

**Anatomy of The 1818 Treaties of St. Marys;
Their Impact on the Miami, Delaware, New York Tribes and Indiana**

By A. Andrew Olson III, December 20, 2011; © A A Olson, 2011

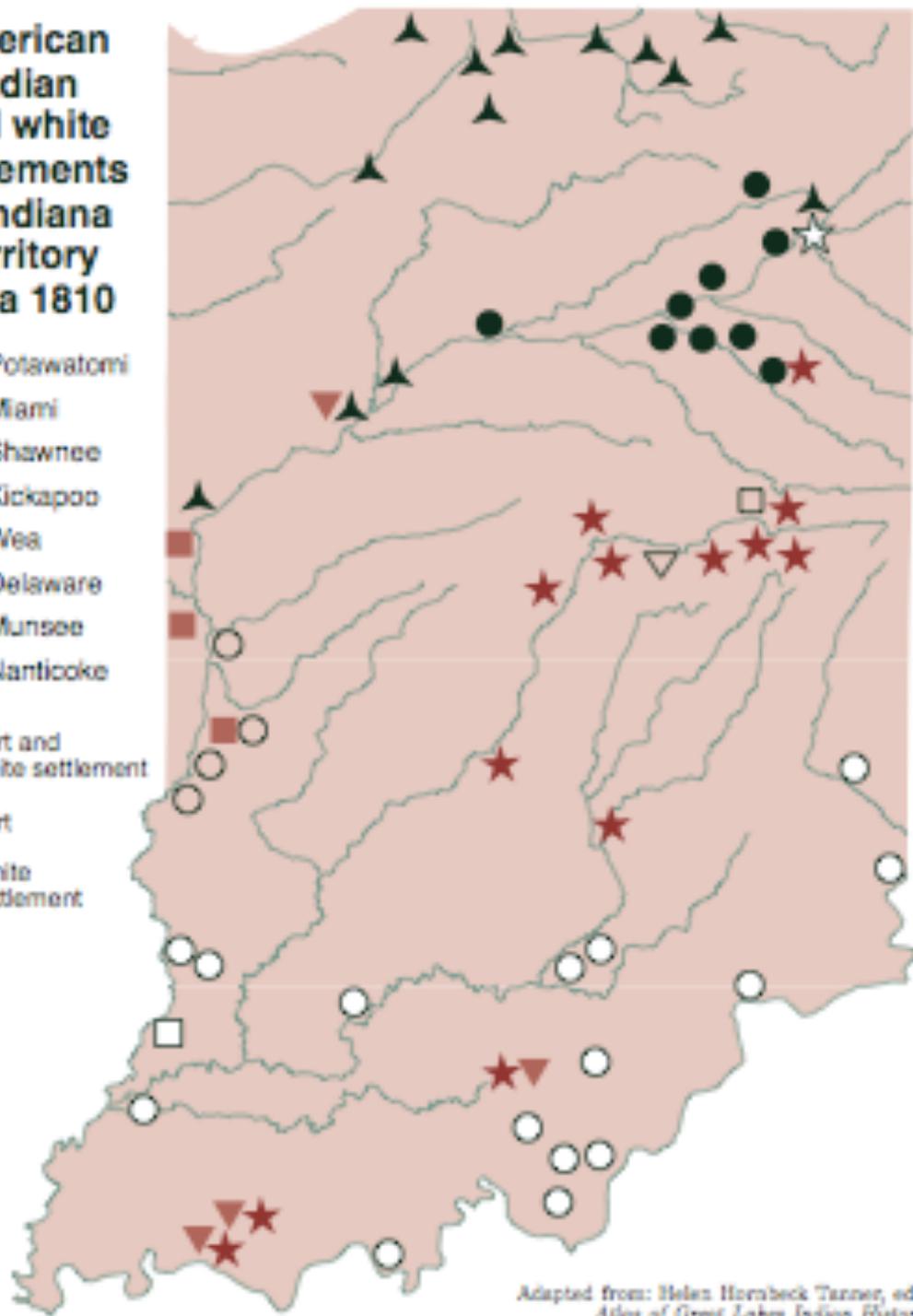
With the end of the American Revolution and subsequent signing of the Northwest Ordinance in 1787, a flood of pioneer families streamed across the Appalachian Mountains to the newly organizing lands just beyond to the West. Fledgling territorial government officials, driven in part by a tidal wave of white migration, sought increasing amounts of land from Native Tribes – some of which had already been imposed upon with regularity by the new American Nation. As populations in the eastern portions of the Northwest Territory reached threshold levels, the new states of Ohio and Indiana had been admitted into the Union by the end of 1816. None-the-less, vast portions of these new states remained in the hands of Native Tribes. To rectify this situation, a series of pivotally important treaties were authorized in 1817 and 1818.

In the fall of 1818 alone six separate treaties were completed at St. Marys, Ohio between the US Government and the Wyandot, Seneca, Shawnese and Ottawas (September 17th), with the Wyandot (September 20th), the Potawatomi (October 2nd), the Wea (October 2nd), the Delaware (October 3rd) and the Miami (October 6th).¹ These treaties brought vast amounts of land under control of the US and by reference Ohio and Indiana, ushering in the dramatic settlement and expansion of Indiana in particular. The negotiations resulted in wholesale removal of the Delaware from Indiana, substantially prevented the planned migration and settlement of the Brothertown and Stockbridge in Indiana, and set the future direction for the displacement of the Miami from their Indiana homeland.

¹ Charles J. Kappler (ed), *Indian Affairs, Laws and Treaties, Vol. II (Treaties)*, (Washington, D.C., 1904), 162-164, 168-174

American Indian and white settlements in Indiana Territory circa 1810

- ▲ Potawatomi
- Miami
- ▼ Shawnee
- Kickapoo
- Wea
- ★ Delaware
- Munsee
- ▽ Nanticoke
- Fort and white settlement
- ☆ Fort
- White settlement



Adapted from: Helen Hornbeck Tanner, ed.,
Atlas of Great Lakes Indian History
 (Norman, Okla., 1987), 95-96.

Indiana



The White River Country and US/Indiana Interest in Securing the Land

Well before Jonathon Jennings' election as Indiana's first Governor on August 15, 1816², his interest in internal improvements and expanded settlement as well as concern about Indian raids had been clearly set forth.³ As the Congressional delegate from the Indiana Territory (1809, 1811, 1812, 1814) Jennings had introduced a resolution looking toward the building of a road between Jeffersonville and Detroit⁴, sought credit relief for settlers' land purchases⁵ to encourage settlement and secured the passage of a bill to organize four additional companies of Rangers for the protection of Indiana settlers.⁶ There was a problem, however: the Delaware and Miami controlled more than 1/3 of the State's land, effectively relegating the citizens to its southern third.

Separately, in July of 1816 while Indiana was moving toward statehood, word of possible Wea interest in selling more than a million acres of land lying between the main branches of White River in Indiana had come to the attention of Benjamin Parke. Parke was then serving as an Indiana Territorial judge located in Vincennes.⁷ Not wanting to miss this opportunity, and recognizing the Miami (parent tribe of the Wea⁸) and Delaware⁹ were pivotal stakeholders of the

² see *Indiana Statehood – Timeline*, at <http://www.in.gov/history/2477.htm>, (accessed 2011); he was inaugurated Nov. 7th and Indiana admitted to the Union on Dec. 11th.

³ Dorothy Riker, *Jonathan Jennings* in *Indiana Magazine of History*, Volume 28, number 4, (December, 1932), 224-239

⁴ *ibid*, 231

⁵ *ibid*, 230

⁶ *ibid*, 231

⁷ Benjamin Parke to William H. Crawford, dated Vincennes, July 31, 1816, *Benjamin Parke Papers 1816-1818*, Collection SC1692, Indiana Historical Society, William H Smith Library, Folder 1

⁸ C. A. Weslager, *The Delaware Indians – A History* (Rutgers University Press, New Brunswick, New Jersey, 1972), 332.

country east of the Wabash, Parke sought to expand any such discussions to include them as well.

The interest of the Miami in such a plan was confirmed by September 25th¹⁰, when they also assured Parke of the acquiescence of the Delaware to the concept. Things moved quickly, and by October Parke had been designated a Treaty Commissioner and arrangements were set for the Wea and Mississinnaway Miami¹¹ to treat with the commissioners¹² at Fort Harrison (today's Terre Haute) on November 11th.¹³

While a council at Ft. Harrison did occur, only the Wea attended.¹⁴ The Miami sent assurance of a willingness to join with other tribes in cession of the White River country, and the Delaware suggested they would accede to whatever arrangement was negotiated by the Miami. The Delaware, however, told Parke their interest was in negotiating an exchange "of their claim to the whole [emphasis added] of the country on White River for a portion of the lands the United States purchased of the Osage Indians in the Missouri Territory." He further reported: "... one of their Chiefs is now on a visit to that Country for the purpose of ascertaining its situation and the means of subsistence it affords."¹⁵

⁹ *Benjamin Parke Papers 1816-1818*; *ibid*; Parke indicated: "As a favour, they [Miami] stipulated in 1809, that the Delaware should have an equal right with themselves, to the country watered by White River"

¹⁰ Parke letter to William H. Crawford, dated Vincennes, September 25th, 1816; *ibid*

¹¹ the principle villages of the Miami Nation were located along today's Mississinewa River in East Central Indiana

¹² Benjamin Parke, Thomas Posey, T.C. Sharpe letter to The Honorable Secretary of War, dated Vincennes, November 27, 1816; *ibid*

¹³ Benjamin Parke letter to William H. Crawford, dated Vincennes, October 3?, 1816; *ibid*

¹⁴ Benjamin Parke, Thomas Posey, T.C. Sharpe letter to The Honorable Secretary of War, dated Vincennes, November 27, 1816; *ibid*

¹⁵ *ibid*.

Although Parke concluded that the future prospect of a successful negotiation was high, it would take a grand council of many tribes to reach this desired goal.

Pressure from the new Governor of Indiana at the prospect of securing an enormous area in the heart of the new state was likely a factor in the Commissioners' hasty work. In fact those most familiar with and close to the Delaware and Miami, Indian agents John Johnston and Benjamin Stickney, had been unaware of the 1816 Ft. Harrison council. Without the agents' participation, Tribal leadership gave little credibility to the Ft. Harrison council.¹⁶ As a result, it was not until April of 1817 that unofficial discussions for sale of White River Country had been initiated between Delaware Indian Agent John Johnston and the Delaware chiefs.¹⁷

By the time the distinct possibility of securing the entire White River Country became evident in mid 1817, plans had already been laid and a commission set to seek relinquishment of title to remaining Tribal lands in Ohio alone.¹⁸ Michigan Territorial Governor Lewis Cass and General Duncan McArthur had been appointed treaty commissioners for a council to be held at Fort Meigs, Ohio (near present day Maumee) in the fall of 1817. In spite of the treaty commission limitation, Cass decided to invite Delaware and Miami Chiefs to the treaty anyway – although neither held significant lands in Ohio by that time. The possibility that treaty discussions could be expanded to include the White River Country drove his decision.¹⁹

¹⁶ John Johnston letter to Lewis Cass, dated Piqua, June 20, 1817; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851* (Record Group 75.15.5), Microfilm File M1, roll 3, National Archives, Records of the Bureau of Indian Affairs (Record Group 75)

¹⁷ John Johnston letter to Lewis Cass, dated Piqua, April 26, 1817; *ibid*

¹⁸ Lewis Cass letter to John Johnston, dated Detroit, July 12, 1817; *ibid*

¹⁹ Lewis Cass letter to Benjamin F. Stickney, dated August 4, 1817; *ibid*

The Stockbridge-Munsee & Brothertown Secure Approvals to Settle in White River Country

Meanwhile, further to the East in Upstate New York a tide of unauthorized white settlement on lands of the Six Nation Oneida & Seneca placed a sense of urgency on a proposed exchange of country (land in New York for land in Indiana). Also living on Oneida land, by invitation, were the Stockbridge and Brothertown Nations. With a view to putting in motion the exchange of country, Cass had invited the Oneida/Six Nation, through Congressman David A Ogden²⁰ and Seneca Indian Agent Erastus Granger, to attend the Ft. Meigs treaty discussions.²¹

Years before, the Stockbridge and Brothertown had concluded it would be necessary to move away from white settler/speculator intrusion. These two tribes were unique Christianized amalgams of remnant tribal bands brought together by missionaries operating during the Great Awakening religious movement in mid 18th century New England. Congregational missionary John Sergeant had gathered families of the Hudson River Mahican²², the Housatonok, Wapping, Wyachtonok, and other Connecticut groups together at Stockbridge,

²⁰ Ogden, then a US Representative from Upstate New York, was also a powerful land speculator through the "Ogden Land Company" and influencer of western New York settlement. See *Biographical Directory of the United States Congress*, Ogden, David A. (1770-1829) at

<http://bioguide.congress.gov/scripts/biodisplay.pl?index=O000043> and *David A. Ogden* at http://en.wikipedia.org/wiki/David_A._Ogden

²¹ Lewis Cass letter to David A Ogden, dated Detroit, July 30, 1817; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid.* Cass indicated: "...I presume the execution of this plan is important to you in a pecuniary point of view..."

²² or "Mohican" , a variant of "Mahican" , *Merriam-Webster On-Line Dictionary* at m-w.com (accessed 2011).

MA²³. Similarly, Joseph Johnson and Mohegan Presbyterian minister Samson Occum assembled already Christianized Mohegan, Pequot, Narragansett, Montauk, Tunxis, and Niantic families from seven New England Indian villages to form the Brothertown community.²⁴ During the Revolutionary War, in fact, the Brothertown had sought safe haven with the Stockbridge in Massachusetts²⁵.

Both tribes, driven by unauthorized white squatting on their land, had already sought refuge away from this problem – migrating to Oneida land in Upstate New York during the last quarter of the 18th century. Another missionary-formed community of Munsee²⁶ families, then led by Bartholomew Calvin and coming from the Brotherton Reservation of New Jersey, had joined the Stockbridge in New York by 1802.²⁷ The Stockbridge-Munsee and Brothertown Nations were unique not only because they were Christianized, but because they had adopted so-called “civilized” ways: domesticated farming, food production, education and English language skills.

By the end of the Revolutionary War a significant leader/sachem had emerged

²³ *The People From Stockbridge* in Guide to the Stockbridge Indian Papers, 1739-1915, Collection Number 9185, Division of Rare & Manuscript Collections, Cornell University Library, 2006

²⁴ W DeLoss Love, *Samson Occum and The Christian Indians of New England*, Chapter XI: Seven Settlements of Christian Indians 1717-1776 (Boston: Pilgrim Press, 1899); 188-204

²⁵ Caroline K. Andler, *Brothertown Indian Nation – Brief History* at <http://www.brothertownindians.org/History.htm> (accessed 2010)

²⁶ Roger J. Ferguson, *The White River Indiana Delawares: an Ethnohistoric Synthesis, 1795-1867*, PhD diss, (unpublished, Ball State University, Muncie, IN, 1975), 3-4: The Lenape (Delaware) were originally comprised of three principal dispersed and autonomous geographical groups, the Munsees, Unamis, and Unalachtigos. The Munsees occupied an area including the lower east Hudson River and the upper Delaware River down to its junction with the Lehigh River. A Munsee sub-group, the Minisinks, were located at the headwaters of the Delaware River.

²⁷ Jeff Siemers, *Brotherton Reservation* at <http://algonkianchurchhistory.blogspot.com/2008/11/brotherton-reservation.html> (posted November 7, 2008)

among the Stockbridge: Hendrick Aupaumut. He was a Mahican by birth, a former Revolutionary War officer and became a US government representative on several missions to the “Western Tribes” in the 1790s.²⁸ Aupaumut had spent more than a year living among the Miami and Delaware along the Wabash and White Rivers by 1802. His visible Revolutionary War service and outspoken support of the United States made him a logical choice as a US-sponsored intermediary.²⁹ And, leveraging on the Delaware’s close tribal affinity with the Stockbridge’s Mahicans and Munsee bands in particular³⁰, Aupaumut had immediate access to and credibility with Tribal leadership³¹.

It is clear Aupaumut’s several missions to the Western Tribes had a dual purpose: placate the Nations on behalf of the US government to minimize the prospect of armed conflict during the 1790s³² while scouting out possible locations for relocation of the Stockbridge-Munsee and Brothertown to the West³³. By 1802 Aupaumut was clearly intent on bringing the Stockbridge to

²⁸ Paul Weer, *Writings & Notes Regarding Hendrick Aupaumut* (unpublished, 1956), Indiana Historical Society, William H. Smith Library, Original Manuscript File M293, Box 1; 23, 25-26, 28: Aupaumut’s missions included: 1791, for General St. Clair prior to his campaign against the Indians in the Ohio Territory; 1792, for Secretary of War Henry Knox, living 11 months among the Delawares, Miamis, Shawnees; 1793, for General Thomas Pickering to make preliminary treaty arrangements for discussions with the Western Indians at Sandusky

²⁹ B.H. Coats (ed.), *A Narrative of An Embassy to the Western Indians, from the Original Manuscript of Hendrick Aupaumut* in *Memoirs of the Historical Society of Pennsylvania*, Volume II. (Philadelphia: Carey, Lea & Carey – Chestnut Street, 1827); Aupaumut had also accompanied General Anthony Wayne at the Battle of Fallen Timbers in 1794 (near present-day Maumee OH) - the pivotal engagement leading to the Treaty of Greenville in 1795.

³⁰ Paul Weer; *ibid*; The Delaware had a particularly strong feeling of shared heritage with the Mahicans and Munsee.

³¹ B.H. Coats (ed.); *ibid*

³² Avi Kupfer, *The Dictates of Sound Policy: Contending with the Western Indians under the New American Constitution*, An essay. Pierson College, Yale University. (Yale University Library Digital Collections, 2010)

³³ W DeLoss Love; *ibid*, Chapter XVII: The Last Remove 1809-1898, 316-317

White River³⁴. To that end, that year he orchestrated a council with the Miami & Delaware along White River. The result was a friendly compact and invitation from principal Delaware chief Tatepahqsect [Tetepachsit] and head warrior Pokenchelah [Buckongahelas] to come to White River³⁵.

At the same time, the Delaware had finally reestablished a sense of community along White River after migrating there as part of the Treaty of Greenville (1795). A growing desire to recapture the former dignity and prestige of their once-dominant Nation coalesced during this time. The Delaware chiefs sent messages to all displaced remnant bands and related tribal members to come join them on White River.³⁶ Soon after principal White River Delaware leadership shifted to Chief William Anderson (Kikthawenund), Aupaumut sought to reconfirm the Delaware invitation to the Stockbridge-Munsee and Brothertown. Anderson, as a strong advocate of reuniting the Delaware Nation along White River, was a clear supporter of such migrations.³⁷

To be sure the Brothertown were included in the Delaware's invitation, Aupaumut garnered, in an 1808 council along White River, Delaware agreement to receive a delegation of Brothertown in July 1809. When the delegation subsequently returned to New York in August 1809, they related the speech of the Delaware chiefs: "...you have the same privilege as we have to this land...you may take your own choice wherever you should be suited on undivided land along this river; there you may build your fireplace."³⁸

³⁴ Paul Weer; *ibid*, 34

³⁵ Jedidiah Morse, *A Report to the Secretary of War of the United States, on Indian Affairs, Comprising a Narrative of a Tour performed in the Summer of 1820*, (Washington: Davis & Force, 1822), 110

³⁶ Paul Weer; *ibid*, 35

³⁷ Roger J. Ferguson; *ibid*, 70, 95, 101

³⁸ W DeLoss Love; *ibid*, 317

Aupaumut was quick to memorialize the Delaware 1808 invitation and gain Miami acquiesce to it (as primary land holders of the White River country). By December 1808 he had arranged a mission to President Thomas Jefferson by Chief Little Turtle of the Miami – accompanied by Aupaumut. There, President Jefferson witnessed the so-called Miami Declaration on December 21, 1808. In the Declaration the Miami granted to the Delaware, Moheakunucks³⁹ and Munsees a certain portion of Delaware lands on White River for the sole use and occupation of these tribes. The declaration concluded: “...neither they the said Dellawares, Mohiccaners [Mahicans] and Muncies [Munsee], nor their descendants shall ever alienate the Lands to any other persons or purposes whatsoever, without the concent [consent] of the said Miamies and the Chiefs before named...”⁴⁰

Also in December 1808, Aupaumut had been appointed “US Agent to Assist & Instruct the Delaware in Agriculture & Domestic Arts”⁴¹ – part of Jefferson’s strategy to integrate Native Tribes into US society.⁴² For the next 4+ years commencing in June 1809, Aupaumut and a delegation of Stockbridge lived continuously among the Delaware along White River.⁴³ Once again, Aupaumut had a dual mission: one on behalf of the government, and one to secure a place for the Stockbridge & Brothertown. There was a third mission as well: stemming the pagan and nativism influence of Shawnee leaders “The Prophet” and his

³⁹ the Mahicans or Mohicans (the principal band of the Stockbridge) came to call themselves Moheakunucks ; see Martin Barker and Roger Sabin, *The Lasting of the Mohicans: History of an American Myth* (University Press of Mississippi, 1995), Chapter 8: In the Matter of the Mohican, 194

⁴⁰ US Congress, *Report of a Select Committee on the petition of sundry Indians of the Stockbridge Nation, accompanied with a bill confirming their title to certain lands*. Feb. 24th, 1820, William H. Smith Memorial Library, Indiana Historical Society, Indianapolis. Reference number: E99.58U558

⁴¹ Gayle Thornbrough (ed.), *Letter Book of the Indian Agency at Ft. Wayne, 1809-1815*, (Indianapolis: Indiana Historical Society Publication, Volume 21, 1961); 54-55

⁴² Andrew A. Lipscomb (ed.), *The Writings of Thomas Jefferson*, (Washington D.C: Georgetown Company, 1853), XVI, 424

⁴³ Gayle Thornbrough; *ibid*, 54-55

brother Tecumseh on the increasingly receptive Delaware.⁴⁴ Both were becoming prominent national figures in developing a Confederation of Native Tribes to resist white settlement, and may have lived among the Delaware along White River between c1798 and c1805.⁴⁵

Longer term, Aupaumut reasoned, members of his Christianized community could make a positive impact on the entire White River Delaware Nation⁴⁶. And once again the Delaware confirmed their invitation in a message from Chief Anderson (following a Council in Wappecommehroke along White River on July 21st, 1817): "...Grand Children, Your Grand Fathers have at two different times, given you a seat on White River...prepare in haste, and come and set down on the ground your Grand Fathers have given you. When you approach White River, you will see your Grand Fathers sitting where they have set these many years...we shall from this time, when we rise in the morning, have our eyes fixed towards the way you are to come, in expectation of seeing your coming to sit down by us, as a nation."⁴⁷

The Brothertown on the other hand, while in close proximity and collaboration with the Stockbridge-Munsee in Upstate New York, lacked the strong ancestral and personal connection to the Delaware as represented in the person and position of Hendrick Aupaumut.⁴⁸. Consistent with the Delaware 1809 invitation

⁴⁴ Hendrick Aupaumut letter to John Sergeant, dated February 4, 1808, *Dean Family Papers 1788-ca1920*, Collection #M0085, Box 1, Folder 2, Manuscript & Visual Collections, Wm H. Smith Library, Indiana Historical Society, Indianapolis; Aupaumut reports: "...I find that they do firmly believe the prophet...I think it our duty to cut off these prophets influence"

⁴⁵ John Sugden, *Tecumseh, A Life* (New York: Henry Holt & Co., 1997), 99-100

⁴⁶ Hendrick Aupaumut letter to John Sergeant, dated Near White River, January 3, 1809; *Dean Family Papers 1788-ca1920*; *ibid.* Aupaumut indicates: "...hoping we shall be able to do some good in the course of time - I have fixed my plume on such manner as I think I will succeed - under the blessing of the good Spirit."

⁴⁷ Jedidiah Morse; *ibid*, Appendix, 111-112

⁴⁸ W DeLoss Love; *ibid*, Chapter X: Occom's Sermon, Hymns and Hymn Book,

to settle along White River, the Brothertown had determined to establish a settlement there commencing in 1812.⁴⁹ The War of 1812, however, disrupted their planned migration. In the aftermath of the war, the Brothertown voted on January 13, 1817 to choose five men to “...go there [White River] in pursuit of a tract of land heretofore sought for by their [our] delegates sent there in the year 1809, and to get a title to it.”⁵⁰

To this end, and commencing in May of 1817, Quaker spiritual leader and Brothertown agent Thomas Dean led an all-water expedition of Brothertown leaders, and their wives, from New York to Indiana. The initial focus was to treat with principal Delaware Chief Anderson.⁵¹ Unsuccessful in completing a compact with Anderson by mid September, Dean’s party continued on to Fort Wayne - home to Brothertown Elder Isaac Wobby and his wife Jane.⁵² Finding Wobby had gone to Fort Meigs to observe ongoing treaty negotiations, Dean’s party immediately departed for Fort Meigs as well - arriving just a day before the treaty was concluded on September 30th.

Although Dean and the Brothertown did not participate in the treaty itself (and the Six Nation/Oneida did not attend as invited), they were able to accomplish much. The presence of all Delaware Chiefs at Fort Meigs provided the opportunity for Dean to secure confirmation of the Delaware’s Brothertown invitation. In fact Dean reported: “...in the evening [October 1st] we held a council with the Delaware and Shawnee chiefs. The Delawares, in the presence of John Johnson [Johnston], agent [for the Delaware], expressed the desire that the

169-176; the Brothertown movement had its origin in the missionary work of Samson Occom (1723-1792) – who was a Mohegan

⁴⁹ *ibid*, Chapter XVII: The Last Remove 1809-1898, 317

⁵⁰ *ibid*; 317-318

⁵¹ John Candee Dean (ed.), *Journal of Thomas Dean: An Account of a Journey to Indiana in 1817* (Indianapolis: John Candee Dean, 1918)

⁵² *ibid*; 74

Brothertown Indians would go into their country, and on the 2nd I received a certificate from John Johns[t]on of the purport of the council.”⁵³ Dean and some of his party returned to Brothertown, New York with the news – leaving behind Brothertown leaders Jacob Dick and Thomas Isaacs (and their families) who had accompanied Dean on the voyage to Indiana.⁵⁴ They settled in the vicinity of Fort Harrison⁵⁵. A series of actions thus commenced in New York to make preparation for the migration of numerous families the following summer.

The Lead Up to the Treaty of St. Marys: Pressures & Strategies

While Lewis Cass and fellow treaty commissioner Duncan McArthur completed what they thought was a significant milestone in securing removal of all Native Nations from Ohio as part of the 1817 Fort Meigs Treaty, it proved to be otherwise. The treaty was rejected (or technically “postponed”) by the US Senate in early 1818 because fee simple title to land had been given to the Indians⁵⁶, and to too many individual grantees. Cass indicated: “The Senate contended that the United States must be the ultimate purchaser of all land and that consequently no land can be patented to Indians.”⁵⁷

⁵³ *ibid*, 77

⁵⁴ *ibid*, 6

⁵⁵ Thomas Isaacs letter to Thomas Dean, dated Palistine, Illinois, July 7, 1819; and Isaac Wobby letter to Thomas Dean, dated St. Marys, Ohio, October 3, 1818, *Dean Family Papers 1788-ca1920*; *ibid*, Box 1, Folder 10

⁵⁶ Jer. Morrow letter to John Johnston, dated Washington, February 10, 1818, *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*, Microfilm File M1, roll 3; Morrow indicated: “...we preferred a Postponement with a recommendation for a new negotiation, to its rejected or complete alteration by the Senate and accordingly it is postponed...The object of which will be to expunge from the treaty the provisions for granting land to Indians in fee simple. With the Power of alienation, these features are unprecedented, and to a Majority objectionable”

⁵⁷ Lewis Cass letter to B. F. Stickney, dated Detroit, March 9, 1818; *ibid*

A proposed renegotiation of the treaty posed a particular challenge to the US government, as Delaware Indian Agent John Johnston reported in March of 1818: "The Information is gone among the Indians from the NewsPapers & travelers and has made a great bustle, they [the Western Tribes] are much rejoiced at the news, and declared they will never sell a foot of the Country again."⁵⁸ This was further confirmed by Dr William Turner at Fort Wayne, who in a letter to Lewis Cass stated: "The minds of the Miamies and Delawares are perfectly prepared for the disposal of their country, but it will be under conditions of much larger reservations to the different tribes than was granted at the late treaty independently of reservations to their half and quarter blooded relatives of which there are great many... I have just had an interview with Mr. Richar[d]ville, the Senior Chief of the Miami Tribe on the subject of the intended treaty. His mind is prepared to sell, but he is determined, that the government shall make certain donations to the tribe & c."⁵⁹

None-the-less, Johnston had further indicated: "I will be answerable for the consent of the Delawares if the necessary means are placed at my disposal. From the tenure of Mr. Stickney's letters it would appear that the Miamies will agree to sell."⁶⁰ Just months before, Johnston had related: "I know by proper management the Miamies can be brought over. Richardville who is everything in the nation, is as mercenary as he can be. He can be secured."⁶¹ Almost as an

⁵⁸ John Johnston letter to Lewis Cass, dated Piqua, March 27, 1818; *ibid*

⁵⁹ Dr William Turner letter to Lewis Cass, dated Fort Wayne, March 17, 1818; *Benjamin Parke Papers 1816-1818*; *ibid*; Turner's father-in-law was William Wells, who had been captured and raised by the Miami, married the daughter of Miami Chief Little Turtle, and later served as US Indian Agent to the Miami. Turner's loyalties and motivations were often in question, and he was often at odds with Indian Agents John Johnston and Benjamin Stickney, although Turner's political connections resulted in his appointment as Superintendent of Indian Trade in Fort Wayne at this time, and as US Indian Agent at Fort Wayne in 1821.

⁶⁰ John Johnston letter to Lewis Cass, dated Piqua, March 27, 1818; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*

⁶¹ John Johnston letter to Lewis Cass, dated Piqua, December 31, 1817; *ibid*

aside, Johnston also observed: "There is near 1000 Indians in New York in part civilized who will certainly emigrate to White River in a year or two if not prevented by a treaty, and once located there it will be a very difficult matter to purchase the Country. Many of the Senecas and Shawanese will move there also. Some of them are actually gone."

Pressure was also mounting from Indiana's Governor Jennings - and for good reason. An 1815 census taken in conjunction with Indiana's petition for statehood revealed that the population was moving toward the interior of the state, and away from the Ohio River.⁶² In the Whitewater basin, new interior counties Wayne and Franklin contained a 30% larger population than those bordering on the Ohio. Jennings, in December, 1817 had admonished Miami Indian Agent Benjamin Stickney: "...for want of further [Indian title] extinguishment, our Seat of Government cannot be located where it will ultimately rest. The Good People of the state are extremely desirous on the subject and aware that you can be of essential service..."⁶³ John Johnston, Indian Agent for the Delaware, was also in Governor Jennings' sights.⁶⁴

Jennings' pressure had the desired result: he was eventually appointed as one of three treaty commissioners, under Lewis Cass' leadership, for the forthcoming great council in 1818 - with the mission to extinguish Indian title to more than six

⁶² Waldo F Mitchell, *Indiana's Growth 1812-1820* in *Indiana Magazine of History*, Volume 10, issue 4, (December, 1914), 378-379

⁶³ Jonathan Jennings letter to Benjamin F. Stickney, dated Corydon, December 23, 1817; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*

⁶⁴ John Johnston letter to Lewis Cass, dated Piqua, January 20, 1818; *ibid*;
Johnston reported: "...Governor Jennings has lately written me expressing a great deal of anxiety on the subject of purchasing the White River Country from the Indians, and asking for information."

million acres of White River country⁶⁵ ...right in the middle of the new state of Indiana. The issue now was how to proceed.

Within weeks of concluding the Fort Meigs Treaty on October 2nd, 1817, plans were already underway to capitalize on the expressed interest of the Delaware and Miami in selling the White River Country. By early November, John Johnston had sent Delaware interpreter and trader William Conner⁶⁶ among the Delaware with instructions as to what to say, and expected to hear back by early Winter.⁶⁷ He had also asked Benjamin Stickney to probe the Miami.

As 1817 drew to a close Johnston had a read on the mindset of both Nations, better understood the extent of land to be sold, knew of Chief Anderson interest in relocating the entire Tribe west of the Mississippi, and had framed out the political dynamic related to bringing the Miami, through its Chief Richardville, to a favorable result.⁶⁸ He and Stickney communicated this information to Lewis Cass - even though a treaty had not yet been authorized, nor commissioners appointed. It was a foregone conclusion Cass would head whatever commission was approved by the President. Cass approved of Johnston's plan a month later, indicating: "I am decidedly of opinion that the plan which you mediated of purchasing the Country upon White River is correct. How far it is practicable at present, I have no means of judging. I will not fail to afford it all my aid."⁶⁹

⁶⁵ J.C. Calhoun letter to Jonathan Jennings, Lewis Cass, Benjamin Parke, dated Department of War, May 2, 1818; *ibid*

⁶⁶ for a complete profile of William Conner and his brother John, see John L Larson and David Vanderstel, *Agent of Empire: William Conner on the Indiana Frontier, 1800-1855* in *Indiana Magazine of History*, Volume 80, Issue 4, December 1984, 301-328

⁶⁷ B. F. Stickney letter to Lewis Cass, dated Agency Office, November 18, 1817; *Records of the Michigan Superintendency of Indian Affairs 1814-1851*; *ibid*

⁶⁸ John Johnston letter to Lewis Cass, dated Piqua, December 31, 1817; *ibid*

⁶⁹ Lewis Cass letter to John Johnston, dated Detroit, January 30, 1818; *ibid*

In mid-January 1818 Johnston went further in reviewing the Miami situation with Cass: "...there will be no difficulty except with the Miamies who have many scoundrels incorporated among them. Their names: Richar[d]ville & son. The father is a Chief and a leading man among the Miamies. He can do as he pleases with them. I have ventured to tell Mr. Stickney that he might promise him either Money or Land or an annuity personal; Antoine Bondie; young Lafontaine and Mr. Bureau Langloy, a trader who resides among the Miamies and has influence with them. There is besides, the young Godfroys - nephews to your Col. Godfroy. They are half-breeds. These people must be all attended to, as we have no other way left us for getting Indian Lands. We must make use of those who have the Confidence and affections of the natives."⁷⁰ He reiterated this thought in mid-March: "...if we are to have a large treaty, additional funds must be placed at my disposal to manage the Indians. Nothing, you know, can be done with them without presents."⁷¹

The certainty of a treaty had prompted John Johnston, as early as mid January 1818, to put together a detailed estimate of treaty expenses. He had identified and proposed sources for treaty goods and provisions, estimated the number of rations needed (100,000), lined up warehousing, recommended extra interpreters & runners, and designated who would procure which items and where - from powder and lead to saddles and bridles. He even ventured to suggest which tribes should be included, and why: "Some of the Tribes enumerated [Delaware, Miami, Putawatimie, Kickapoo, Wea, Eel River Miami, Shawanoese, Senaka] have no claim to the lands in question, but in all large Treaties the whole must be invited and participate in the presents in hand. They are often serviceable in deciding the real owners to sell."⁷² Johnston sent the estimate to John C.

⁷⁰ John Johnston letter to Lewis Cass, dated Piqua, January 20, 1818; *ibid*

⁷¹ John Johnston letter to Lewis Cass, dated Piqua, March 27, 1818; *ibid*

⁷² John Johnston expense estimate and letter, dated Upper Piqua, January 17, 1817; *Benjamin Parke Papers 1816-1818*; *ibid*

Calhoun (Secretary of War), Jonathan Jennings, and Indiana's two US Senators: Taylor and Noble⁷³.

The question of where to hold the treaties was also under discussion – Johnston urged Greenville, Ohio for logistical reasons, Stickney thought Fort Wayne, Indiana the best to pacify the Miami⁷⁴, and General Duncan McArthur (Fort Meigs treaty commissioner) favored Upper Sandusky, Ohio⁷⁵. Within a month Cass had made known his own preference for St. Marys, Ohio. Stickney endorsed the preference, noting: “It will be within the Indian Country, and entirely within our control, and so far removed from the White settlements that it will be much more easy to control spirituous liquors.”⁷⁶ General McArthur had been left out of the loop on this decision, and Cass was forced to backpedal and rationalize his actions once McArthur was reappointed to rectify the Fort Meigs Treaty flaws.⁷⁷ Ultimately, McArthur acquiesced.

As the President's authorization of a treaty and appointment of commissioners was not forthcoming until May 2, 1818, a power vacuum existed for the first four months of 1818 – which Jonathan Jennings sought to fill. There was a subtle concern about this proactive, take-charge, sometimes impetuous and inexperienced Indian negotiator. In addition to Jennings' direct pressure on Indian Agents Johnston and Stickney, he was working with Indiana's Senators to make sure a treaty would be authorized - and that Indiana would be well represented (in the person of himself) on the commission council.

⁷³ John Johnston letter to John C. Calhoun, dated Piqua, January 26, 1818; *ibid*

⁷⁴ John Johnston letter to Lewis Cass, dated Piqua, January 20, 1818; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*

⁷⁵ Lewis Cass letter to John Johnston, dated Detroit, June 15, 1818; *ibid*

⁷⁶ B. F. Stickney letter to Lewis Cass, dated February 24, 1818; *ibid*

⁷⁷ Lewis Cass letter to General McArthur, dated Detroit, August 5, 1818; *ibid*

Fragmentary evidence suggests that Jennings was also at work with William Conner and other Indiana politicians in guiding the negotiations to a favorable end.⁷⁸ John Johnston put it subtly as he sought to stem Jennings' appointment to head the commission, writing to Lewis Cass on March 27th, 1818: "...the Governor & legislature of Indiana have memorialized Congress on the subject of purchasing that [White River] Country and least any persons from that State, or any inexperienced characters might be appointed to treat with the Indians, I stated to the Honbl. Messrs. Taylor & Noble of the Senate that in my view it was indispensably necessary to the success of the measure that your Excellency should be placed at the head of the Commission."⁷⁹

Separately, as President Monroe sought to implement Jefferson's plan for Indian relocation Thomas Posey, the newly appointed Indian Agent at Fort Harrison and former Indiana Territorial Governor, had reportedly ordered provisions for a General Council to be held there in May, 1818. Posey's untimely death in March, 1818, however, scuttled the council. Benjamin Stickney, Indian Agent for the Miami, reported: "...the Pottawatamies, Miamies and Delawares were to be invited. Rumor says that this council is to be on the subject of the extinguishment of Indian title to the land. I am fully persuaded that it will [not] advance the public Interest for those Indians to go there. It will only tend to distract and make them more unmanageable."⁸⁰

⁷⁸ John L Larson and David Vanderstel, *Agent of Empire: William Conner on the Indiana Frontier, 1800-1855* in *Indiana Magazine of History*, Volume 80, Issue 4, December 1984, 311

⁷⁹ John Johnston letter to Lewis Cass, dated Piqua, March 27, 1818; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*

⁸⁰ B. F. Stickney letter to Lewis Cass, dated Agency Office near Ft. Wayne, April 10, 1818; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*

The Stockbridge-Munsee & Brothertown Arrange to Migrate to White River Country

Soon after receiving his commission to head the St Marys Treaty negotiations on May 2nd 1818, Lewis Cass wrote to David Ogden again regarding treaty participation of the Indians from New York.⁸¹ John Johnston also wrote to the Stockbridge/Mohicans, purportedly making them aware of the treaty date and inviting them to attend.⁸² Interestingly, as the conduit for communications between the Stockbridge and Delaware, Johnston chose not to forward a subsequent Stockbridge letter to the Delaware in which they urged the Delaware not to sell any more land: “Those communications I could not be the organ of to the Indians, because they were directly in the face of my duty.”⁸³

None-the-less according to Johnston’s account, the Stockbridge-Munsee decided not to attend the treaty, writing to him instead to have a large reservation set aside: “...I think twenty miles square...” Johnston reported. The Brothertown, however, were more deliberate and cautious – as Brothertown Elder Isaac Wobby moved his family from Fort Wayne to Piqua, Ohio⁸⁴ to be close to and monitor Delaware Indian Agent and Treaty Secretary John Johnston.

⁸¹ Lewis Cass letter to David A Ogden, dated Detroit, June 21, 1818; *ibid*, in which Cass indicates: “ I wrote on the 29th of January last upon the subject of the removal of the Indians from New York to this quarter...that this object might be speedily attained...I have not had the pleasure to receive a letter from you since last summer, although I have twice written, I cannot form a probable conjecture in relation to your views and expectations upon this subject.”

⁸² This, according to a statement made by Johnston in conjunction with Congress’ review of a petition by the Stockbridge claiming land in Indiana. See US Congress, *Report of a Select Committee on the petition of sundry Indians of the Stockbridge Nation, accompanied with a bill confirming their title to certain lands*; *ibid*.

⁸³ *ibid*.

⁸⁴ Isaac Wobby letter to Thomas Dean, dated St Marys, October 3, 1818, *Dean Family Papers 1788-ca1920*; *ibid*, Box 1, Folder 10

The Stockbridge-Munsee and Brothertown, meanwhile, were moving forward with the sale of a portion of their land to fund migration to White River. John Sergeant, Jr.⁸⁵ missionary/agent to the Stockbridge, wrote to Thomas Dean, missionary/agent to the Brothertown: "...my people have reported to me their agreement in publick council - of their selling a mile wide on the crest - south & east side of their township, and a number of families moving to White River in the [6th] [m]onth of next summer...and out of the principal let the Indians have such portion as will be necessary to remove those to White River who may be [designated] to remove this year..."⁸⁶ Similarly, as to the Seneca/Six Nation, he observed: "I am clearly of opinion that if a part of them remove they will all go within ten years. If things appear promising at White River I should be willing to have them all remove, when they have made a proper improvement in the arts of civilized life."⁸⁷

Still, Sergeant was aware of the possibility things could go awry. In a June 29, 1818 letter to Jedidiah Morse⁸⁸, Sergeant noted: "It is reported that the Indiana Government, this season, intend to purchase the lands on the White River. It is my opinion, that they will not be able to do it, by fair means. If they should be able to do it by a stretch of unlawful power, the proposed plan will be at an end."⁸⁹

⁸⁵ son of original missionary/founder of the Stockbridge, John Sergeant. Further references in this article relate to John Sergeant, Jr.

⁸⁶ John Sergeant letter to Thomas Dean, dated New Stockbridge [NY], February 26, 1818; *ibid*

⁸⁷ *ibid*.

⁸⁸ as a US Department of War Indian Affairs Agent and former Congregational Missionary, Morse had been commissioned to make a tour of Indian Country to the West (in 1820) and report on the "actual state of the Indian tribes in our country." His subsequent report, in 1822, is highly regarded for its detail and completeness.

⁸⁹ Jedidiah Morse; *ibid*, Appendix, 114-115

Finalizing St Marys Treaty Arrangements; Strategies Set

As Lewis Cass assumed the reigns of Treaty Commission leadership, a series of decisions were made in rapid succession. He solicited John Calhoun, Secretary of War, to up the ante to assure success: "To insure a successful result to our efforts and not to lose the expense which may be incurred in the progress of the negotiation because more may be required, powerful inducements must be held out to the Indians."⁹⁰ Cass also strategized with John Johnston: "...I have serious doubts of the policy of saying much to the Indians respecting the approaching negotiation...It is difficult too, to communicate with individuals among them, without causing suspicion among others and suspicion with an Indian upon such subjects is conviction. I think therefore we should speak to them in general terms, and leave our efforts with individuals to be made when we assemble together."⁹¹

Further, Cass appointed Johnston as Treaty Secretary, arranged for a military presence at the treaty to maintain the peace and keep whiskey out of the Indian Camps⁹², and fixed on a date and sequence of treaty discussions.⁹³ The treaties

⁹⁰ Lewis Cass letter to Hon. J. C. Calhoun, dated Detroit, June 19, 1818, *Letters Received by the Office of the Secretary of War Relating to Indian Affairs, 1800-1823*, National Archives, Record Group 75.2, Microfilm File M271, Roll 2, Document 561.

⁹¹ Lewis Cass letter to John Johnston, dated Detroit, June 15, 1818, *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*, Roll 4

⁹² Lewis Cass letter to Maj. Gen. Macomb, dated Detroit, July 8, 1818; *ibid*

⁹³ Benjamin Parke, treaty commissioner, later reflected on the sequencing of treaty discussions: "It was desirable to have negotiated a treaty to which all should have been parties; but the fears and distrusts, and the various interest of individuals and of Tribes appeared to render it impracticable; and the safer and more expeditious mode of separate negotiations was adopted with the Puttawatami, Delaware and Wea Treaties." He further observed: "...Governor Cass and Genl McArthur have arranged to hold their treaty for lands in Ohio, at the same time and place...and although the business with several was dispatched as early as the 15th or 18th of September, it was necessary to detain them until the conferences with all were finally concluded..." Benjamin Parke

would relate to both renegotiation of the Fort Meigs treaty and extinguishment of title to the White River County – all to occur at St Marys.⁹⁴ Reacting to the cautionary attitude of fellow treaty commissioners Jonathan Jennings and Benjamin Parke, Cass rationalized: “...if we are to set down watching the arrival of a period when we can calculate with certainty that the Indians will be willing to cede what we are anxious to acquire, we shall wait till the time for action has passed away...Whatever the result may be I have no hesitation in expressing my opinion that the effort should be made.”⁹⁵

As to the prospect of success regarding renegotiation of the Fort Meigs treaty, Cass noted: “...I do not think there is any reason to doubt, but that we shall procure a change in the tenure of their lands although I am not so sanguine respecting their removal [west of the Mississippi].”⁹⁶ Similarly, regarding the pivotal attitude of the Miami and Chief Richardville about the sale of White River country, Cass indicated: “It has happened fortunately that Richardville is on a visit to this place. I have had a long and confidential interview with him. I think no rational doubt can be entertained but that he will zealously cooperate with us as far as such cooperation may be prudent for him or desirable for us. This interview and its effect upon him are not to be disclosed.”⁹⁷

Interestingly, little concern was expressed about the Delaware and Chief Anderson’s position. Commissioner Parke in particular was aware of Anderson’s

letter to J.C. Calhoun, dated Vincennes, December 7, 1818, *Benjamin Parke Papers 1816-1818*; *ibid*, Folder 2

⁹⁴ Lewis Cass letter to General McArthur, dated Detroit, August 5, 1818; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*, Roll 4

⁹⁵ Lewis Cass letter to John Johnston, dated Detroit, July 8, 1818; *ibid*

⁹⁶ Lewis Cass letter to General McArthur, dated Detroit, August 5, 1818; *ibid*

⁹⁷ Lewis Cass letter to John Johnston, dated Detroit, July 8, 1818; *ibid*

desire to take his Nation away from the encroaching White settlers, to Missouri.⁹⁸ Lewis Cass summed it up: "A large portion of the Delaware nation are now living West of the Mississippi. This circumstance renders a removal much more desirable to them than any of the other Indians, and they have accordingly requested us to permit them to cross that river. They do not stipulate for any reservations, but only for some annuities & for another country."⁹⁹ John Johnston later revealed, however, that Anderson grew reluctant to sign the treaty because of the necessity of moving yet again. Johnston secretly arranged, therefore, to pay Anderson and sub-chief Big Bear private annuities of \$360 and \$140 as long as they lived. No record of this payment was kept in the official records because "the personal safety of the Chiefs required the utmost secrecy."¹⁰⁰

The Stockbridge-Munsee & Brothertown Commence Migration

On the 24th of July 1818, eleven days after the Stockbridge's first land sales in New York, Reverend John Sergeant assembled the tribe in anticipation of their forthcoming move. Four men and seven women declared themselves to be a Church of Christ, signing a Covenant especially adapted to their circumstances¹⁰¹, and made ready to move.¹⁰²

⁹⁸ Benjamin Parke, Thomas Posey, T.C. Sharpe letter to The Honorable Secretary of War, dated Vincennes, November 27, 1816; *Benjamin Parke Papers 1816-1818*; *ibid*

⁹⁹ Lewis Cass letter to Thomas L McKenney, dated September 30, 1818; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*

¹⁰⁰ C.A. Weslager, *The Delaware Indian Westward Migration* (The Middle Atlantic Press, Wallingford, PA, 1978), 73

¹⁰¹ During a subsequent recounting of the migration before a Congressional Committee, the Stockbridge testified: "In the last year, our nation looked with pain on the situation of our brethren in the west. We saw them lying in darkness and Paganism, and believed that our God called upon us to send among them a colony of our nation, in which was built up a church of our Lord and Saviour, that we might be the means of civilizing and Christianizing them, and doing them great good."; see US Congress, *Report of a Select Committee on the petition of*

In addition, Sergeant reported that "...the Tuscaroras, living near Buffalo, are about to remove to White River; and...I understand a number of the Munsees will go on with my people."¹⁰³ Some Brothertown families were also included.¹⁰⁴ The total number has been variously reported as between 60 and 70, including 1/3 of the church membership and ¼ of the Stockbridge-Munsee & Brothertown tribes.¹⁰⁵ Finally, on the 15th of August, "...some having gone and more being then ready to depart, another meeting was held, at which the chief, Hendrick Aupaumut, in a 'large speech' presented to them from the old church a copy of Scott's Bible 'to read on Lord's Days and at other religious meetings.' So they said farewell, and were gone, to return no more."¹⁰⁶

While some Brothertown members may have migrated with the main body as reported by W. DeLoss Love¹⁰⁷, it is clear several families had already settled in the area. Isaac McCoy (Baptist Missionary and Mission School director at Fort Wayne) during a tour of the White River Delaware country on December 4th 1818, reported lodging at the home of Betsey Pitcharker¹⁰⁸ - a widow with several

sundry Indians of the Stockbridge Nation, accompanied with a bill confirming their title to certain lands; ibid

¹⁰² Among those signing the Covenant were future leaders of the tribe with surnames subsequently found in Indiana: Joseph Quinney, John Metoxen, Robert Knokpot, John & Betsey Bennet; W. DeLoss Love; *ibid*, Chapter XVII: The Last Remove 1809-1898, 318

¹⁰³ John Sergeant letter to Jedidiah Morse, Dated June 29, 1818; Jedidiah Morse; *ibid*, Appendix, 114-115

¹⁰⁴ W. DeLoss Love; *ibid*, Chapter XVII: The Last Remove 1809-1898, 318

¹⁰⁵ John Sergeant letter to Jedidiah Morse, dated December 15, 1818; Jedidiah Morse; *ibid*, Appendix, 116

¹⁰⁶ W. DeLoss Love; *ibid*, Chapter XVII: The Last Remove 1809-1898, 318

¹⁰⁷ *ibid*

¹⁰⁸ Under Article 7 of the Treaty of St Marys signed with the Delaware on October 3, 1818, "Elizabeth Petchaka" received a land grant of a half section of land. See Charles J. Kappler (ed); *ibid*, 170-171

children. "I was happy to find her a Christian. She had united with the Baptist church in the State of New York."¹⁰⁹

Jacob Dick and his family had remained in the vicinity of Fort Harrison (Terre Haute) at the conclusion of the voyage to Indiana in 1817.¹¹⁰ Thomas Isaac's family, other participants in Dean's voyage, also remained behind in Palistine, Illinois (about 25 miles SW of Fort Harrison, just west of the Wabash River).¹¹¹ And Brothertown Elder Isaac Wobby, his wife Jane, nephew Orrilla and David were living in Piqua, OH¹¹² - having recently relocated from Fort Wayne.

The Treaties of St. Marys: September 17th – October 6th

The scene was set at St. Marys. Benjamin Parke, treaty commissioner, described it: "...there were about five thousand Indians assembled. Some of the Tribes were on the ground five or six weeks, and although the business with several was dispatched as early as the 15th or 18th of September, it was necessary to detain them until the conferences with all were finally concluded...the issue of provisions was therefore very large, & also the expenses of our table; for as a means of conciliation, we dined the chiefs and principal warriors by Tribes."¹¹³

The actual negotiation of the various treaties was almost anti-climatic, as all critical issues had been resolved, "personal or private annuities" set and/or other

¹⁰⁹ Isaac McCoy, *History of Baptist Indian Missions* (William M Morrison, Washington D.C., 1840), 50

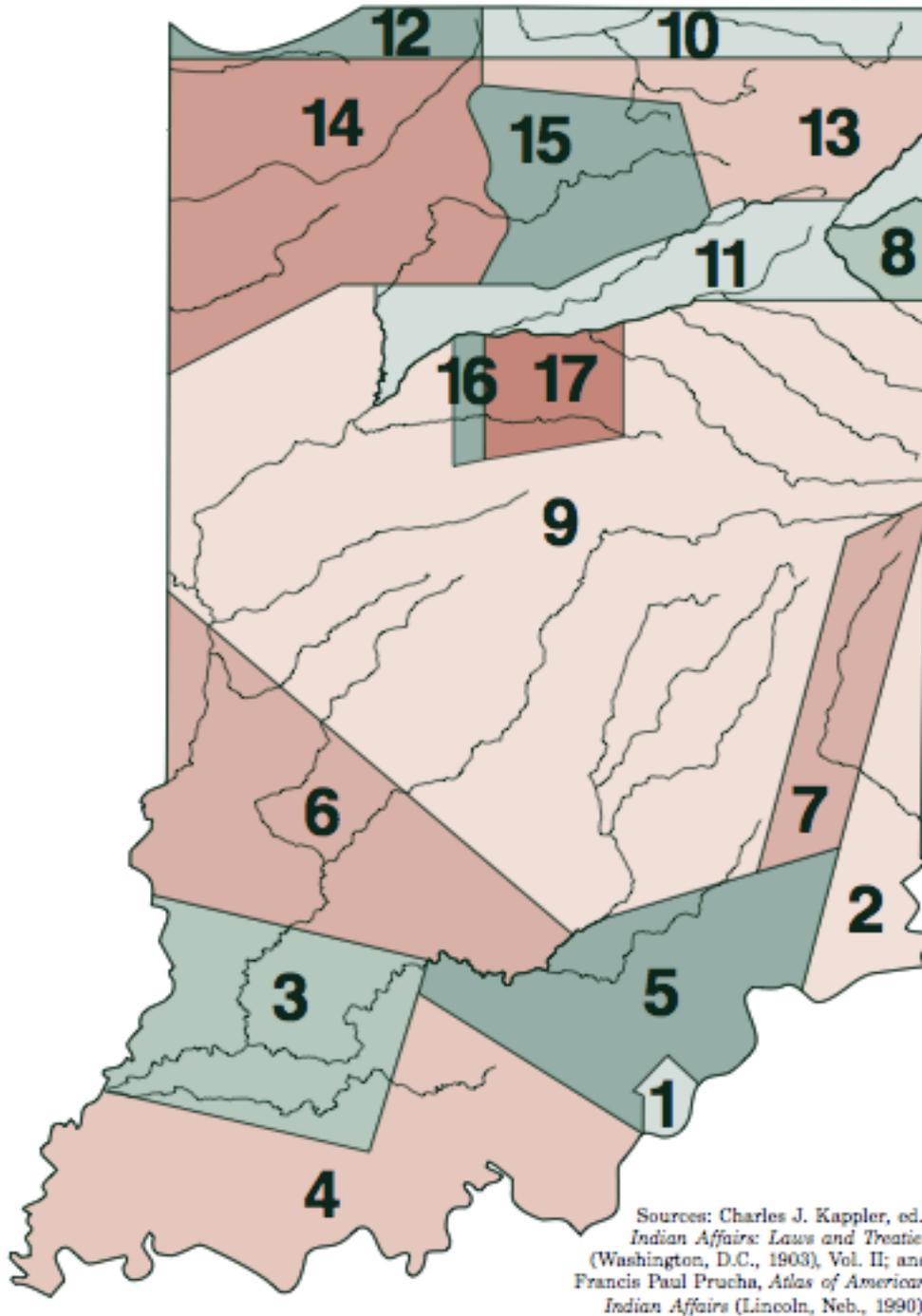
¹¹⁰ Isaac Wobby reported in a letter to Thomas Dean, dated October 3, 1818: "I have lately heard from Jacob Dick & his family whom you left at Fort Harrison – they are well and doing well."; *Dean Family Papers 1788-ca1920*; *ibid*, Box 1, Folder 10

¹¹¹ Thomas Isaac letter to Thomas Dean, dated Palistine, Illinois, July 7, 1819; *ibid*

¹¹² Isaac Wobby letter to Thomas Dean, dated St. Marys [Ohio], October 3, 1818; *ibid*

¹¹³ Benjamin Parke letter to John C. Calhoun, dated Vincennes, December 7, 1818; *Benjamin Parke Papers 1816-1818*; *ibid*

Grants and Treaties in Indiana, 1783-1840



Area 8: Indiana land ceded via 1817 Treaty of Fort Meigs

Area 9: Indiana land ceded via 1818 Treaties of St. Marys

arrangements made before the first of the Tribes arrived at St. Marys. With few exceptions and only one surprise, each of the treaties at St. Marys was successfully concluded – from the United State’s point of view.

September 17th; Treaty with the Wyandots, Senacas, Shawnese & Ottawas

Renegotiation of the Fort Meigs Treaty was completed on September 17th with the Wyandots, Senacas Shawnese & Ottawas. Cass reported: “...the treaty concluded last fall at the foot of the rapids of the Miami has been amended by a supplementary treaty and the provisions which appeared obnoxious to the Senate have been so altered as to offer no impediment to its ratification.”¹¹⁴ However, as to the Government’s instruction to effect the removal of the tribes west of the Mississippi, Cass was clear: “...we considered it neither politick nor just in any manner to urge their acceptance of our proposition. We submitted it to them in a way not to awaken their jealousies nor to alarm their fears, and yet so that we could expect their fair opinions respecting it. The result was a prompt and I may add an indignant rejection of the offer...and I am perfectly convinced that nothing but the application of physical force can, for a few years, compel them to leave the country which they have inherited from their forefathers.”¹¹⁵ Tribal reservations (instead of fee simple conveyances), individual land grants and/or additional annuities sealed the pact.¹¹⁶

September 20th: Treaty with the Wyandots

Next in sequence was a separate treaty with the Wyandots on September 20th, to deal with two small parcels (totaling 5000 acres) in the Michigan Territory. The

¹¹⁴ Lewis Cass letter to Thomas L McKenney, dated September 30, 1818; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*

¹¹⁵ *ibid*

¹¹⁶ Kappler (ed.); *ibid*, 162-163

Wyandots effectively traded these parcels for a nearly like number of acres slightly resituated, although title was based on continual occupancy by tribal members or their descendants instead of being provided in fee simple.¹¹⁷ They were also compensated for their losses.¹¹⁸

October 2nd: Treaty with the Potawatomi and Wea

Negotiations were then undertaken separately but completed the same day (October 2nd) with the Potawatomi (the Kickiapoos were also mentioned) and Wea. It was agreed that future annuities would be paid in silver and land grant conveyances would be subject to consent of the President.¹¹⁹ Cass had reasoned: "...as nothing was wanted of the Ottawas, Chippawas and Potawatomes they would be willing to second our application to the other Indians, in consequence of the presents which they would receive."¹²⁰

In fact, however, the Potawatomi did relinquish their ownership of a strip of land between the Wabash, Vermillion and Tippecanoe Rivers as well as all claims to country south of the Wabash. For this, they received a perpetual annuity of \$2500 and several land grants were made.

Cass understood the Wea were a sub-band of the Miami.¹²¹ To eliminate a possible variable in his dealings with the more powerful Miami, completing a treaty with the Wea first made sense. At the same time, only a generalized ceding of "all lands claimed and owned...within the limits of the states of Indiana, Ohio

¹¹⁷ *ibid*, 164

¹¹⁸ Lewis Cass letter to John Johnston, dated Detroit, April 12, 1819; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*

¹¹⁹ Kappler (ed.); *ibid*, 168-170

¹²⁰ Lewis Cass letter to General McArthur, dated Detroit, August 5, 1818; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*

¹²¹ Lewis Cass letter to Thomas L McKinney, dated St Marys, September 30, 1818; *ibid*

and Illinois”¹²² was required. This proved to be sound thinking, as a deep seated and longstanding relationship with their French trading partners almost scuttled this treaty.

Treaty Commissioner Benjamin Parke later reported: “Most of the Weas had determined not to treat, but upon condition of their friends the French being accommodated...They had been taught to believe that the President would not only acquiesce in, but that he rather encouraged the Weas to insist on a portion of their Country being ceded to the French.”¹²³ It took some time to overcome this unexpected issue. The Wea, distrusting government-appointed interpreters, took a copy of the President’s address to the Miami to be reviewed. Fortunately a half-breed among the Miami was able to interpret the document. Finally, following discussions with the Miami, the Weas gave up their claim.¹²⁴

Cass observed, in concluding this portion of the treaty negotiations: “For the Miamies, Weas and Potawatomies reservations will be made, wherever the places of their immediate residence are effected by the cessions...They see that our settlements are fast gaining upon them and they feel the necessity of making some permanent provision for themselves and their children. Reservations of land are becoming very desirable to them, and will I trust, constitute the cornerstone of their improvement.”¹²⁵

¹²² Kappler (ed.); *ibid*, 169

¹²³ Benjamin Parke letter to John J. Calhoun, dated Vincennes, December 7, 1818; *Benjamin Parke Papers 1816-1818*; *ibid*

¹²⁴ *ibid*

¹²⁵ Lewis Cass letter to Thomas L McKinney, dated St Marys, September 30, 1818; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*

October 3rd: Treaty with The Delaware

Wracked by alcoholism, in disparate poverty and hunger, torn apart by the extremes of revivalist nativism (sacrificial feasts, a belief in witchcraft, fixation on the teachings of the Shawnee Prophet) and constantly undermined by incessant encroachments of white settlers¹²⁶, the Delaware and Chief Anderson felt compelled to move. Their treaty was completed on October 3, 1818.¹²⁷ The Commissioners sought to capitalize on Anderson's expressed desire to escape white settlements and reassemble the once-great Delaware Nation away from white influence. The government's commitment to provide a country "on the west side of the Mississippi"¹²⁸ proved particularly enticing. They were given three years to remain on their Indiana land in preparation for the move.

Boats and horses would be provided to transport the Delaware to their new country, an additional \$4,000 perpetual silver annuity given, and a sum of \$13,312.25 was ultimately agreed upon to reimburse the Delaware for improvements made to the land.¹²⁹ This was in addition to the secret annuity Johnston had arranged for Anderson and sub-chief Big Bear to receive.¹³⁰ And for these provisions, the Delaware yielded nearly six million acres of land in the center of the new state of Indiana.

Far more important than these payments in facilitating the transactions was the gift of land to William Conner (Delaware interpreter and married to a Delaware: Mekinges) in return for exerting his influence on the Delawares. He was secretly promised title to the lands occupied by himself and his family, which eventually

¹²⁶ Ferguson; *ibid*, 62, 74, 79

¹²⁷ Kappler; *ibid*, 170-171

¹²⁸ *ibid*, 170 (Article 2)

¹²⁹ Ferguson; *ibid*, 94-95

¹³⁰ see footnote 100

translated in title to 640 acres. Jonathan Jennings later reported to the United States Senate, "I have no hesitation in stating, that those two individuals [John and William Conner] had it in their power to have prevented any purchase of Indian title to lands on the waters of the White River, unless, if it had been required, a large reserve had been made in their favor."¹³¹

Brothertown members receive land grants

Aside from the government's generalized commitment to the Delaware of land west of the Mississippi, no reservation of land in Indiana was provided or necessary. Land grants, however, were made to several individuals who were characterized in the treaty as "all of whom are Delawares."¹³² In fact, with only one possible exception, none were Delaware. They were Brothertown, and included: Isaac Wobby¹³³, Elizabeth Petchaka¹³⁴, Jacob Dick¹³⁵ and Solomon &

¹³¹ C.A. Weslager, *The Delaware Indian Westward Migration*; *ibid*, 73

¹³² *ibid*, 171 (Article 7)

¹³³ Wobby (1762-c1819) was the son of Mary & Roger Wobby (1734-c1819; originally of the Pequot tribe and a Revolutionary War soldier). His parents were among the founders of Brothertown. He married Jane Patchauker (born 1760; daughter of Thomas Patchauker, a Brothertown and original settler of the community who died in 1795). They lived in Brothertown before moving to White River. See *Caroline Andler (former Brothertown Nation Historian) to Andrew Olson emails* (Nov. 23rd 2010, and Jan. 27th 2011).

¹³⁴ Petchaka was the daughter of Jacob Skeggett, former chief of the New Jersey Delaware (Munsee) who moved to New Stockbridge, NY around 1810. She was, therefore, part of the Stockbridge-Munsee Nation. Elizabeth's brother, Isaac Skeggett, succeeded Jacob as chief. She is likely related to Thomas Patchauker (a founder of Brothertown) and his daughter Jane Wobby, by marriage. See Ron Ayer, *Brief History of the White River Delawares as it relates to the Petchaka Case* (Unpublished 1976?, Ball State University Libraries Manuscript Collections). She was living in Delaware Country in December of 1818, when Isaac McCoy stayed overnight at her home. See Isaac McCoy, *History of Baptist Indian Missions*; *ibid*, 50

¹³⁵ Jacob & Sarah Dick were aboard the Dean Voyage to Indiana in 1817. Dean characterized him as among the "chiefs and leading men of the Brothertown tribes." The Dick family held several lots in Brothertown, NY. However, Jacob

Benoni Tindell¹³⁶. The only individual of questionable heritage to be provided a land grant was Samuel Cassman.¹³⁷

Isaac Wobby, Brothertown Elder, had effectively shadowed John Johnston (Delaware Indian Agent) for more than a year starting before the Treaty of Fort Meigs in 1817. He moved his family from Fort Wayne to Piqua, OH in 1818 when Johnston assumed sole responsibility for the Delaware and moved there. Without question Johnston was aware of the impending migration of the Stockbridge-Munsee and Brothertown. As he had noted in summing up the results of the Fort Meigs Treaty, on New Years Eve 1818: "There is near 1000 Indians in New York in part civilized who will certainly emigrate to White River in a year or two if not prevented by a treaty, and once located there it will be a very difficult matter to purchase the Country."¹³⁸

Wobby had already plowed and planted 10 acres of land along White River in 1818 and was subsequently present at the St. Marys treaty discussions.¹³⁹ Clearly

Dick's family remained in Indiana and settled in the Fort Harrison (Terre Haute) area following the Dean Voyage. See Isaac Wobby letter to Thomas Dean, dated St Marys, October 3, 1818; *Dean Family Papers 1788-ca1920*; *ibid*, Box 1, Folder 10
¹³⁶ The Tindells were characterized as "BrotherTown people" in Thomas Isaac's letter to Thomas Dean, dated Palistine Illinois, July 7, 1918; *Dean Family Papers 1788-ca1920*; *ibid*, Box 1, Folder 10. There is also a reference to Solomon Tindall's departure for Green Bay (where the Brothertown and Stockbridge secured land in the 1820s) in conjunction with White River land litigation. See Delores Lahrman & Ross Johnson, *A Delaware Indian's Reseroation: Samuel Cassman vs. Goldsmith C. Gilbert*, in *Indiana Magazine of History*, Volume 71, number 2 (June, 1975), 114. Solomon Tindall was living in Wayne County, Indiana by 1828 and was noted as the heir of Benoni Tindall - deceased. See *Abstract of Title, Section 15, Township 20 North, Range 9 East, Record 3, page 132*, Surveyor's Office, Delaware County, Indiana

¹³⁷ Delores Lahrman & Ross Johnson; *ibid*, 103-123

¹³⁸ John Johnston letter to Lewis Cass, dated Piqua, December 31, 1817; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*

¹³⁹ Isaac Wobby letter to Thomas Dean, dated St Marys, October 3, 1818; *Dean Family Papers 1788-ca1920*; *ibid*, Box 1, Folder 10

his mission was to be sure the various commitments and promises between the Delaware and Brothertown were fulfilled. They were not. Wobby reported: "I would inform you that I have been at this place during the Indian Treaty – which is now about to be brought to a close. The Delawares have sold their land without any reserve for us, them or others. I have said much on the subject but to no effect."¹⁴⁰

He did, however, secure land grants for the several Brothertown mentioned – several of whom were already residing in Indiana. Later in the day, as the express rider was about to depart with his letter, Wobby received some relatively positive news which he appended as a P.S.: "Since writing the above I have been informed by Mr. Johnson [Johnston] & others that we have obtained in some measure our request as to the land...If any wish to purchase in this country there will now be a favorable opportunity to purchase on the White River." As was subsequently explained by Brothertown Thomas Isaacs: "If the Brothertown people wish to reside in this country [White River] they now have to make a contract with the United States. The land will probably be offered for sale [sale] in 2 or 3 years at furthest."¹⁴¹

The Stockbridge-Munsee receive no land grants or reservations

The Stockbridge, on the other hand, received nothing. Given the extensive time Hendrick Aupaumut had spent among the Delaware, the numerous commitments made, and a final assurance made by Chief Anderson in 1817, they sent no one to St. Marys. Instead they had confidently written to John Johnston to secure a large reservation 20 miles square.¹⁴² But it was Chief Anderson's desire

¹⁴⁰ *ibid*

¹⁴¹ Thomas Isaacs letter to Thomas Dean, dated Palestine Illinois, July 7, 1819; *ibid*

¹⁴² US Congress, *Report of a Select Committee on the petition of sundry Indians of the Stockbridge Nation, accompanied with a bill confirming their title to certain lands*; *ibid*

that all bands of the Delaware should accompany him and the Delaware Nation west beyond the Mississippi. Therefore, the Delaware Chiefs would not agree to grant a reservation on White River to the Stockbridge-Munsee.¹⁴³

A petition for land was then made to the Miami by Johnston, on behalf of the Stockbridge-Munsee. Johnston reported Miami Chief Richardville's reaction: "The reply was, that if the Delawares would not provide for their friends, the Mohicans, it could not be expected the Miamies would. It is very doubtful, if the Mohicans had been on the spot at St. Mary's, whether the Delawares would have consented to give them an acre, so desirous are they of taking all their friends along with them."¹⁴⁴

October 6th: Treaty with The Miami

Finally it was time to reward the orchestrator of the entire White River Country removals: Chief Jean Baptiste Richardville and his various sub-chiefs and family members. This treaty was completed on October 6th including a large number of individual land grants and reservations.¹⁴⁵ Included were six reservations (a particularly large 37 square mile tract as well as two 10 mile squares, one 6 mile square, and two mile squares), and twenty-one land grants aggregating forty-nine sections. Richardville, understanding the importance of private property to the white Americans, secured unassailable titles to land the he expected his kin to live on.¹⁴⁶ A new perpetual annuity of \$15,000 was also provided.¹⁴⁷

¹⁴³ *ibid*

¹⁴⁴ *ibid*

¹⁴⁵ Kappler (ed.); *ibid*, 171-174

¹⁴⁶ Andrew R. L. Cayton, *Frontier Indiana* (Indiana University Press, Bloomington, IN, 1996), 263

¹⁴⁷ Kevin Mahern, *Indian land cessions and official United States surveys in Indiana* (unpublished, 1985), Collection SC 2250, Indiana Historical Society, William H. Smith Library.

Benjamin Parke, treaty commissioner and Judge of the US District Court for Indiana, summed up the situation. Writing about the various treaties, Parke noted: "I am satisfied, but that with the Miamies I signed with reluctance. Richardville's patents, the reservation between Eel River and Salamanic, the annuity, and the admission of individual claims to so large an amount are objectionable features in that treaty. Richardville is...avaricious, shrewd, acquainted with the value of property and his manner those of a well bred Gentleman. The annuity secured to the Miamis compared with other treaties of purchase North West of the Ohio is extravagant. But the feelings & views of the Indians have undergone a great revolution, within a few years; they begin to understand the value of their property...and they were also sensible of the importance attached to the acquisition of their country."¹⁴⁸

Aftermath of the Treaties

In the wake of the treaties, life changed for all touched by the negotiations.

The Stockbridge-Munsee

About three weeks after the main body of the Stockbridge-Munsee and Brothertown left Upstate New York for White River in August 1818, they heard of the possibility their lands on White River had been ceded to the US. Two young men were sent ahead to the Delaware. They returned with the news: the Delaware had sold the land, without reservation.¹⁴⁹ By this time the migrating party was in Ohio and the Stockbridge decided to stop at a Shawnee Reservation for the winter.

¹⁴⁸ Benjamin Parke letter to John J. Calhoun, dated Vincennes, December 7, 1818; *Benjamin Parke Papers 1816-1818*; *ibid*

¹⁴⁹ John Sergeant letter to Jedidiah Morse, dated December 15, 1818; Jedidiah Morse; *ibid*, 116-117 (Appendix)

That winter the decision was made to: “apply to Congress to have the part of the country restored to them, to which they have long had a just claim...Capt. Hendrick [Aupaumut] accompanied by some faithful agent, will soon set out for Washington, and lay their grievances before the General Government.”¹⁵⁰ In the meantime while some of the migrating party returned to New York, at least 24 families headed by sub-chief John Metoxen continued on to White River in 1819 – as reported in a subsequent petition to Congress dated November 19, 1819 listing heads of families which were purportedly on White River at that time.¹⁵¹

The Stockbridge sent a delegation to Washington in 1819-1820, headed by Hendrick Aupaumut, to petition Congress for a return of some portion of the land on White River. They received a hearing before a committee of Congress, which sent a communication to the House of Representatives on February 24, 1820 entitled: “Claim of the Stockbridge Indians To Lands In Indiana.”¹⁵² The committee had looked favorably on the petition of the Stockbridge, stating: “It being evident, however, that their title to some portion of the lands ceded by the Delawares is well founded, the committee report a bill for the confirmation of their claim, and providing for its amicable and equitable adjustment.”¹⁵³ It would take nearly 30 years for the Stockbridge to receive compensation for their White River land claim.

Jedidiah Morse, who had visited the Stockbridge as early as 1796 on behalf of the Society for Propagating the Gospel Among the Indians¹⁵⁴, urged President

¹⁵⁰ *ibid*

¹⁵¹ US Congress, *Report of a Select Committee on the petition of sundry Indians of the Stockbridge Nation, accompanied with a bill confirming their title to certain lands*; *ibid*

¹⁵² *ibid*

¹⁵³ *ibid*

¹⁵⁴ William B. Sprague, *The Life of Jedidiah Morse, D.D.* (New York: Anson D.F. Randolph & Co., 1874), 167

Monroe in the early 1820s “to consider the hard case of these Indians, and to grant them a portion of the lands which they claim on White River, with an understanding, that they shall exchange them for a tract some where in the N.W. Territory, which shall be agreeable to them, and which the Government might purchase of the present owners for this specific purpose. Or make them a grant in the first instance, in some part of the N. W. Territory.”¹⁵⁵

Guided in part by Morse’s urgings, and shortly after the Congressional Report of 1820, the US joined with the Stockbridge, Munsee and Six Nations in initiating negotiations with the Menominees and Winnebago for land in Wisconsin. By August of 1821, the Menominees and Winnebago Nations had ceded nearly 500,000 acres to these Tribes for \$2,000.¹⁵⁶ In September 1822, for an additional \$3,000, 5 million acres were ceded.¹⁵⁷ At this time John Metoxen led those families which still resided on White River to the “Green Bay Country” in Wisconsin. Isaac McCoy (Mission School leader at Fort Wayne) reported: “John Metoxen, one of your Chiefs from White River, and his party passed this place, not long since, on their way to Green Bay.”¹⁵⁸

None-the-less, the Menominees and Winnebago subsequently contested these “treaties” alleging they had been misled. As a result, the US Senate refused to ratify either treaty. This dispute was not resolved until 1831-32 when the US government mediated the dispute.¹⁵⁹ Years later, in 1848, the Stockbridge finally received \$25,000 from the US Government associated with their White River

¹⁵⁵ Jedidiah Morse; *ibid*, 117-118 (Appendix)

¹⁵⁶ US Supreme Court Findings, *New York Indians vs. US*, 170 US 1 (April 11, 1898), Findings of Fact, Footnote 2

¹⁵⁷ *ibid*, Finding of Fact, Footnote 3

¹⁵⁸ Isaac McCoy letter to Thomas Dean, dated Fort Wayne, September 2, 1822; *Dean Family Papers 1788-ca1920*; *ibid*, Box 1, Folder 11

¹⁵⁹ Caroline K. Andler, *Brothertown Indian Nation – Brief History* at <http://www.brothertownindians.org/History.htm> (accessed 2010)

claims - \$5,000 immediately and the balance in ten annual installments once the tribe removed yet again, this time from Wisconsin to Minnesota.¹⁶⁰

The Brothertown

While several of the Brothertown had migrated to White River with the Stockbridge-Munsee in the Summer and Fall of 1818, the earlier presence of various Brothertown families in Indiana differentiated them from their New York neighbors. Isaac Wobby's relationship with John Johnston and attendance at both the Fort Meigs and St. Marys treaties had been pivotal in gaining individual land grants for several families.

Even so, many of those Brothertown receiving land grants did not remain in Indiana for long:

- a) Isaac Wobby had died by 1820 and a question subsequently arose whether his wife Jane could take title to the land¹⁶¹. Goldsmith Gilbert (often referred to as founder of Muncie)¹⁶² indicated to Thomas Dean in 1829 "...concerning the land that I perchest [purchased] of Jane Wobby...the Registrar [of the Land Office in Indianapolis] informed that I could not git a deed on the accounte that the proof has never bin made that Jane Wobby was Isac Wobby's lawfool wife..."¹⁶³ Subsequently, Gilbert claimed to

¹⁶⁰ James Warren Oberly, *A Nation of Statesmen: The Political Culture of the Stockbridge-Munsee, 1815-1972* (University of Oklahoma Press, 2005), 79-80

¹⁶¹ Lewis Cass letter to Tho. L. McKenney, dated Detroit, March 25, 1825; *Dean Family Papers 1788-ca1920*; *ibid*, Box 1, Folder 12; Cass opines: "The tract granted to Isaac Wobby was to him and his heirs. She [Jane Wobby] is not shewn by the papers to be the heir, but only the widow, and as such entitled to no other interest in the tract than her dower."

¹⁶² For a profile of Goldsmith Gilbert, see Delores Lahrman & Ross Johnson; *ibid*, 107-108

¹⁶³ Goldsmith Gilbert letter to Thomas Dean, dated Monseytown, January 17, 1819; *Dean Family Papers 1788-ca1920*; *ibid*, Box 2, Folder 3

- have good title to the land and entered into a contract to sell it on October 31, 1829.¹⁶⁴
- b) Jacob Dick, who had been living near Terre Haute after the Voyage to Indiana in 1817, had also passed away soon after the Treaty of St. Marys. His son Thomas, then living in Brothertown New York, orchestrated the sale of his father's land in 1828 to Goldsmith Gilbert.¹⁶⁵
 - c) Death had also taken Benoni Tindell within several years of receiving his land grant. His heir and fellow land grantee Solomon Tindell, then living in Wayne County, Indiana, sold both land grants to Goldsmith Gilbert on October 31, 1828.¹⁶⁶ Solomon Tindell had migrated to Green Bay Country by 1830.¹⁶⁷
 - d) Elizabeth Petchaka had applied for a land patent associated with her land grant. However, that land had already been granted to Isaac Wobby. Her application had been made in 1821 while she was residing with the migrating Delaware on the James Fork of the White River in Southwest Missouri. While this issue would not be resolved for more than 40 years, she sold her rights to the land to Jean Baptiste Valle of St. Genevieve, Missouri on October 13, 1831. At that time she was living Kaskaskia, Illinois.¹⁶⁸
 - e) Samuel Cassman, however, remained on White River – where he had apparently lived prior to the signing of the St. Marys Treaty. He sold his granted land to Goldsmith Gilbert in 1836 after a five-year struggle

¹⁶⁴ *Bond to sell Land, Goldsmith Gilbert to Daniel Sherer* dated October 31, 1829; Muncie Public Library, Muncie Indiana, on-line digital collection at: <http://www.munpl.org/default.asp?PageIndex=800>

¹⁶⁵ *Indenture, Thomas Dick to Goldsmith Gilbert* dated May 1, 1828; Muncie Public Library, Muncie Indiana, on-line digital collection at: <http://www.munpl.org/default.asp?PageIndex=800>

¹⁶⁶ *Indenture, Solomon Tindell to Goldsmith Gilbert*, dated October 31, 1828; Muncie Public Library, Muncie Indiana, on-line digital collection at: <http://www.munpl.org/default.asp?PageIndex=800>

¹⁶⁷ Delores Lahrman & Ross Johnson; *ibid*, 114n42

¹⁶⁸ Ron Ayer; *ibid*

regarding valuation. Within several months of this sale, Gilbert (represented by David Kilgore¹⁶⁹) sold the land to O.H. Smith – high profile Indiana politician, lawyer and land speculator who had represented Cassman in the valuation case¹⁷⁰. Smith quickly platted today's "Yorktown" – which he named in honor of the "New York" Indians who had lived there. Cassman remained in the area. Smith reportedly allowed him to remain on the land for some time after the sale.¹⁷¹ Cassman and two of his sons appear on the 1840 census for Delaware County, Indiana.¹⁷² His heritage and relationship to the US, Delaware, Miami and/or New York Indians remains a mystery.

But vestiges of the Brothertown and Stockbridge-Munsee remained in Indiana. Isaac McCoy, running the mission school in Fort Wayne, reported to Thomas Dean in 1822: "I beg leave to inform you that Susanna, Harriet, Angelina and Jemima W., daughters of Thomas Isaacs of your place, Betsy Plummer stepdaughter of Thos. Isaac, and Charles Dick son or stepson of Jacob Dick, have all been living with me, in the mission family & school...Also Jacob N[K]onkapat is with us...You may rest assured that the children will be taken care of while

¹⁶⁹ David Kilgore (1804-1879) was a prominent pioneer-era militia officer, lawyer, judge, politician, business person & farmer who owned nearly 1000 acres nearby Yorktown, on White River. He is also the author's maternal ggggrandfather. For a complete biography see T.B. Helm, *History of Delaware County, Indiana* (Chicago: Kingman Bros, 1881), 270-272

¹⁷⁰ Douglas Rolfs, *The Last Indian Landowners of Delaware County, Indiana* in *Delaware County, Indiana 1827-1850 The Pioneer Period*. edited by Stoeckel, Althea and Johnson, Ross S. (1975) 10-13. Althea L. Stoeckel Collection, 1954-1979. Archives and Special Collections, Ball State University Libraries. MSS 39/PSC 16. Box 3, Folder 6

¹⁷¹ Delores Lahrman & Ross Johnson; *ibid*, 120n59

¹⁷² Delores Lahrman & Ross Johnson; *ibid*, 107

they remain in my charge. Mary Ann, and Betsey, daughters of Thos Isaac both live at Ft. Harrison."¹⁷³

McCoy's mission was moved to the St. Joseph River (near present day South Bend, Indiana) in December, 1822 where he established the Carey Mission. As part of a subsequent treaty in 1826, by which the Potawatomie ceded nearly all of its land in Northern Indiana, McCoy gained land grants for all 58 of his students. Counted among those were the various Brothertown children he had mentioned in his letter to Thomas Dean four years earlier. McCoy enunciated his thinking in this regard: "We designed to secure reservations of land to our Indian pupils. We supposed the time was not distant when these Indians would remove to the West, and the proceeds of the sales of these tracts of land, at the time of emigration, would assist the respective owners to make improvements in the West."¹⁷⁴

For those Brothertown who migrated from New York and White River to Green Bay Country, obstacles continued. In mediation of the Menominee and Winnebago land dispute with the government and Stockbridge, Munsee and Six Nations in 1831-32, the Brothertown received 23,040 acres along the Eastern shore of Lake Winnebago (in present-day Calumet County, Wisconsin). But by 1838, the US concluded yet another treaty with the New York Indians. As a result, the Brothertown were destined remove again...this time to Kansas. However, in an effort to remain on the new lands in Wisconsin the Brothertown requested a Congressional Act that would divide the lands into individually owned plots and grant Brothertown tribal members United States citizenship

¹⁷³ Isaac McCoy letter to Thomas Dean, dated Fort Wayne, September 2, 1822; *Dean Family Papers 1788-ca1920*; *ibid*, Box 1, Folder 11

¹⁷⁴ Isaac McCoy, *History of Baptist Indian Missions*; *ibid*, 289

(Brothertown Archives 1839). They were officially granted citizenship in 1839, and divided the Wisconsin lands into individual plots.¹⁷⁵

The Delaware

Before the year 1818 was out, Chief Anderson's attitude regarding the treaty he had signed was clear, as he expressed to Isaac McCoy. McCoy was traveling through White River Delaware country in December and stayed with Anderson. He reported Anderson to say: "I think that the men who made the bargain with us have done wrong, and that they had not been authorized to purchase our country; and I hope the transaction will not be approved by Congress."¹⁷⁶ McCoy further indicated: "...I discovered that many of them [Delaware] upon whom I called still hoped that they would not be compelled to leave it [White River country]."¹⁷⁷ By the time McCoy visited Anderson again in June of 1819, Anderson was resigned to removal: "...we are soon to leave this country..."¹⁷⁸

Hendrick Aupaumut also received the same impression, as John Sergeant (missionary & agent for the Stockbridge) told Jedidiah Morse in the fall of 1820: "He informs me the report is that the Delaware appeared to be much ashamed of the[ir] conduct [&] gave reasons why they were deceived. He tells me all the Munsees on White River and about five hundred in other parts are very anxious to have the country at least in part returned..."¹⁷⁹ However, such a wish was not

¹⁷⁵ Craig Cipolla & Caroline K. Andler (former Brothertown Nation historian), *A Brief Historical Overview of the Brothertown Nation* at http://web.mac.com/craigcipolla/Brothertown_Archaeological_Project/History.html, last accessed 2011

¹⁷⁶ Isaac McCoy, *History of Baptist Indian Missions*; *ibid*, 58

¹⁷⁷ *ibid*

¹⁷⁸ *ibid*

¹⁷⁹ John Sergeant letter to Jedidiah Morse, dated Vernon [NY], October 20, 1819; *Stockbridge Papers*, number 4.1, vault 9086, Folder 2, Cornell University Library Division of Rare & Manuscript Collections, Ithaca, NY

to be. About the same time, Lewis Cass turned aside the thought of the Delaware traveling to Washington to petition the government for return of their land, as he wrote to the Secretary of War, John Calhoun: "I know no circumstances in their situation present or prospective which can require a journey to Washington, or which render it necessary, that they should trouble you with their personal applications."¹⁸⁰

Anderson had sought to secure sure title to specific land which had been generally described in the treaty as "on the west side of the Mississippi." He reported to McCoy in December 1818: "I have written to the great council of the Seventeen fires [Congress] to send me a paper that will give us a sure title to the land to which we are going, so that the white people may no more disturb us."¹⁸¹ By mid July, 1819 Delaware messengers sent to survey the land in Missouri Territory had returned with positive reports.¹⁸² This prompted John Calhoun (Secretary of War) to gain perspectives from the Governors of the Missouri and Arkansas Territories as to where the Delaware might permanently settle. He also sought Chief Anderson's input.¹⁸³ Anderson's preference was for "some part of White River on the west side of the Mississippi and the tract of country to join the tract given to the Delawares and Shawanese that formerly resided on Mississippi."¹⁸⁴ John Johnston further clarified in a footnote to Lewis Cass: "It is probable the upper waters of White River [Missouri Territory] would be preferred as they do not wish to be again interrupted by the white settler community."

¹⁸⁰ Lewis Cass letter to John C. Calhoun, dated Detroit, October 30, 1819; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*, microfilm M1, roll 6

¹⁸¹ Isaac McCoy, *History of Baptist Indian Missions*; *ibid*, 59

¹⁸² John Johnston letter to Lewis Cass, dated Piqua, July 17, 1819; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*, microfilm M1, roll 6

¹⁸³ John J. Calhoun letter to Lewis Cass, dated Washington, August 24, 1819; *ibid*

¹⁸⁴ Chief Anderson letter to John Johnston, dated November 11, 1819; *ibid*

Although the exact location had yet to be resolved, Anderson was feeling the need to remove quickly: "...we do not think we can reside here long for the whites is rushing in here so fast difficulties will I am afraid take place."¹⁸⁵ At the same time, John Johnston was having difficulty securing the necessary funds from the government to properly prepare the Delaware for their move. He reported to Lewis Cass: " I have had much trouble and expense with the Delawares, about 800 of them are gone for the west of the Mississippi. The remaining part of the Nation will not go until the ensuing year. I was not able for the want of funds, to send them off as I could wish or indeed as they had a right to expect from my promises made pending the Treaty. I did the best I could with them..."¹⁸⁶

As it turns out, however, the government's knowledge of the territory beyond the Mississippi was still incomplete, despite the detailed report Lewis & Clark made during their expedition (1804-1806). The United States had been apprehensive about the possibility of fomenting more Indian troubles by placing eastern Indians on land claimed by western tribes. This is exactly what was destined to happen. As the Delaware were pushed westward they ran into conflict with the Pawnee and Osage.¹⁸⁷

The Miami

While the Miami, in conjunction with the Delaware, yielded most of central Indiana under the St. Marys Treaty, they retained their principal winter hunting grounds. This area, east of present-day Kokomo, totaled thirty-seven miles square and contained some 875,000 acres. Although the remaining Miami

¹⁸⁵ *ibid.*

¹⁸⁶ John Johnston letter to Lewis Cass, dated Piqua, October 1, 1820; *ibid.*

¹⁸⁷ C. A. Weslager, *The Delaware Indians - A History*; *ibid.*, 354-355

landholdings were fragmented into six village reserves and twenty-four individuals reserves, private grants were awarded to Miami leaders and others who had close business dealings with the tribe. Officially, such grants were given to more “civilized” Indians to promote private ownership, but in reality they were used to reward those who helped secure treaties.¹⁸⁸

Jean Baptiste Richardville, who headed the Miami until 1840, was described by a contemporary as “he of whom no one ever got the better in a trade.”¹⁸⁹ Over the course of the next 20+ years, Richardville astutely grew the Miami individual land grant holdings and coffers as he played competing parties against one another: the merchants and traders who benefited from the Miami’s continuing annuity and treaty payments verses the State of Indiana which wanted the land for settlement and speculation.¹⁹⁰ In the treaty of 1826 alone, 106 individual land grants were made.¹⁹¹ Between 1829 and 1831, the State of Indiana petitioned Congress six times for the extinguishment of Potawatomi and Miami land titles in Indiana.¹⁹² Still, by the treaty of 1834 Richardville arranged, for the first time, to take fee simple title to 14, 720 acres – land which could be sold without the approval of the President.¹⁹³ Again in the treaty of 1838, 43 individual land grants were made.¹⁹⁴

Finally, in November of 1840, the Miami made their twelfth and final Indiana land treaty since the Greenville Treaty of 1795. They ceded all of their remaining

¹⁸⁸ Stewart Rafert, *The Miami Indians of Indiana: A Persistent People 1654-1994* (Indiana Historical Society Press, 1996), 80-81

¹⁸⁹ Bert Anson, *Chief Francis Lafontaine and the Miami Emigration from Indiana*, *Indiana Magazine of History*, Volume 60, Issue 3 (September 1964), 242

¹⁹⁰ *ibid*, 242-244

¹⁹¹ Stewart Rafert, *The Miami Indians of Indiana: A Persistent People 1654-1994*; *ibid*, 93

¹⁹² *ibid*, 95

¹⁹³ *ibid*, 96

¹⁹⁴ *ibid*, 97

lands in Indiana in exchange for 500,000 acres in Kansas Territory with removal to occur within five years.¹⁹⁵ Individual land grants were again provided to Richardville (totaling 4,480 acres) and his son-in-law (640 acres). In addition to a further \$25,000 which Richardville received, the Miami received \$550,000. This was in addition to \$25,000 in annual tribal annuities and \$12,500 twenty-year debt settlement payments which Richardville had negotiated over the years.

In total, by the end of 1840, Richardville and the Miami had secured exemption from emigration for 161 individuals, although 345 ultimately succeeded in remaining in the state.¹⁹⁶ Even as late as 1960, more than 200 Miami were still residing in Indiana.¹⁹⁷ Fittingly, Richardville did not remove from Indiana, but died in his home on the St. Marys River southeast of Fort Wayne on August 13, 1841.¹⁹⁸ And, in fact, the Miami delayed their removal for another 5 years – they did not begin their move until October of 1846.

The State of Indiana and “The New Purchase”

In the wake of the St Marys Treaty, the settlement of interior Indiana exploded. In rapid succession land offices were opened in Terre Haute (1819), Brookville (1819), Fort Wayne (1822), Crawfordsville (1823) and LaPorte (1833).¹⁹⁹ Through these offices millions of acres of newly acquired land comprising what was called “The New Purchase” passed into private hands. The newly ceded land was soon

¹⁹⁵ *ibid*, 99

¹⁹⁶ Bert Anson, *Chief Francis Lafontaine and the Miami Emigration from Indiana*; *ibid*, 246-247

¹⁹⁷ Andrew R. L. Cayton, *Frontier Indiana*; *ibid*, 263

¹⁹⁸ Stewart Rafert, *The Miami Indians of Indiana: A Persistent People 1654-1994*; *ibid*, 100

¹⁹⁹ Andrew R. L. Cayton, *Frontier Indiana*; *ibid*, 264

carved into twenty-two counties. By 1829 an estimated 100,000 people lived in the area.²⁰⁰

Jonathan Jennings returned to his sole role as Governor of Indiana in 1818, overcoming a challenge to his standing as Governor. Under the new Indiana Constitution state office holders were prohibited from simultaneously holding a federal office. His lieutenant governor took the role of governor until forced to resign. Indiana would never look back.

Conclusion

Others would look back, and reflect on the impact of the United State's continual push against the Native Americans.

Lewis Cass, as he concluded the Treaty of Fort Meigs in 1817, captured it well:

“Its [the Ohio country] cession to the United States will make it necessary for those Indians to change the manner & customs of their whole nation. From this day they cease to be hunters and must depend upon their own Industry and the produce of their reservations for support. However advantageous speculative men may believe this to be, still, we must not view it as an abstract question, but one intimately connected to their habits & feelings for life. Changes in the manner and customs of nations are generally slow and gradual and it is only some violent convulsion moral or physical which renders these changes rapid and perceptible. When therefore we demand of the Indians an absolute relinquishment of every thing which gives rest to savage life, we must expect that this demand will be received with regret and obeyed with reluctance. In fact

²⁰⁰ Stewart Rafert, *The Miami Indians of Indiana: A Persistent People 1654-1994*; *ibid*, 91

the whole of the Wyandots and those of the Shawnese & Senecas in this quarter have made the last struggle to preserve the inheritance of manners or of land transmitted to them by their ancestors.”²⁰¹

And as it pertained to the impact of the Treaty of St. Marys in 1818, Benjamin Parke reflected with foresight:

“To the Indians the reservations will be an evident disadvantage; they will promote neither their civilization, nor their comfort, and in half a century will probably occasion their total extinction. The object of civilizing the Indians is a pretty theme for the speculative philanthropists; but sounder conclusions may be drawn from a little personal observation, than the theory of closet declaimers.”²⁰²

In the end, the Treaties of Fort Meigs and St. Marys proved to be of pivotal importance in the dynamic and immediate growth of Indiana – leading to the rapid development of its position as an economic power in the nation by mid century. At the same time, the treaties underlined the nature of the relationship between the United States and Native Nations of that era. It posed to the Native Nations in particular, difficult and emotional dilemmas. For the United States, on the other hand, the issues were couched more in terms of how to provide land for its surging population while seeking to maintain the appearance of appropriateness in dealing and negotiating with the Native Nations as sovereign entities. The actions of the US Government, however, indicated otherwise. Dominating the Tribes by sheer numbers and military might, and with little regard for their culture and attitudes, the United States exhibited little intention

²⁰¹ Lewis Cass & General McArthur letter to John C. Calhoun, dated Fort Meigs, October 2, 1817; *Records of the Michigan Superintendency of Indian Affairs, 1814-1851*; *ibid*, microfilm M1, roll 3

²⁰² Benjamin Parke letter to John C. Calhoun, dated Vincennes, December 7, 1818; *Benjamin Parke Papers 1816-1818*; *ibid*, folder 2

for balanced negotiations with the Native populations. The drive for western expansion of the United States swept over these issues leaving it for us today to reconstruct the mindset and dynamics of a time, place and culture we no longer can see around us.