continue engaging in the American fur business.²⁴

The enforcement of the 1816 exclusion law was effective but it did not allay Northwestern fears. During the summer of 1820
while conducting the first postwar expedition through the Upper Lakes wilderness, Governor Cass reported that

the farther I penetrate into the Country, the more apparent are the effects produced upon the feelings of the Indians by prodigal issues of presents to them at the British posts of Malden and Drummonds Island. . . . There will be neither permanent peace nor reasonable security upon this frontier, until this intercourse is wholly prevented.  

Intensifying the governor's apprehensions was an incident that occurred during his expedition's visit to the Chippewa community at Sault Ste. Marie, Michigan. There, amidst treaty negotiations for a small tract of military land overlooking the Canadian shore of the St. Marys River, a sullen warrior, dressed in the red coat of a British officer, suddenly endeavored to precipitate a clash between the negotiating parties by savagely thrusting a war lance into the council ground, kicking away proffered presents, and defiantly displaying the British flag. Only the peaceable intervention of an influential trader's wife, the daughter of a historic Chippewa chief, prevented bloodshed.  

To combat the problem of presents Cass formulated a comprehensive plan which was approved by the President and placed in operation throughout the Michigan Superintendency in 1822. It called upon the Indian agents to make a concerted effort to interdict the visits of the Upper Lake Indians to the British posts by means of a peaceful policy of persuasion and admonition. "The Government is anxious," asserted the governor, "to obtain the object by mild, not forcible means." No drastic measures were to be employed which would either produce excitement among the various northern tribes or serve to strain American diplomatic relations with Canada. Accordingly, each agent was instructed to deliver talks at regular intervals and opportune moments to his wards conveying the President's displeasure toward the activities beyond the border and explaining why Indian relations with the British served neither tribal interests nor those of the nation. The practice was to be adopted of refusing presents and the services of the blacksmith shops at the American agencies to natives who failed
to heed the President's advice, and all recalcitrants were to be in-
formed that they could not be considered friends of the United States. Enclosed with the instructions was a speech written by Cass but carefully edited by John C. Calhoun which the agents were directed to transmit to the various villages within their jurisdiction. The speech embodied the basic government view regarding the visits, and was couched in language meaningful to the Indian:

...When you leave your own Country and pass into a Terri-
tory, not governed by our laws, stories are told you, which are calculated to make an unfavorable impression upon your minds, towards your American brethren... When you leave the United States, persons are ready to whisper into your ears. Like bad birds they are flitting about you, telling false stories of us, poisoning your minds, and giving advice injuri-
ous to you and us.

...It is certain, that the design of the British agents in furnishing you with goods is not from any friendly feeling to-
wards you, or for your benefit, but to acquire over you for political purposes an influence, which may be wielded here-
after as circumstances or policy may dictate.

Cass hoped to achieve success with his program within three or four years, but from the moment of inception it was doomed to failure. Few Indians were willing to abandon the opportunity to ob-
tain supplies which had become almost indispensable to their com-
fortable existence when the Indian agents threatened only with words. Moreover, any chance that the government might increase its own issues of presents in order to provide the natives with an equivalent for what they might relinquish at the British posts was lost when Congress launched a policy of financial retrenchment. Annual ap-
propriations for Indian affairs throughout the nation were slashed by fifty per cent in 1821, and Upper Northwest agencies had their funds cut proportionately. Henry Schoolcraft, noted Chippewa agent, re-
quested $3,000 for presents on the basis of the Cass plan in 1823 but received only $700. During the decade that followed the situation did not improve. The annual allowance for gifts at Schoolcraft's office averaged between $500 and $700, and in 1829, a year of serious retrenchment, the figure fell to $200. In a determined effort to bolster the Cass campaign Schoolcraft induced the War Department
to authorize the agents to resume the historic policy of endeavoring to foster Indian loyalties by awarding medals and flags to influential chieftains, a practice long pursued by the British and which had been previously employed elsewhere with qualified success, but such activity was of little avail. Throughout the eighteen-twenties Upper Lake tribesmen continued to flock to the Canadian garrisons for gifts.

The Indians' persistence affected administrative thinking with regard to the Northwest liquor traffic. In 1823 when the American Fur Company extended its operations from the western shores of Lake Superior to the Lake of the Woods and in so doing encountered stiff border competition from the Hudson's Bay Company, Governor Cass, although a confirmed temperance advocate, persuaded his superiors in Washington to use their discretionary power under the terms of the 1822 Indian affairs act to allow Astor traders to barter limited quantities of whiskey among the northern Minnesota Chippewas. Cass was prompted to take such a step by Robert Stuart, American Fur Company manager at Mackinac, who contended that the Company could not otherwise succeed in the border country, since the Hudson's Bay people dispensed liquor lavishly, and that Company abandonment of the region would result in a definite strengthening of Canadian influence among the Indians, both commercially and politically. Anxious to expand the American sphere of control, the government allowed the Company to retain the liquor privilege until 1827. Later, during 1831 and 1832, following additional complaints against Hudson's Bay Company encroachments, it was temporarily renewed.

With the passage of time, the problem of British influence in the Northwest declined in importance. The first event which served to ease tension occurred in 1828 when the Canadians, acting in conformity with the International Boundary Commission's decision awarding Drummond Island to the United States, withdrew from the Michilimackinac-St. Marys River district and reestablished their Upper Lake Indian post at Penetanguishene, nearly two hundred miles to the east of Michigan Territory in Georgian Bay.
post might easily have been transferred to another site along the international border the move was viewed by American administra-
tors as a peaceful gesture. A second determining factor developed
two years later when the administration of Canadian Indian Affairs
was withdrawn from the hands of the Canadian army and placed un-
der civilian control. This step weakened the belief that the Indians' friendship was being cultivated for Canadian military advantage in future wars, and as a result fewer and fewer reports were dispatched to Washington describing Indian pilgrimages to Upper Canada, although Canadian records reveal that nearly as many Michigan Indians visited Penetanguishene in the early eighteen-thirties as had visited Drummond Island during the twenties. It is significant to note, however, that the United States government did not abandon interest in the problem. In the Reorganization Act of 1834, which led to drastic reductions in federal Indian expenditures, Congress specifically pro-
vided for the continuation of annual distributions of goods to "fr:end-
ly Indians" residing about Lake Superior and the headwaters of the Mississippi.

One final outburst of agitation concerning the Indian ques-
tion occurred during the period of the Patriot War in Upper Canada. Aroused by rumours of unusually large conclaves of American wards at British sites in northern Lake Huron, the United States House of Representatives requested on March 19, 1838, and obtained from the Secretary of War on January 22, 1839, a comprehensive statement of information respecting the British practice of giving presents. The report was based upon investigations conducted by Michigan Indian agents, and revealed that the Upper Canadian distribution centers had been transferred from Penetanguishene and Malden to a newly established Indian colonization project on the Great Mani- toulin Island. It also disclosed the fact that due to Parliamentary demands for reductions in colonial Indian expenses the Canadian authorities had decided to terminate the distribution of gifts to visiting American Indians in the summer of 1839, and that all United States visitors had been forewarned of such a change in policy since 1837. Lastly, it was related that Michigan officials generally attri-
buted the practice of giving presents, not to the direct orders of the British government, but to overzealous subordinates on the Upper Lake frontier. Encouraged by the Secretary of War's findings the Washington legislators made no effort in the spring of 1839 to adopt a new course of action toward the pilgrimages. Shortly thereafter, however, additional reports were received in the capital to the effect that Canadian officials and British humanitarians had taken it upon themselves to invite Michigan Indians to join the Manitoulin colony permanently, and that a few hundred Chippewas, Ottawas, Potawatomies, and Menominees had responded to the invitation. "Something like a panic was created among the bands along lake [sic] Huron and Michigan," declared Henry Schoolcraft, the Acting Michigan Superintendent,

by a report, which is to be traced across the lines, that the United States intended, this season, to send steamboats, and take them off, by force, to the west of the Mississippi. This turn of events caused the House of Representatives to request and obtain a second explanatory report from the War Department in the spring of 1840. Four months later when it became known that the Canadians had again awarded gifts to American visitors at their annual summer convocation the national Indian Commissioner, T. Hartley Crawford, recommended that the State Department direct an appeal for remedying the problem to British officials in London. On the Northwest frontier, in the meantime, Henry Schoolcraft announced that all Indians taking up residence in the Manitoulin would have to forfeit their shares of the annuities provided for in the Chippewa and Ottawa treaties of 1836 and 1837, and advised Major General Winfield Scott to strengthen the Upper Lake defense for the moral effect that it would create. Federal authorities had concluded that the Canadian activities not only endangered national security but also posed a serious threat to the intended removal program for the lower Michigan peninsula.

The summer of 1840, however, represented the peak in the crisis. During the following winter the Secretary of State, John
Forsyth, rejected the Indian Commissioner's request for a diplomatic appeal to the British government.\textsuperscript{49} Not long thereafter it was learned that many of the emigrant Indians had returned to their former homes in Michigan, having found the Manitoulin environment unattractive.\textsuperscript{50} Two years later the Upper Canadian Indian Department renewed its pledge not to issue presents to visitors from the United States. A few stragglers continued to make treks across the border in ensuing seasons, but whatever satisfaction they may have derived from such journeys ended in 1852 when the Canadian government abandoned the practice of distributing presents to its own wards.\textsuperscript{51} The problem of foreign intermeddling was at last permanently dead.

The postwar struggle against British influence in the Upper Old Northwest constitutes a significant chapter in the history of American Indian affairs. In bringing that story to a conclusion certain points need to be stressed. Firstly, federal administrators considered the nature of the foreign problem to be much more serious than is generally believed. This was particularly true during the years from 1815 to 1828.\textsuperscript{52} Secondly, the governmental viewpoint helps to explain why various, seemingly unusual concessions were made to John Jacob Astor's American Fur Company. There can be no doubt that such men as William H. Crawford and Lewis Cass viewed the Company as an important nationalizing force. Thirdly, credit is due the War Department for endorsing a policy to intercept the visits of the Indians to the Canadian posts which was reasonable and based upon humanitarian motives. No attempt was made to rely upon the military power of the United States army. Finally, to Congress must be attributed the failure of that policy to progress satisfactorily. By not appropriating funds sufficient to care for the needs of the northern Indians the legislators greatly hampered the effectiveness of the Indian agents.
Notes


11. James M. Callahan, American Foreign Policy in Canadian Relations (New York: The MacMillan Co., 1937) p. 89; Cass to the
Secretary of War, October 8, 1819 (Territorial Papers: Michigan, vol. 10) pp. 867-870.

12. Moore, _op. cit._, pp. 54-55.


14. George Graham to Puthuff and the Commanding Officer at Michilimackinac, June 5, 1816, _ibid._, vol. 19, p. 414.


24. Naturalization Papers, 1820, _ibid._, pp. 177-179. See also n37, p. 177; William Watts Folwell, _A History of Minnesota_ (St. Paul: Minnesota Historical Society, 1921), vol. 1, p. 133.


27. John Quincy Adams, the Secretary of State, favored some sort of diplomatic declaration of intention to the British government but such a course was not pursued. Charles Francis Adams (ed.), Memoirs of John Quincy Adams, (Philadelphia: J. B. Lippincott and Co., 1875) vol. 5, pp. 411-412.

28. Cass to Calhoun, October 21, 1821, National Archives, Michigan Superintendency of Indian Affairs, Letters Sent, vol. 3, pp. 323-334; Calhoun to Cass, February 11, 1822 (Territorial Papers: Michigan, vol. 11) pp. 224-225; Cass to George Boyd, April 7, 1822 (Wisconsin State Historical Society Collections) vol. 20, pp. 249-253; Cass to Schoolcraft, National Archives, Sault Ste. Marie Agency, April 7, 1822, Letters Received, vol. 1, pp. 1-3. Indian records in The National Archives will hereafter be referred to by means of the following abbreviations: BIA (Bureau of Indian Affairs); MSIA (Michigan Superintendency of Indian Affairs); MA (Mackinac Agency); SSMA (Sault Ste. Marie Agency); LR (Letters Received); LS (Letters Sent).


33. The War Department had not distributed medals in the Northwest since 1814. Cass to McKenney, February 14, 1825, BIA, LR (1824-1825), Michigan; Grace Lee Nute, Indian Medals and Certificates (Minnesota History, vol. 25, September, 1944), pp. 265-270; Schoolcraft to Calhoun, January 18, 1825, SSMA, LS, p. 82; McKenney to Schoolcraft, January 24, 1825, SSMA, LR, vol. 1, p. 275.

34. Michigan Pioneer and Historical Society Collections, vol. 23, 1895, p. 151; Detroit Gazette, August 2, 1825, and July 25, 1826;


42. Schoolcraft to C. A. Harris, August 29, 1837, BIA, LR (1838), Michigan, S-510.


44. Schoolcraft to Crawford, June 26, 1839, MSIAMA, LS, vol. 1, pp. 718-719. See also Schoolcraft to Crawford, February 26, 1839 (2 letters), BIA, LR (1839), Saginaw, S-1355 and S-1356.


47. Schoolcraft to Winfield Scott, July 2, 1839, MSIAMA, LS, vol. 2, pp. 6-7; Crawford to Schoolcraft, July 26, 1839, LR, vol. 7,


49. Secretary of State John Forsyth to the President, February 24, 1841, BIA, LR (1841), Miscellaneous, S-1954.

