

Chapter 3: What Led Up to The 1851 Treaties of Fort Laramie — The Indian Removal Act

Britain's refusal to yield on neutral rights derived from more than the emergency of the European war. British manufacturing & shipping interests demanded that the Royal Navy promote & sustain British trade against Yankee competitors. The policy born of that attitude convinced many Americans they were being consigned to a de facto ("by fact") colonial status. Britons, on the other hand, denounced American actions that effectively made the U.S. a participant in Napoleon's Continental System.

Events on the U.S. northwestern frontier fostered additional friction. Indian fears over American encroachment coincidentally became conspicuous as Anglo-American tensions grew. Tecumseh & Tenskwatawa attracted followers arising from this discontent & formed what became known as "Tecumseh's Confederacy" to counteract expansionism.

American settlers, however, blamed British intrigue for heightened tensions with natives in the Northwest Territory. As war loomed, Canadian militia forces sought to augment themselves with Indian allies, which confirmed the worst fears of American settlers. These efforts were aided in the fall of 1811, when Indiana territorial governor William Henry Harrison fought the Battle of Tippecanoe & destroyed the Indian settlement at Prophet's Town (near modern Battle Ground, Indiana)²², thus leading to *Tecumseh's Curse* (a.k.a. "The Curse of Tippecanoe"), a *curse* associated with the fact that every president who was elected in a year ending in zero— from William Henry Harrison to John F. Kennedy— has died in office.²³ Harrison's foray convinced most Indians in the Northwest Territory that their only hope of stemming further encroachments by American settlers lay with the British. American settlers, in turn, believed that Britain's removal from Canada would end their Indian problems.

Under increasing pressure, Madison summoned the U.S. Congress into session in November 1811. Pro-war western & southern Republicans ("War Hawks") assumed a vocal role, especially after Kentucky War Hawk Henry Clay was elected speaker of the House of Representatives. Madison sent a war message to the U.S. Congress on June 1, 1812, & signed the *declaration of war* June 18, 1812. The vote seriously divided the House (79–49) and was gravely close in the Senate (19–13). Because seafaring New Englanders opposed the war, while westerners & southerners supported it, Federalists accused war advocates of expansionism under the ruse of protecting American maritime rights. The U.S. attacked Canada, however, because it was *British*. Furthermore, British commercial restrictions hurt American farmers by barring their produce from Europe. Regions seemingly removed from maritime concerns held a material interest in protecting neutral shipping. "Free trade and sailors' rights" was not an empty phrase for those Americans. The prospect of taking Florida from (Catholic) Spain also encouraged southern (Anglo-Saxon, Protestant) support for the war.

The onset of war came with disdain to the British, especially because they were preoccupied with the fight against France. In addition, political changes in Britain had moved the government to assume a conciliatory posture toward the U.S. Prime Minister *Spencer Perceval's* assassination on May 11, 1812, brought to power a more moderate Tory government under Lord Liverpool. British West Indies planters had been complaining for years about the interdiction of U.S. trade, & their growing influence, along with a deepening recession in Great Britain, convinced the Liverpool ministry that the *Orders in Council* were averse to British interests. On June 16, two days before the U.S. declared war, the Orders were suspended.

22 **Encyclopedia Britannica**, "War of 1812; UNITED KINGDOM-UNITED STATES HISTORY" by David S. Heidler, Jeanne T. Heidler (2016): <https://www.britannica.com/event/War-of-1812>

23 **Periodic Table fo the Presidents**, "What is Tecumseh's Curse?" by PJ Creek: <https://periodicpresidents.com/2013/06/11/what-is-tecumsehs-curse/>

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Neither the British in Canada nor the U.S. were prepared for war. The American people, however, were optimistic, due to popularity of American ideals (i.e. *the Bill of Rights*). William Eustis, the U.S. secretary of war, stated, **“We can take the Canadas without soldiers, we have only to send officers into the province and the people... will rally round our standard.”**

Congressman Henry Clay said that **“the militia of Kentucky are alone competent to place Montreal and Upper Canada at your feet.”**

And Thomas Jefferson famously wrote: **“The acquisition of Canada this year, as far as the neighborhood of Quebec, will be a mere matter of marching, & will give us experience for the attack of Halifax the next, & the final expulsion of England from the American continent.”**

The British government, preoccupied with the European conflict, saw American hostilities as a bothersome distraction, resulting in a paucity of resources in men, supplies, & naval presence until late in the event. The British in Canada operated with scarcity, however when Michigan territorial governor William Hull led U.S. forces into Canada from Detroit, Isaac Brock & Tecumseh’s warriors chased Hull back across the border & frightened him into surrendering Detroit on August 16, 1812, without firing a shot—behavior Americans & even Brock’s officers found disgraceful. The Northwest was then recaptured by Tecumseh's Confederacy, & British forces led by Maj. Gen. Henry Procter.

To the west, however, American Oliver Hazard Perry’s Lake Erie squadron re-took Detroit following a large battle at Put-in-Bay on Sept. 10th, 1813, & then at the *Battle of the Thames* on Oct. 5th. Tecumseh was killed during the battle, shattering his confederation *and* the Anglo-Indian alliance.

By 1814, American officers such as Jacob Brown, Winfield Scott, & Andrew Jackson, replaced ineffective veterans from the American Revolution.²⁴ That same year, Jackson commanded the U.S. military forces that defeated a band of the Creek tribe called the Red Sticks during the “Battle of Horseshoe Bend” aka the “Creek War”. The Red Sticks ardently opposed U.S. expansion & the assimilation of native people, & following a visit from Tecumseh between 1811 & 1812, the Red Sticks had sided with the British. To the Americans, the War of 1812 was seen as a “second war of independence”, something not perhaps fully understood by native people fighting against encroachment.²⁵ It was unfortunate, however, that after the defeat, the Creek Nation lost 22 million acres of land in southern Georgia & central Alabama, & the intercultural tensions which followed were no doubt a factor which would eventually contribute to the passing of the Indian Removal Act.

“When your time comes to die, be not like those whose hearts are filled with fear of death, so that when their time comes they weep and pray for a little more time to live their lives over again in a different way. Sing your death song, and die like a hero going home.”

– Tecumseh

In the late summer of 1814, Jackson, now promoted to Major General, moved his army south & attacked the British in Mobile, Alabama, & then again (November) at their Spanish post in Pensacola, Florida.²⁶

24 *Encyclopedia Britannica*, “War of 1812; UNITED KINGDOM-UNITED STATES HISTORY” by David S. Heidler, Jeanne T. Heidler (2016): <https://www.britannica.com/event/War-of-1812>

25 *History.com*, “War of 1812”: <http://www.history.com/topics/war-of-1812>

26 *Library of Congress*, “War of 1812 & The Battle of New Orleans”: http://www.americaslibrary.gov/aa/jackson/aa_jackson_icon_4.html

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In 1814, Napoleon's defeat allowed sizable British forces to come to America. After unsuccessfully capturing New York at the Battle of Plattsburgh Bay on Sept. 11th, 1814, British raids in Chesapeake Bay directed by Adm. Alexander Cochrane were more successful. British Gen. Robert Ross captured Washington (Aug. 24th) & burned government buildings, including the U.S. Capitol & the Executive Mansion (now known as the White House). The British justified this action as retaliation for the American destruction of York (modern Toronto), the capital of Upper Canada, the previous year. The British assault on Baltimore (Sept. 12–14) foundered when Americans fended off an attack at Northpoint & withstood the naval bombardment of Fort McHenry, an action that inspired Francis Scott Key's "Star-Spangled Banner". Ross was killed at Baltimore, & the British left Chesapeake Bay to plan an offensive against New Orleans.

Meanwhile, New England Federalists, angry about the war's effect on commerce, gathered at Hartford, Connecticut, to propose ways of redressing their grievances. Convening from December 15, 1814 to January 5, 1815, the Hartford Convention adopted moderate resolutions, but its mere existence prompted other parts of the country to question New England's patriotism & Federalist loyalty.

So that Britain could turn its full attention to Napoleon, talks of *ending the war* began at Ghent (in modern Belgium) in August 1814, but, with France defeated, the British stalled while waiting for news of a decisive victory in America. Most Britons were angry that the U.S. had become an unwitting ally of Napoleon, but even that sentiment was half-hearted among a people who had been at war in Europe for more than 20 years. Consequently, after learning of their defeats at Plattsburgh, Baltimore, & the Battle of Waterloo, the British government moved to make peace by dropping their attempts to change the Canadian boundary & establish an Indian barrier state in the Northwest, & the commissioners signed a treaty on Dec. 24th, 1814 based on the status *quo antebellum* ("*the situation before the war*").

Unaware of the treaty, British forces under Edward Pakenham assaulted New Orleans on January 8, 1815²⁷, but were soundly defeated by Andrew Jackson's famous *ragtag army* who held their ground in a long earthen barrier they had made. Jackson's army consisted of inexperienced volunteers, including *free blacks, Tennessee & Kentucky riflemen, & Louisiana militia*. Jackson had even recruited *pirates* to join. Despite the fact that they outnumbered two to one by British professionals, they prevailed. The British rushed the Americans, but were cut down in great numbers by rifle & cannon fire, the Americans suffering only a handful of deaths. Overnight, Jackson became a national icon & hero, which would later help him win the presidency.²⁸

After the war a surge of patriotism inspired Americans to pursue national goals. Contrary to American expectations, Canada remained British & eventually developed its own national identity. Meanwhile, Britain's influence among the northwestern Indians was forever ended, & American expansion in that region proceeded unchecked. In the South, the Creek War opened a large part of that region for settlement & led to the events that persuaded Spain to cede Florida to the U.S. in 1821.

The most enduring international consequence of the war was in the arbitration clauses of Ghent. Its arrangements to settle outstanding disagreements established methods that could adapt to changing U.S. administrations, British ministries, & world events.²⁹

27 **Encyclopedia Britannica**, "War of 1812; UNITED KINGDOM-UNITED STATES HISTORY" by David S. Heidler, Jeanne T. Heidler (2016): <https://www.britannica.com/event/War-of-1812>

28 **Library of Congress**, "*War of 1812 & The Battle of New Orleans*": http://www.americaslibrary.gov/aa/jackson/aa_jackson_icon_4.html

29 **Encyclopedia Britannica**, "War of 1812; UNITED KINGDOM-UNITED STATES HISTORY" by David S. Heidler, Jeanne T. Heidler (2016): <https://www.britannica.com/event/War-of-1812>

Transcript of The Treaty of Ghent:

Treaty of Peace and Amity between His Britannic Majesty (King George III) and the United States of America.

His Britannic Majesty & the United States of America desirous of terminating the war which has unhappily subsisted between the two Countries, & of restoring upon principles of perfect reciprocity, Peace, Friendship, & good Understanding between them, have for that purpose appointed their respective Plenipotentiaries, that is to say, His Britannic Majesty on His part has appointed the Right Honourable James Lord Gambier, late Admiral of the White now Admiral of the Red Squadron of His Majesty's Fleet; Henry Goulburn Esquire, a Member of the Imperial Parliament & Under Secretary of State; & William Adams Esquire, Doctor of Civil Laws: And the President of the United States, by and with the advice and consent of the Senate thereof, has appointed John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell, & Albert Gallatin, Citizens of the United States; who, after a reciprocal communication of their respective Full Powers, have agreed upon the following Articles.

ARTICLE THE FIRST.

There shall be a firm & universal Peace between His Britannic Majesty & the United States, & between their respective Countries, Territories, Cities, Towns, and People of every degree without exception of places or persons. All hostilities both by sea and land shall cease as soon as this Treaty shall have been ratified by both parties as hereinafter mentioned. All territory, places, & possessions whatsoever taken by either party from the other during the war, or which may be taken after the signing of this Treaty, excepting only the Islands hereinafter mentioned, shall be restored without delay & without causing any destruction or carrying away any of the Artillery or other public property originally captured in the said forts or places, & which shall remain therein upon the Exchange of the Ratifications of this Treaty, or any Slaves or other private property; And all Archives, Records, Deeds, and Papers, either of a public nature or belonging to private persons, which in the course of the war may have fallen into the hands of the Officers of either party, shall be, as far as may be practicable, forthwith restored and delivered to the proper authorities and persons to whom they respectively belong. Such of the Islands in the Bay of Passamaquoddy as are claimed by both parties shall remain in the possession of the party in whose occupation they may be at the time of the Exchange of the Ratifications of this Treaty until the decision respecting the title to the said Islands shall have been made in conformity with the fourth Article of this Treaty. No disposition made by this Treaty as to such possession of the Islands and territories claimed by both parties shall in any manner whatever be construed to affect the right of either.

ARTICLE THE SECOND.

Immediately after the ratifications of this Treaty by both parties as hereinafter mentioned, orders shall be sent to the Armies, Squadrons, Officers, Subjects, and Citizens of the two Powers to cease from all hostilities: and to prevent all causes of complaint which might arise on account of the prizes which may be taken at sea after the said Ratifications of this Treaty, it is reciprocally agreed that all vessels and effects which may be taken after the space of twelve days from the said Ratifications upon all parts of the Coast of North America from the Latitude of twenty three degrees North to the Latitude of fifty degrees North, and as far Eastward in the Atlantic Ocean as the thirty sixth degree of West Longitude from the Meridian of Greenwich, shall be restored on each side:-that the time shall be thirty days in all other parts of the Atlantic Ocean North of the Equinoctial Line or Equator:-and the same time for the British and Irish Channels, for the Gulf of Mexico, and all parts of the West Indies:-forty days for the North Seas for the Baltic, and for all parts of the Mediterranean-sixty days for the Atlantic Ocean South of the Equator as far as the Latitude of

the Cape of Good Hope.- ninety days for every other part of the world South of the Equator, and one hundred and twenty days for all other parts of the world without exception.

ARTICLE THE THIRD.

All Prisoners of war taken on either side as well by land as by sea shall be restored as soon as practicable after the Ratifications of this Treaty as hereinafter mentioned on their paying the debts which they may have contracted during their captivity. The two Contracting Parties respectively engage to discharge in specie the advances which may have been made by the other for the sustenance and maintenance of such prisoners.

ARTICLE THE FOURTH.

Whereas it was stipulated by the second Article in the Treaty of Peace of one thousand seven hundred and eighty three between His Britannic Majesty and the United States of America that the boundary of the United States should comprehend "all Islands within twenty leagues of any part of the shores of the United States and lying between lines to be drawn due East from the points where the aforesaid boundaries between Nova Scotia on the one part and East Florida on the other shall respectively touch the Bay of Fundy and the Atlantic Ocean, excepting such Islands as now are or heretofore have been within the limits of Nova Scotia, and whereas the several Islands in the Bay of Passamaquoddy, which is part of the Bay of Fundy, and the Island of Grand Menan in the said Bay of Fundy, are claimed by the United States as being comprehended within their aforesaid boundaries, which said Islands are claimed as belonging to His Britannic Majesty as having been at the time of and previous to the aforesaid Treaty of one thousand seven hundred and eighty three within the limits of the Province of Nova Scotia: In order therefore finally to decide upon these claims it is agreed that they shall be referred to two Commissioners to be appointed in the following manner: viz: One Commissioner shall be appointed by His Britannic Majesty and one by the President of the United States, by and with the advice and consent of the Senate thereof, and the said two Commissioners so appointed shall be sworn impartially to examine and decide upon the said claims according to such evidence as shall be laid before them on the part of His Britannic Majesty and of the United States respectively. The said Commissioners shall meet at St Andrews in the Province of New Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said Commissioners shall by a declaration or report under their hands and seals decide to which of the two Contracting parties the several Islands aforesaid do respectely belong in conformity with the true intent of the said Treaty of Peace of one thousand seven hundred and eighty three. And if the said Commissioners shall agree in their decision both parties shall consider such decision as final and conclusive. It is further agreed that in the event of the two Commissioners differing upon all or any of the matters so referred to them, or in the event of both or either of the said Commissioners refusing or declining or wilfully omitting to act as such, they shall make jointly or separately a report or reports as well to the Government of His Britannic Majesty as to that of the United States, stating in detail the points on which they differ, and the grounds upon which their respective opinions have been formed, or the grounds upon which they or either of them have so refused declined or omitted to act. And His Britannic Majesty and the Government of the United States hereby agree to refer the report or reports of the said Commissioners to some friendly Sovereign or State to be then named for that purpose, and who shall be requested to decide on the differences which may be stated in the said report or reports, or upon the report of one Commissioner together with the grounds upon which the other Commissioner shall have refused, declined or omitted to act as the case may be. And if the Commissioner so refusing, declining, or omitting to act, shall also wilfully omit to state the grounds upon which he has so done in such manner that the said statement may be referred to such friendly Sovereign or State together with the report of such other Commissioner, then such

Sovereign or State shall decide ex parse upon the said report alone. And His Britannic Majesty and the Government of the United States engage to consider the decision of such friendly Sovereign or State to be final & conclusive on all the matters so referred.

ARTICLE THE FIFTH.

Whereas neither that point of the Highlands lying due North from the source of the River St Croix, and designated in the former Treaty of Peace between the two Powers as the North West Angle of Nova Scotia, nor the North Westernmost head of Connecticut River has yet been ascertained; and whereas that part of the boundary line between the Dominions of the two Powers which extends from the source of the River st Croix directly North to the above mentioned North West Angle of Nova Scotia, thence along the said Highlands which divide those Rivers that empty themselves into the River St Lawrence from those which fall into the Atlantic Ocean to the North Westernmost head of Connecticut River, thence down along the middle of that River to the forty fifth degree of North Latitude, thence by a line due West on said latitude until it strikes the River Iroquois or Cataraquy, has not yet been surveyed: it is agreed that for these several purposes two Commissioners shall be appointed, sworn, and authorized to act exactly in the manner directed with respect to those mentioned in the next preceding Article unless otherwise specified in the present Article. The said Commissioners shall meet at se Andrews in the Province of New Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said Commissioners shall have power to ascertain and determine the points above mentioned in conformity with the provisions of the said Treaty of Peace of one thousand seven hundred and eighty three, and shall cause the boundary aforesaid from the source of the River St Croix to the River Iroquois or Cataraquy to be surveyed and marked according to the said provisions. The said Commissioners shall make a map of the said boundary, and annex to it a declaration under their hands and seals certifying it to be the true Map of the said boundary, and particularizing the latitude and longitude of the North West Angle of Nova Scotia, of the North Westernmost head of Connecticut River, and of such other points of the said boundary as they may deem proper. And both parties agree to consider such map and declaration as finally and conclusively fixing the said boundary. And in the event of the said two Commissioners differing, or both, or either of them refusing, declining, or wilfully omitting to act, such reports, declarations, or statements shall be made by them or either of them, and such reference to a friendly Sovereign or State shall be made in all respects as in the latter part of the fourth Article is contained, and in as full a manner as if the same was herein repeated.

ARTICLE THE SIXTH.

Whereas by the former Treaty of Peace that portion of the boundary of the United States from the point where the fortyfifth degree of North Latitude strikes the River Iroquois or Cataraquy to the Lake Superior was declared to be "along the middle of said River into Lake Ontario, through the middle of said Lake until it strikes the communication by water between that Lake and Lake Erie, thence along the middle of said communication into Lake Erie, through the middle of said Lake until it arrives at the water communication into the Lake Huron; thence through the middle of said Lake to the water communication between that Lake and Lake Superior:" and whereas doubts have arisen what was the middle of the said River, Lakes, and water communications, and whether certain Islands lying in the same were within the Dominions of His Britannic Majesty or of the United States: In order therefore finally to decide these doubts, they shall be referred to two Commissioners to be appointed, sworn, and authorized to act exactly in the manner directed with respect to those mentioned in the next preceding Article unless otherwise specified in this present Article. The said Commissioners shall meet in the first instance at Albany in the State of New York, and shall have power to adjourn to such other place or places as they shall think fit. The said Commissioners shall by a Report or Declaration under their hands and seals, designate the boundary

through the said River, Lakes, and water communications, and decide to which of the two Contracting parties the several Islands lying within the said Rivers, Lakes, and water communications, do respectively belong in conformity with the true intent of the said Treaty of one thousand seven hundred and eighty three. And both parties agree to consider such designation and decision as final and conclusive. And in the event of the said two Commissioners differing or both or either of them refusing, declining, or wilfully omitting to act, such reports, declarations, or statements shall be made by them or either of them, and such reference to a friendly Sovereign or State shall be made in all respects as in the latter part of the fourth Article is contained, and in as full a manner as if the same was herein repeated.

ARTICLE THE SEVENTH.

It is further agreed that the said two last mentioned Commissioners after they shall have executed the duties assigned to them in the preceding Article, shall be, and they are hereby, authorized upon their oaths impartially to fix and determine according to the true intent of the said Treaty of Peace of one thousand seven hundred and eighty three, that part of the boundary between the dominions of the two Powers, which extends from the water communication between Lake Huron and Lake Superior to the most North Western point of the Lake of the Woods;-to decide to which of the two Parties the several Islands lying in the Lakes, water communications, and Rivers forming the said boundary do respectively belong in conformity with the true intent of the said Treaty of Peace of one thousand seven hundred and eighty three, and to cause such parts of the said boundary as require it to be surveyed and marked. The said Commissioners shall by a Report or declaration under their hands and seals, designate the boundary aforesaid, state their decision on the points thus referred to them, and particularize the Latitude and Longitude of the most North Western point of the Lake of the Woods, and of such other parts of the said boundary as they may deem proper. And both parties agree to consider such designation and decision as final and conclusive. And in the event of the said two Commissioners differing, or both or either of them refusing, declining, or wilfully omitting to act, such reports, declarations or statements shall be made by them or either of them, and such reference to a friendly Sovereign or State shall be made in all respects as in the latter part of the fourth Article is contained, and in as full a manner as if the same was herein revealed.

ARTICLE THE EIGHTH.

The several Boards of two Commissioners mentioned in the four preceding Articles shall respectively have power to appoint a Secretary, and to employ such Surveyors or other persons as they shall judge necessary. Duplicates of all their respective reports, declarations, statements, and decisions, and of their accounts, and of the Journal of their proceedings shall be delivered by them to the Agents of His Britannic Majesty and to the Agents of the United States, who may be respectively appointed and authorized to manage the business on behalf of their respective Governments. The said Commissioners shall be respectively paid in such manner as shall be agreed between the two contracting parties, such agreement being to be settled at the time of the Exchange of the Ratifications of this Treaty. And all other expenses attending the said Commissions shall be defrayed equally by the two parties. And in the case of death, sickness, resignation, or necessary absence, the place of every such Commissioner respectively shall be supplied in the same manner as such Commissioner was first appointed; and the new Commissioner shall take the same oath or affirmation and do the same duties. It is further agreed between the two contracting parties that in case any of the Islands mentioned in any of the preceding Articles, which were in the possession of one of the parties prior to the commencement of the present war between the two Countries, should by the decision of any of the Boards of Commissioners aforesaid, or of the Sovereign or State so referred to, as in the four next preceding Articles contained, fall within the dominions of the other party, all grants of land made previous to the commencement of the war by the party having had such possession,

shall be as valid as if such Island or Islands had by such decision or decisions been adjudged to be within the dominions of the party having had such possession.

ARTICLE THE NINTH.

The United States of America engage to put an end immediately after the Ratification of the present Treaty to hostilities with all the Tribes or Nations of Indians with whom they may be at war at the time of such Ratification, and forthwith to restore to such Tribes or Nations respectively all the possessions, rights, and privileges which they may have enjoyed or been entitled to in one thousand eight hundred and eleven previous to such hostilities. Provided always that such Tribes or Nations shall agree to desist from all hostilities against the United States of America, their Citizens, and Subjects upon the Ratification of the present Treaty being notified to such Tribes or Nations, & shall so desist accordingly. And His Britannic Majesty engages on his part to put an end immediately after the Ratification of the present Treaty to hostilities with all the Tribes or Nations of Indians with whom He may be at war at the time of such Ratification, and forthwith to restore to such Tribes or Nations respectively all the possessions, rights, and privileges, which they may have enjoyed or been entitled to in one thousand eight hundred and eleven previous to such hostilities. Provided always that such Tribes or Nations shall agree to desist from all hostilities against His Britannic Majesty and His Subjects upon the Ratification of the present Treaty being notified to such Tribes or Nations, and shall so desist accordingly.

ARTICLE THE TENTH.

Whereas the Traffic in Slaves is irreconcilable with the principles of humanity and Justice, and whereas both His Majesty and the United States are desirous of continuing their efforts to promote its entire abolition, it is hereby agreed that both the contracting parties shall use their best endeavours to accomplish so desirable an object.

ARTICLE THE ELEVENTH.

This Treaty when the same shall have been ratified on both sides without alteration by either of the contracting parties, and the Ratifications mutually exchanged, shall be binding on both parties, and the Ratifications shall be exchanged at Washington in the space of four months from this day or sooner if practicable. In faith whereof, We the respective Plenipotentiaries have signed this Treaty, and have hereunto affixed our Seals.

Done in triplicate at Ghent the twenty fourth day of December one thousand eight hundred and fourteen.

GAMBIER. [Seal]
HENRY GOULBURN [Seal]
WILLIAM ADAMS [Seal]
JOHN QUINCY ADAMS [Seal]
J. A. BAYARD [Seal]
H. CLAY. [Seal]
JON. RUSSELL [Seal]
ALBERT GALLATIN [Seal]³⁰

³⁰ OurDocuments.gov, “*Transcript of Treaty of Ghent (1814)*”: <https://www.ourdocuments.gov/doc.php?doc=20&page=transcript>

Andrew Jackson's Notorious Legacy of Indian Removal:

The next year, in 1815, & again in 1818, Jackson marched against the Seminole Indians in Spanish held Florida, in part to punish them for their practice of harboring fugitive slaves. As a result of the attack in 1818, the Spanish government realized that it could not defend Florida against the United States. The next year, Spain sold Florida to the United States.

In addition to leading the charge against several tribes, Jackson negotiated nine out of eleven treaties between 1814 & 1824 in which tribes divested their eastern lands in exchange for lands in the west. Of they tribes who signed treaties during this time, they did so for survival purposes— hoping to retain control over part of their territory, by ceding some portions; & to protect themselves from harassment or death by the hands of white settlers. As a result of these treaties, the Federal Government gained control over three-quarters of Alabama & Florida, as well as parts of Georgia, Tennessee, Mississippi, Kentucky & North Carolina. This “voluntary” Indian migration, however resulted in only a small number of Creek, Cherokee & Choctaw Indians actually moving westward. Many others resisted the relocation policy, & the Creek & Seminole waged war to protect their territory.³¹ Jackson became the 7th President of the United States between 1829 & 1837, with his platform being built on Indians being moved “beyond the great river Mississippi.” During his presidency, the U.S. negotiated 70 treaties & traded 100 million acres of Native land for \$68 million & 32 million acres of reservation land in Indian Territory . It then relocated 46,000 Indians west of the Mississippi River.³²



Map saved to Pinterest by Amy Milleson:

<https://www.pinterest.com/pin/63120832254062281/>

31 Periodic Table for the Presidents, “What is Tecumseh’s Curse?” by PJ Creek:

<https://periodicpresidents.com/2013/06/11/what-is-tecumsehs-curse/>

32 Indian Country Today media Network, “Andrew Jackson: Instigator of Indian Removal” by Alysa Landry • May 2, 2017: <https://indiancountrymedianetwork.com/history/events/andrew-jackson-instigator-of-indian-removal/>

The U.S. Indian Agency Designed to *Domesticate & Assimilate* Native Americans into Judeo-Christian Culture, 1820 - 1853

Along with building Fort Snelling at the junction of the Mississippi & Minnesota Rivers in 1820 under President James Monroe, the U.S. government established the *St. Peters Indian Agency* on the military property. The agency was supervised by an *Indian Agent*— a civilian appointed by the President of the United States to serve as an ambassador to American Indian nations living in the region. Agents were responsible for being the eyes, ears, & mouth of the U.S. Bureau of Indian Affairs to “Indian” community members.

Indian agencies were created as part of the U.S. government's efforts to control commerce (*management of “equity in trade” between political bodies*) between the U.S. & American Indian nations. In 1806, under Jefferson's presidency, the Federal office of the Superintendent of Indian Trade was created, specifically to *monitor & control economic activity between American Indian nations & the U.S. Government*. In March 1824 (still under Monroe) Secretary of War John C. Calhoun created the Bureau of Indian Affairs to replace the Indian Trade Office, *officially placing responsibility for working with American Indian communities* under the control of the U.S. War Department. In addition to controlling commerce, **the Bureau was responsible for settling disputes between American Indians & European Americans, as well as for appropriating funds from Congress to fund efforts by the Indian agents to acculturate American Indians into European American society.**



Indian Agency Council House, 1835-37. Painting by David Geister, 2012. Historic Fort Snelling collections:
<http://www.historicfortsnelling.org/history/american-indians/us-indian-agency>

“The Indian came into reservation life reluctantly. He was practically a prisoner, to be fed & treated as such; & what resources were left him must be controlled by the Indian Bureau through its resident agent.”

– Ohiyesa (“Charles A. Eastman”)

Santee Dakota Physician

The Indian Today, 1915 ³³

33 Minnesota Historical Society: The U.S.-Dakota War of 1862, “Indian Agencies”:

<http://www.usdakotawar.org/history/newcomers-us-government-military/indian-agencies>

Agents were ordered to report any violations of U.S. trade & laws by European or U.S. fur traders to *the Bureau's superintendents, local U.S. military personnel, & to the U.S. War Department*. Agents were also responsible for resolving disputes between American Indians & European American emigrants within their jurisdictions, *or any conflicts between different American Indian nations, in order to prevent disruptions in the fur trade & ensure that U.S. interests in their jurisdictions were not jeopardized.*

During the early 1800s the U.S. government adopted policies aimed at acculturating & assimilating American Indians into European American society. Agents at the St. Peters Agency encouraged Dakota people to give up hunting as a primary method of subsistence, educate their children according to European-American standards, give up their traditional religion to become practicing Christians, & to adopt European-American agricultural methods. The agents also encouraged a change in traditional Dakota gender roles; traditionally, Dakota women & children had worked the fields, gardens, & also performed the traditional wildharvesting, but the agents wanted men to give up hunting & take over the agricultural work. Agents as well as missionaries encouraged the Dakota to adopt farming on a larger scale so it could serve as the main form of subsistence for their communities, & to utilize European cultivation techniques (such as the use of plows drawn by draft animals) as a response to their difficulties in hunting at that time. However, most Dakota were not willing to do so, as they considered farming the *way of the white men*. **The policy of assimilation would effectively destroy traditional cultural identities of many native people.** Many historians have argued that the U.S. government believed that if American Indians did not adopt European-American culture they would become extinct as a people. This paternalistic attitude influenced interactions between American Indian nations & the U.S. government throughout the first half of the 1800s, *& its effects continue to be felt today.*³⁴

Throughout its more than 30 year history, the St. Peters Agency was administered by several individuals: Lawrence Taliaferro (1820-39); Amos Bruce (1840-48); Richard G. Murphy (1848-49); and Nathaniel McLean (1850-53).

"How to get rid of me at this Post seems now the main object of Tom, Dick, and Harry — so that those who may come after me can the more easily be bribed or threatened into silence and acquiesce in the plans on foot to cheat & destroy the Indians."

– Lawrence Taliaferro³⁵

34 Minnesota Historical Society, "*Historic Fort Snelling; The U.S. Indian Agency 1820-1853*":

<http://www.historicfortsnelling.org/history/american-indians/us-indian-agency>

35 Gilman, Rhoda R. (1991). *The Story of Minnesota's Past*. St. Paul, Minnesota: Minnesota Historical Society.

Andrew Jackson & *The Indian Removal Act*:

Several tribes *did* adopt white practices, such as farming, education, & even *holding slaves* in an attempt to ward off hostility *and* to co-exist with the new settlers. In the end, however, their efforts would be for naught.

Although journal entries by Lawrence Taliaferro prove he hoped the election of Andrew Jackson as the seventh President of the United States would result in improvement in affairs at the agency including a more enlightened government policy toward Native Americans (“Indians” at the time), the opposite would prove true.³⁶

However, before becoming president, Jackson had been a long time proponent of “Indian removal”. Following his election in 1828, the policy of Indian Removal would become even more prevalent. In his first year in office, early in 1829, he called for an “Indian Removal Act”, & then worked *quickly* toward that goal. Even though there was significant opposition by many Christian missionaries, future president Abraham Lincoln, & Tennessee Congressman Davy Crockett, *most* European Americans favored the passage of the Indian Removal Act. In the south, the settlers were particularly eager to rid themselves of the “Five Civilized Tribes”, especially *the state of Georgia, which was involved in a contentious jurisdictional dispute with the Cherokee nation.*

After a bitter debate in Congress, the Indian Removal Act was passed on May 26, 1830. It was signed into law by President Andrew Jackson two days later on May 28. On his Second Annual Message to Congress on December 6, 1830, Jackson's comments on Indian removal begin with these words: **"It gives me pleasure to announce to Congress that the benevolent policy of the Government, steadily pursued for nearly thirty years, in relation to the removal of the Indians beyond the white settlements is approaching to a happy consummation. Two important tribes have accepted the provision made for their removal at the last session of Congress, and it is believed that their example will induce the remaining tribes also to seek the same obvious advantages."**

While Native American removal was supposed to be voluntary, in practice, great pressure was put on Native American leaders to sign removal treaties. Some who had previously resisted removal soon began to reconsider their positions, especially after Jackson's landslide re-election in 1832. Affected tribes included the Cherokee, Chickasaw, Choctaw, Creek, & the Seminole.

The Removal Act paved the way for the reluctant, and often forcible, emigration of tens of thousands of American Indians to the West. The first removal treaty signed after the Removal Act was the Treaty of Dancing Rabbit Creek on September 27, 1830, in which Choctaw in Mississippi ceded their land east of the the Mississippi River.³⁷

36 LAWRENCE TALIAFERRO: *An Inventory of His Papers at the Minnesota Historical Society*:
<http://www2.mnhs.org/library/findaids/01236.xml>

37Robert Remini, *Andrew Jackson and the Course of American Empire, 1767-1821*, (1977) ch. 13

The Indian Removal Act was passed to open up for settlement those lands still held by natives in states east of the Mississippi River, primarily Georgia, Tennessee, Alabama, Mississippi, North Carolina, & others. Jackson declared the removal would “incalculably strengthen the southwestern frontier”. **Clearing Alabama & Mississippi of their Indian populations, he said, would “enable those states to advance rapidly in population, wealth, & power.”**

Senators Daniel Webster & Henry Clay spoke out against removal. The Reverend Samuel Worcester, missionary to the Cherokees, challenged Georgia’s attempt to extinguish Indian title to land in the state, actually *winning his case* before the Supreme Court. Worcester vs. Georgia (1832) and Cherokee Nation vs. Georgia (1831) are considered the two most influential legal decisions in Indian law. The U.S. Supreme Court ruled for Georgia in the 1831 case, but in *Worcester vs. Georgia*, the court affirmed Cherokee sovereignty. **Jackson defied the ruling & ordered the removal anyway, an act that established the U.S. government’s precedent for the future removal of many Native Americans from their ancestral homelands.**

The U.S. government used the Treaty of New Echota in 1835 to justify the removal. The treaty, signed by about 100 Cherokees known as *the Treaty Party*, relinquished *all lands east of the Mississippi River* in exchange for land in Indian Territory *and* the promise of money, livestock, various provisions, tools & other benefits.

When these pro-removal Cherokee leaders signed the Treaty of New Echota, they also signed their own death warrants, since the Cherokee Nation Council had earlier passed a law calling for the death of anyone agreeing to give up tribal land. The signing & removal led to bitter factionalism & ultimately to the deaths of most of the Treaty Party leaders once the Cherokee arrived in Indian Territory.

Opposition to the removal was led by Chief John Ross, a mixed-blood of Scottish & one-eighth Cherokee descent. **The Ross party & most Cherokees opposed the New Echota Treaty, but Georgia & the U.S. government prevailed & used it as justification to force almost all of the 17,000 Cherokees from their southeastern homeland.**

White inhabitants of Georgia were particularly anxious to have the Cherokees removed from the state because gold had been discovered on tribal lands. Race & religious-based violence was commonplace in Georgia, *and, in all likelihood*, a portion of the tribe would have been *killed by locals* if they had not been removed.

This discovery of gold came *just after* the creation & passage of the original Cherokee Nation constitution *and* establishment of a Cherokee Supreme Court. Possessed by "gold fever" & a thirst for expansion, many white communities turned on their Cherokee neighbors. The U.S. government ultimately decided it was time for the Cherokees to be "removed"; leaving behind their farms, land, & homes.

Jackson's military command, & almost certainly his life, were saved thanks to the aid of 500 Cherokee allies at the *Battle of Horseshoe Bend*. It therefore came as a complete *shock & betrayal* to the Cherokee people when **Jackson authorized the Indian Removal Act following the recommendation of President James Monroe in his final address to Congress in 1825**. Jackson, *as president*, sanctioned an attitude that had persisted for many years among *many* European immigrants.³⁸

Indian Removal Act, 1830:

Transcript::

May 26, 1830, U. S. Government, 21st Congress, 2nd Session

Chapter CXLVIII - An Act to provide for an exchange of lands with the Indians residing in any of the states or territories, and for their removal west of the river Mississippi.

“Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That **it shall and may be lawful for the President of the United States to cause so much of any territory belonging to the United States, west of the river Mississippi**, not included in any state or organized territory, and **to which the Indian title has been extinguished**, as he may judge necessary, **to be divided into a suitable number of districts, for the reception of such tribes or nations of Indians** as may choose **to exchange the lands where they now reside, and remove there**; and to cause each of said districts to be so described by natural or artificial marks, as to be easily distinguished from every other.

Section 2 - And be it further enacted, That **it shall and may be lawful for the President to exchange any or all of such districts**, so to be laid off and described, with any tribe or nation within the limits of any of the states or territories, and with which the United States have existing treaties, for the whole or any part or portion of the territory claimed and occupied by such tribe or nation, within the bounds of any one or more of the states or territories, where the land claimed and occupied by the Indians, is owned by the United States, or the United States are bound to the state within which it lies **to extinguish the Indian claim thereto**.

Section 3 - And be it further enacted, That in the making of any such exchange or exchanges, it shall and may be lawful for the President solemnly to assure the tribe or nation with which the exchange is made, that the United States will forever secure and guaranty to them, and their heirs or successors, the country so exchanged with them; and if they prefer it, that the United States will cause a patent or grant to be made and executed to them for the same: **Provided always, that such lands shall revert to the United States, if the Indians become extinct, or abandon the same**.

38 Cherokee Nation Cultural Resource Center, “*A Brief History of The Trail of Tears*”, Cherokee Nation official website:

<http://www.cherokee.org/AboutTheNation/History/TrailofTears/ABriefHistoryoftheTrailofTears.aspx>

Section 4 - And be it further enacted, That **if, upon any of the lands now occupied by the Indians**, and to be exchanged for, **there should be such improvements as add value to the land claimed by any individual or individuals of such tribes or nations, it shall and may be lawful for the President to cause such value to be ascertained by appraisement** or otherwise, **and to cause such ascertained value to be paid to the person or persons rightfully claiming such improvements. And upon the payment of such valuation, the improvements so valued and paid for, shall pass to the United States, and possession shall not afterwards be permitted to any of the same tribe.**

Section 5 - And be it further enacted, That upon the making of any such exchange as is contemplated by this act, **it shall and may be lawful for the President to cause such aid and assistance to be furnished to the emigrants as may be necessary and proper to enable them to remove to, and settle in, the country for which they may have exchanged; and also, to give them such aid and assistance as may be necessary for their support and subsistence for the first year after their removal.**

Section 6 - And be it further enacted, That it shall and may be lawful for the President to cause such tribe or nation to be protected, at their new residence, against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever.

Section 7 - And be it further enacted, That **it shall and may be lawful for the President to have the same superintendence and care over any tribe or nation in the country to which they may remove**, as contemplated by this act, **that he is now authorized to have over them at their present places of residence.**³⁹

The Trail of Tears:

Removal of the tribes continued beyond Jackson's tenure as President. The most infamous of the removals took place in 1838, two years after the end of Jackson's final term, when the Cherokee people were forcibly removed by the military & marched—men, women, & children— from the mountains of North Carolina & surrounding states to the plains of Oklahoma, into foreign ecosystems, & onto “Indian reservations” where they would no longer be able to access many of the plants they had traditionally used for survival, but instead would become dependent upon commerce & what many elders would call “white man ways” in order to survive. Their journey west became known as the “Trail of Tears” because of the thousands of deaths which occurred along the way.⁴⁰

39 **Legends of America, Native American Legends- “Indian Removal Act of 1830”:**

<http://www.legendsofamerica.com/na-indianremovalact.html>

40 **President Andrew Jackson's Message to Congress 'On Indian Removal' (1830):**

<https://ourdocuments.gov/doc.php?flash=true&doc=25>

“The Hermitage”, Andrew Jackson's Slave Plantation:

The Hermitage was a 1,000 acre, self-sustaining plantation that relied completely on the labor of enslaved African American men, women, & children. They performed the hard labor that produced The Hermitage's cash crop, *cotton*. The more land Andrew Jackson accrued, the more slaves he procured to work it. Thus, the Jackson family's survival was made possible by the profit garnered from the crops worked by the enslaved on a daily basis.

When he bought The Hermitage in 1804, he purchased nine enslaved African Americans who worked there. 25 years later, that number had increased to over 100 through purchase & reproduction. At the time of his death in 1845, Jackson owned approximately 150 people who lived and worked on the property.⁴¹

Andrew Jackson & The Rise The Abolitionist Movement:

In the summer of 1835, shortly after the Democratic convention adjourned, antislavery forces organized a campaign to distribute propaganda tracts through the mails to the South. The southern response was predictable. Southern state legislatures passed laws to keep out such "incendiary literature," & many southern postmasters refused to deliver abolitionist mail. At Charleston, South Carolina, on 29 July, a mob of some three hundred incensed citizens stormed the post office to seize abolitionist material. Although persuaded to disperse, a few Carolinians returned that night & took possession of the literature, which they burned the following evening on the Charleston parade grounds.

The Jackson administration's handling of this controversy has generally been interpreted as evidence of its southern orientation. According to one account, the Democratic party's pro-South and pro-slavery bias was the "darker side to Jacksonian Democracy." The Jackson administration certainly was hostile to abolitionism & any efforts to disturb the South's "peculiar institution." It showed a continuing solicitude for southern opinion & interests, & it embraced the racial tenets of "herrenvolk democracy", which affirmed the equality of whites & their superiority over non-whites. Jackson himself was a substantial planter, owning many slaves, & while he insisted that they be treated "humanely", he showed no disposition to disturb the legal & constitutional arrangements that maintained the slave system.

The Democratic party was a national organization, & northern attitudes about slavery & civil liberties had to be given weight. Moreover, Jackson's denunciation of abolitionism did not signify that he considered slavery a positive or permanent good. Rather, he thought that by maintaining sectional calm, Providence would, in time, somehow eradicate the evil. Indeed, he generally perceived the growing slavery controversy as artificial & political, with both abolitionists & southern extremists seeking to divide the Union to serve their separate ends. The permanency of the Union & the American experiment in liberty went hand in hand; both were directly threatened by agitation over slavery. And so, too, was the Democratic party. The administration therefore sought to put a damper on the slavery issue by placating southern worries while resisting extreme proslavery demands.

41 **Andrew Jackson's The Hermitage, article- “Andrew Jackson’s Enslaved Laborers”:**
<http://thehermitage.com/learn/mansion-grounds/slavery/>

Chapter 3: What Led Up to The 1851 Treaties of Fort Laramie — The Indian Removal Act

With Jackson vacationing in Virginia, the administration's initial response to the mails controversy fell to the recently appointed postmaster general, Amos Kendall. Seeking to intercept the mails with as little noise and difficulty as possible, Kendall adopted an evasive strategy of refusing officially to sanction the action of local postmasters who detained the mail, but also declining to order it delivered. He thus left postmasters to their own discretion.

Upon learning of the situation in Charleston, Jackson angrily denounced the abolitionists as "monsters" and suggested that those who subscribed to the papers have their names recorded by the postmaster and exposed in the public newspapers. Yet Jackson did not justify mob action or the complete interdiction of abolitionist mailings. He denounced the "spirit of mob-law" as evidenced in Charleston and thought that the instigators should be "checked and punished." Reminding Kendall that federal officials had "no power to prohibit anything from being transported in the mails that is authorized by the law," he suggested that the papers be delivered only to those who were "really subscribers."

The mails controversy became a leading question when Congress convened in December 1835. In his annual message, Jackson noted the "painful excitement" caused by the abolitionist tracts and recommended that Congress prohibit their circulation in the South. His proposal prompted a heated debate in the Senate when Calhoun objected to giving Congress power to exclude material. Such authority, Calhoun alleged, would equally permit the federal government to "open the gates to the flood of incendiary publications."

Calhoun urged that state law, not Congress, be the arbiter of what was incendiary, and in February 1836, he reported a bill declaring it unlawful for postmasters in states and territories to receive and put into the mail any material "touching" the subject of slavery that was addressed to any area where such material was prohibited. Not everyone found Calhoun's distinction clear. At least one key Jacksonian asserted that Calhoun's bill was actually an administration measure because it ultimately relied upon federal authority to enforce the ban.

Northern Whigs led the opposition to Calhoun's bill, protesting that it violated freedom of the press. Significantly, a number of loyal Jacksonians, including Thomas Hart Benton of Missouri and John Niles of Connecticut, also considered the proposal "preposterous and mischievous." After considerable discussion and revision, the bill barely survived a test vote in the Senate on 2 June when a tie was broken by Vice President Van Buren. It then failed on a final vote when enough northern Democrats combined with northern and borderstate Whigs to defeat it. The tally was more sectional than partisan, indicating how slavery jeopardized party unity. Eventually, toward the end of the session, the Senate approved a Post Office Department reorganization plan that explicitly forbade postmasters from detaining the mail. But southern state laws remained on the books, and federal law became, in the words of one historian, "largely a dead letter in the South."

Although Congress had failed to adopt his recommendation, it is hard to think that Jackson was disappointed by this course of events. The mails controversy subsided as southern states quietly nullified federal law without resorting to federal legislation that many northerners found objectionable. The Democratic party's position was to muffle rather than inflame the slavery issue, and the *Globe*, after blaming defeat for the mails bill on the Whigs, let the subject rest.

Chapter 3: What Led Up to The 1851 Treaties of Fort Laramie — The Indian Removal Act

A second slavery question proved more nettle-some to the Jackson administration. This was the antislavery campaign to petition Congress for the abolition of the slave trade & slavery in the District of Columbia & in federal territories. On December 18th, 1835, South Carolina congressman James Henry Hammond announced that he "could not sit there & see the rights of the southern people assaulted day after day, by the ignorant fanatics from whom these memorials proceed." He demanded the petitions *not* be received by the House, thus precipitating a bitter debate that, in one form or another, lasted a decade. Southern radicals like Hammond intended to use the petitions as a way of seeking to legally establish that *the principle that slavery lay entirely outside of congressional authority*. Aside from the Vermont abolitionist congressman William Slade, no northerners spoke in favor of the prayers of the petitions. Instead, northern spokesmen defended the right to have antislavery memorials respectfully received & handled. Northern Whigs again led the defense of the right of reception, but they were joined by a number of prominent Jacksonians like Samuel Beardsley of New York, who warned that northern freemen would not tolerate having their petitions forbidden or treated with scorn.

As in the mails controversy, Jacksonians tried to "sink the irritating topic into instant insignificance." After weeks of speeches & political maneuvering, Democrats eventually rallied behind a resolution offered by Henry L. Pinckney of South Carolina, calling for a select committee to deal with the materials. Southern radicals were furious that Pinckney had seemingly conceded the power of the House to act upon the subject of slavery at all. But the resolution passed the House handily, with the overwhelming majority of Democrats, particularly from the North, in support.

In May 1836, Pinckney presented his committee's report to the House. Denouncing the "sickly sentimentality" of antislavery reformers, it proposed resolutions denying constitutional authority to interfere with slavery in the states; declaring that Congress "ought not" to interfere with slavery in the nation's capital; and, finally, tabling with no further action, & without printing or referral, all petitions & other material relating to the subject of slavery or its abolition. The last resolution was the famous "gag rule".

As expected, Pinckney's motions were condemned by some as an invasion of southern rights & by others as a violation of the right of petition. In order to prevent the discord from getting out of control, Jacksonian leaders quickly cut off debate by moving the previous question & rushing a vote on the resolutions. All passed easily, & the slavery issue in Congress was temporarily held in abeyance under the combined restraints of party loyalty & the gag rule.

But the controversy over petitions continued to agitate national politics, in part because the gag rule provided a concrete & attractive target for antislavery advocates who linked their cause to the broader one of civil liberties. Annual debates over the gag rule strained the Democratic party, whose members were torn between sectional allegiance & party loyalty. In 1844 enough northern Democrats refused to go along with their southern colleagues, & the gag rule died. Jackson deplored the increased sectional bitterness that marked national politics during his presidency. He urged Americans to remember that the foundations of the Constitution & the Union were laid in the "affections of the people" & in their "fraternal attachment" as members of one political family.

His sentiments were heartfelt, but time would demonstrate that his appeals for moderation, unionism, & for *patience in awaiting Providence's will* to be ineffectual nostrums for the great moral & legal issues posed by slavery.

Chapter 3: What Led Up to The 1851 Treaties of Fort Laramie — The Indian Removal Act

While the slavery controversy agitated political waters, Jackson also found rough sailing in his campaign to reform banking excesses & the nation's money supply. Although the deposit system was generally performing well, serious problems were becoming evident. The country was in the midst of an inflationary surge propelled by an influx of silver & by overbanking & speculation, & the pet banks were doing their share in dangerously expanding credit. These conditions produced a surplus of tariff & land revenues, which accumulated in the pets. Other institutions resented the pets' access to federal funds & demanded a portion. As a result, when the administration proposed a measure to regulate the pet banks, Congress severely modified it. The resulting Deposit Act of 1836 was a multipurposed affair. It provided some needed restrictions on small paper bills but also limited the amount of federal money that could be held in each pet bank. The effect was to increase radically the number of pets & sacrifice control over the deposit system.

Even more objectionable to Jackson was a provision that distributed the surplus federal revenue to the states. Jackson had once supported distribution, though only under certain conditions, but he now considered the measure unconstitutional & inexpedient. It made the states dependent on the federal government for revenue, encouraged speculation & excessive paper issues, & created pressures on Congress to raise the tariff to replace the lost money. Indeed, he considered this measure so harmful that he actually prepared a veto. Only after Congress made federal funds a deposit subject to recall, rather than an outright grant, did he reluctantly sign the bill, motivated only by practical concerns. In an election year, Democrats rivaled Whigs in promising states the benefits of the surplus, & a presidential veto would have damaged Van Buren's prospects. Besides, distribution was simply the price that Jackson had to pay for getting some degree of bank regulation.

In the aftermath of the bill's passage, Jackson made it evident that his signature spelled no retreat from his hard-money policy. In July 1836, he issued the Specie Circular, which directed government agents to receive only gold & silver in payment for public lands after December 1836, a measure designed to diminish land speculation & "to preserve the deposit banks" by increasing the specie backing of bank notes. The Specie Circular generated a storm of protest; Congress passed a bill at the close of Jackson's presidency repealing it, but Jackson pocket vetoed the bill. **"I have the great republican principles to sustain, the constitution to preserve, [to] protect & defend, & the most vital principle of it is the currency, & I have to maintain a consistency of character in all my acts to make my administration beneficial to republicanism,"** he explained. The pet-bank system aggravated the inflationary pressures of the mid-1830s & contributed to the inevitable Panic of 1837, shortly after Jackson left office. His efforts to regulate & reform bank paper had only a modest effect in controlling speculation & bringing about economic stability.

Jackson's decision to implement the program was based upon the fact that economic fluctuations are international in scope, & that the federal government has only a limited ability to shape the course of economic affairs. It is doubtful the boom-and-bust cycle of the 1830s would have been avoided if Jackson had rechartered the national bank. He perceived, if only dimly, that the rapid changes associated with the Market Revolution undermined traditional values & relationships, & jeopardized the rough equality of condition that underpinned a republican society. His warnings about concentrations of political & economic power & about the debilitating effects of corruption have become part of the American reform tradition.⁴²

42 **Profiles of U.S. Presidents, "Andrew Jackson- Slavery":** <http://www.presidentprofiles.com/Washington-Johnson/Andrew-Jackson-Slavery.html#ixzz4SJxWrU00>

Back At The Indian Agency, *Lawrence Taliaferro, 1837 Treaty*

At the St. Peters Agency, agent Lawrence Taliaferro worked frequently with both Dakota *and* Ojibwe communities to prevent conflicts & maintain peace in the region. Chief Little Crow *of the Mdewakanton Dakota* named Taliaferro "No-Sugar-in-Your-Mouth" for his ability to deal candidly & for his record of not making promises that he could not keep. Taliaferro built a council house just west of the fort in 1823, where he received Native American visitors & mediated in the affairs of the area. Both the Dakota *and* the Ojibwa would travel along the Minnesota & Mississippi Rivers to the fort to seek advice & to ask for charity & favors. Taliaferro was able to exert his influence by carefully distributing supplies such as food, gunpowder, tobacco, & whiskey. The agency's blacksmith also was on hand to repair native peoples' guns & traps. Since they relied on these supplies & services, & since those services could be stopped at any time, this promoted peaceful relations between all parties involved.

Taliaferro presided over the drafting of a treaty in 1837. He brought Dakota leaders to Washington, D.C., & negotiated what he thought were fair terms for Dakota lands east of the Mississippi River..^{43 44}

Articles of a treaty, made at the City of Washington, between Joel R. Poinsett, thereto specially authorized by the President of the United States, & certain chiefs and braves of the Sioux nation of Indians.

ARTICLE 1.

The chiefs & braves representing the parties having an interest therein, cede to the United States *all their land east of the Mississippi river*, & all their islands in the said river.

ARTICLE 2.

In consideration of the cession contained in the preceding article, the United States agree to the following stipulations on their part:

First. To invest the sum of \$300,000 in such safe & profitable State stocks as the President may direct, & to pay to the chiefs & braves as aforesaid, annually, forever, an income of not less than five per cent. thereon; a portion of said interest, not exceeding one third, to be applied in such manner as the President may direct, & the residue to be paid in specie, or in such other manner, & for such objects, as the proper authorities of the tribe may designate.

Second. To pay to the relatives & friends of the chiefs & braves, as aforesaid, having not less than one quarter of Sioux blood, \$110,000 to be distributed by the proper authorities of the tribe, upon principles to be determined by the chiefs and braves signing this treaty, & the War Department.

43 Gilman, Rhoda R. (1991). *The Story of Minnesota's Past*. St. Paul, Minnesota: Minnesota Historical Society.

44 Hall, Steve (1987). *Fort Snelling: Colossus of the Wilderness*. St. Paul, MN: Minnesota Historical Society Press.

Third. To apply the sum of \$90,000 to the payment of just debts of the Sioux Indians, interested in the lands herewith ceded.

Fourth. To pay to the chiefs and braves as aforesaid an annuity for twenty years of \$10,000 in goods, to be purchased under the direction of the President, and delivered at the expense of the United States.

Fifth. To expend annually for twenty years, for the benefit of Sioux Indians, parties to this treaty, the sum of \$8,250 in the purchase of medicines, agricultural implements and stock, and for the support of a physician, farmers, and blacksmiths, and for other beneficial objects.

Sixth. In order to enable the Indians aforesaid to break up and improve their lands, the United States will supply, as soon as practicable, after the ratification of this treaty, agricultural implements, mechanics' tools, cattle, and such other articles as may be useful to them, to an amount not exceeding \$10,000.

Seventh. To expend annually, for twenty years, the sum of \$5,500 in the purchase of provisions, to be delivered at the expense of the United States.

Eighth. To deliver to the chiefs and braves signing this treaty, upon their arrival at St. Louis, \$6,000 in goods.



Minnesota Historical Society,
painting of Lawrence Taliaferro
: <http://www.mnhs.org/talesoftheterritory/territory/treaty/government.php>

ARTICLE 3. *[Stricken out by Senate.]*

ARTICLE 4.

This treaty shall be binding on the contracting parties as soon as it shall be ratified by the United States.⁴⁵

NOTE: The U.S. government, *however*, did not keep up its end of the bargain. The native people ended up debt-ridden & desperate for their means of survival, & Taliaferro became increasingly critical of the government's inability to make good on their promises. In poor health, he resigned his position & left the Army.^{46 47} **It is also worthy to note that as Taliaferro did not have any of the money that was being promised to tribes & tribal members, he was thereby promising “the money of taxpayers”, who had not voted on the matter, which concludes his promises were acts of EXTORTION** (*signing off more than he had the authority to sign off under his color of title*).

⁴⁵ Produced by the Oklahoma State University Library: <http://digital.library.okstate.edu/kappler/>

⁴⁶ Gilman, Rhoda R. (1991). *The Story of Minnesota's Past*. St. Paul, Minnesota: Minnesota Historical Society.

⁴⁷ Hall, Steve (1987). *Fort Snelling: Colossus of the Wilderness*. St. Paul, MN: Minnesota Historical Society Press.