

Indian Policy Under Thomas Jefferson

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PRESIDENT GEORGE WASHINGTON developed a firm but benevolent relationship with the American Indian. Under adverse circumstances he attempted to direct the red men down the road to civilization by means of agriculture and domestic arts, in most cases acquiring their land only when they were ready to sell. This was also true during the administration of John Adams, but both men were faced with problems connected with getting the young Republic on its feet and could not give proper attention to Indian affairs. By 1801, though, the infant nation had begun to steady itself, and for the time being conditions in Europe allowed attention to be given to domestic affairs. Thomas Jefferson, the new President, could confront squarely the problem of what to do about the Indian in the face of an expanding American population. He ascribed to the views of Washington concerning the Indians, and for the first time since 1789 the time seemed propitious to make real progress.

Unfortunately this was not to be the case, for factors playing upon the national scene affected the Jefferson administration to such an extent that much of the hoped for progress was sacrificed on the altar of expediency. By 1809, when the "Sage of Monticello" left office, the fate of the American Indian could already be foretold.

For many years Jefferson had shown an intellectual interest in the Indians. In his *Notes on Virginia* many pages were devoted to a rather favorable description of them, and throughout the latter period of his life he studied their language and culture. The extent to which he agreed with the previous policy was revealed in his first annual message to Congress:

Among our Indian neighbors . . . a spirit of peace and friendship generally prevails and I am happy to inform you that the continued efforts to introduce among them implements and the

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practice of husbandry have not been without success; they are become more sensible of the subsistence, over the precarious resources of hunting and fishing; and, already we are able to announce, that, instead of that constant diminution of their numbers produced by wars and their wants, some of them begin to experience an increase in population.¹

Jefferson intended that this would set the tone for his own handling of the Indian problem. Time and time again in official correspondence the desire of the government to improve the lot of the savage was set forth. Secretary of War Henry Dearborn, in his instructions to Governor William Henry Harrison of the Indiana Territory respecting the treatment of the tribes, stated in no uncertain terms that "it must undoubtedly be the true policy of our government to acquire and establish by all fair means, the confidence and friendship of the Indian generally within the territory of the United States and it is the sincere desire of the government not only to obtain friendship but to meliorate the condition of these unhappy people, in such a manner as will be most likely to effect the object."² Again in his instructions to Silas Dinsmore, agent among the Choctaws, Dearborn followed the same line: "The motives of the government for sending agents to reside with the Indian nations, are the cultivation of peace between the U. States and the Indian nations generally . . . and the introduction of the arts of husbandry and domestic manufacture, as means of producing and diffusing the blessings attached to a well regulated civil society."³ Jefferson later reiterated this viewpoint, saying that since the decrease of game rendered the subsistence of the Indians by hunting insufficient, "we wish to draw them to agriculture spinning and weaving."⁴

But even though this was the view of the administration, there were factors that affected the government policy to such an extent that these intentions could not be carried out effectively.

Hardly had Jefferson been inaugurated before he was forced to reevaluate the government's Indian policy in the light of possible French designs in the Mississippi Valley. The return of Louisiana to France by Spain and the French invasion of Santo Domingo in 1802 caused Jefferson to fear that Napoleon had larger schemes which included the United States. These events forced Jefferson's thoughts to turn to the weakly defended American frontier to the west. It was conceivable that, except for Spain's delay in officially turning over Louisiana and the bitter resistance of the blacks in Santo Domingo, ten thousand French soldiers of the school of Hoche and Moreau "might have occupied New Orleans before Jefferson could have collected a brigade of militia at Nashville."⁵

By the summer of 1802 the first glimmering of a plan for defense began to appear, and with it an alteration of Indian policy took place. Military necessity now dictated a speedy acquisition of Indian land. Previous policy had been to acquire land only when the Indians were ready to sell. Now it seemed imperative to extend settlements and military posts into the regions held by the Indians.

In a letter to Secretary of War Dearborn in August, 1802, Jefferson made it obvious that his thoughts were turning in that direction. The president wrote: "Governor Harrison seems to think the lands [MS illegible] in the French grant between the Kaskaskia, Mississippi [*sic*] & Ohio, may be easily obtained. I should certainly conceive it most important to be obtained inasmuch as settlement adjacent to the Ohio and Mississippi [*sic*] would consolidate with those south of the Ohio & therefore be stronger than an insulated settlement"6

Evidently the news of the Spanish order stopping the American right of deposit at New Orleans in October gave added impetus to Jefferson's plan, for he attributed the move to the French. By December he was certain that "an object becoming one of great importance, is the establishment of a strong front on our western boundary, the Mississippi securing us on that side as our front on the Atlantic does towards the East. Our proceeding with the Indians should proceed systematically to that object, leaving the extinguishment of the title in the interior country to fall as the occasion may arise."7 Furthermore since the United States held the land from its southern boundary to the Yazoo river, Jefferson believed that it was of utmost importance that the government obtain that from the Yazoo to the Ohio belonging to the Chickasaws, "a tribe most friendly to us, and at the same time most adverse as to the diminution of their lands."8 He further felt that "The country between the Illinois on one side, and the Ohio and Wabash on the other is also peculiarly desirable to us."9 Thus, if the government could obtain all this land from the Indians, it would own a strip along the Mississippi from the thirty-first parallel in the south to the Illinois river in the north.

The picture becomes clearer in Jefferson's special message to Congress on January 18, 1803. He expressed the same views as brought out above and spoke of recent occurrences on the Mississippi making the acquisition of this land desirable. He emphasized that the administration, after acquiring this land from the Indians, should open it for sale to American citizens. In this way the government would be "planting on the Mississippi the

means of its own safety,"¹⁰ hardy American pioneers willing to fight for their land against any intruder. Thus Jefferson was forced to modify his original intention toward the Indian.

The President knew the affinity the Indian had for the French. News had been received during the previous fall that either French or Spanish agents were among the various tribes attempting to arouse them to hostile measures against the United States,¹¹ and he wanted to remove this possibility. In late February of 1803 he wrote Governor Harrison that "the occupation of New Orleans hourly expected by the French, is already felt like a light breeze by the Indians. You know the sentiments they entertain for that nation. Under the hope of their protection they will immediately stiffen against cessions of land to us. We had better therefore do at once what can be done."¹² What must be done as far as Harrison was concerned was, of course, the negotiation for land between the mouth of the Ohio and the mouth of the Illinois.¹³

Further south these efforts to obtain land for defense were continued. In two letters to James Wilkinson on the 18th and 21st of February, the Secretary of War instructed him to buy from the Choctaws land bordering on the Mississippi between the Yazoo river and the Chickasaw boundary to the north.¹⁴ In April he further informed Wilkinson that the government was willing to take over the Choctaw debt, owed to Panton-Leslie and Co., provided the Indians would include in the cession the land lying between the Mississippi and the Big Black rivers. "Nothing," he said, "would tempt the government to meddle with . . . [the debt], but the acquisition of the country on the Mississippi . . . Our views are to plant on the Mississippi a population equal to its own defence."¹⁵ Obviously the government was very anxious to obtain this land, for the Choctaw indebtedness to Panton-Leslie and Co., a British firm trading out of Pensacola, totaled around \$47,000,¹⁶ and this was far above the average price the government had been paying for Indian land.

To Governor W. C. C. Claiborne, of the Mississippi Territory, Jefferson wrote in May stressing that it was "all important to press [sales] on the Indians [as] steadily and strenuously as they can bear the extension of our purchases on the Mississippi from the Yazoo upwards, and to encourage settlement along the whole length of that river that it may possess on its own banks the means of defending itself."¹⁷ The Chickasaws, still unwilling to cede any land, continued to be a problem. But Jefferson was hopeful, and in the same letter he expressed his confidence that the land from the Illinois to the Ohio could be obtained and quickly settled. Then

there would be "between that settlement and the lower one only the uninhabited lands of Chickasaws on the Mississippi which we could be working on at both ends."¹⁸

As a recent study has shown, these were not the only defensive measures that Jefferson took.¹⁹ Effective dispositions of military forces and arms were also made, but that is another story. The point to be noted here is that up until the French menace became real, the administration policy, with some exceptions, was to obtain land from the Indians only when they were ready to sell. After Napoleon's intentions became evident, and Jefferson developed his aforementioned plan as a countermeasure, the necessity for land became so strong that the government could not follow any such leisurely policy, and the Indians were pressed for their holdings on every opportunity. As a consequence, this constant pressure antagonized the Indians and caused them to resist the government's efforts to civilize them through agriculture and the domestic arts. Jefferson stated in his special message to Congress of January, 1803, that the Indian tribes were becoming more and more uneasy about the diminution of their lands and that many of them were absolutely refusing further sale.²⁰

of Thesis
Article

Fortunately, Jefferson's fears over French intentions were removed. The cession of Louisiana to the United States in 1803 by Napoleon for fifteen million dollars ended the need for further defensive efforts on the part of the United States. Yet it did not solve the Indian problem. The antagonism stirred up by the French menace was in many cases there to stay for a long while, and other influences were to continue to force Jefferson to deviate from his original intentions.

The ever increasing pressure of the growing American population for land, had long complicated government Indian policy. Jefferson had not been in office a day before requests were made to him to obtain land from the Indians. A good example of such requests is a letter of March 5, 1801, from two lawyers representing the State of Georgia. They spoke of the danger of the Indians on the Georgia frontier, of the lushness of the land held by them, of the fact that since the land had long ceased to be a range for game it was of no value to the Indian. In closing they stated that the acquisition of land should not be difficult since the Indians were in debt.²¹

From private citizens came other requests, and in a day when anyone could see the President, this was no minor matter. The general feeling of the frontier citizen in his desire for more land can be seen in a letter published in the *Territorial Papers of*

Indiana. It was entitled "Note on the Government of the Indiana Territory" and was signed "A Citizen of the World." In part it read:

Whatever might have been the Presidents instructions to the Governor respecting the treaty with the Indians, which was holden at Vincennes last summer, nothing has yet been done respecting the Indian boundaries in the Illinois country or the western counties of this territory . . . He [the Governor], says "Every object for which it was holden, so far as it relates to US" (meaning the people of Vincennes I suppose) "is completely obtained" . . . If he meant the people of the Indiana territory the proposition is false as nothing has been done for the people of Illinois county on the Mississippi.²²

So here Jefferson was faced with the problem of conflicting desires. He wanted to be benevolent to the Indians, yet as the politically sagacious man he was, he also wanted to fulfill the demands of the American citizenry for land. The twist he gave to his benevolence to solve this problem was certainly logical, and as it turned out, in many cases effective.

Jefferson naively supposed that the problem would be easily solved. Te Benjamin Hawkins, agent among the Creeks, he disclosed his plan:

I consider the business of hunting as already becoming insufficient to furnish clothing and subsistence to the Indians. The promotion of agriculture, therefore, and household manufacture are essential to their preservation, and I am disposed to aid and encourage it liberally. This will enable them to live on much smaller portions of land, and, indeed will render their vast forests useless but for the range of cattle; for which purpose, also as they become better farmers, they will be found useless and even disadvantageous. While they are learning to do better on less land, our increasing numbers will be calling for more land, and thus a coincidence of interests will be produced between those who have lands to spare, and want other necessaries, and those who have such necessaries to spare and want lands. This commerce will be for the good of both and those who are friends to both ought to encourage it.²³

If Hawkins, with his concern for the Indians,²⁴ was pleased by this prospect, he was soon to be disillusioned by the means which Jefferson employed. By using government trading houses (factories) to provide the Indians "with all theh necessaries and comforts they may wish (spiritous liquors excepted)" and by encouraging all of them, particularly their leading men, to go in debt "beyond their individual means of paying," Jefferson hoped to separate the Indian from his land. For he realized that "whenever in that situation they will always cede lands to rid themselves of

debt."²⁵ Though very casuistic reasoning, it was nonetheless a realistic approach and Jefferson was a realist as we shall see. But he did not lose his idealism and recurred to it on occasion. He ended his letter to Hawkins on a high note: "I feel it consistent with pure morality . . . to familiarize them to the idea that it is for their interest to cede lands at times to the United States and [for] us then to procure gratification to our citizens from time to time by new acquisition of land."²⁶ While Jefferson's means were devious, his goal was an honorable one. His purpose was a much to civilize the savage and even prepare him for citizenship,²⁷ as it was to acquire land for westward expansion.

The agents among the Indians were the ones upon whose shoulders rested the task of carrying out the President's plan. The frequent instructions to them showed the seriousness of the government's efforts. Time and time again they were directed to do everything in their power to gain the friendship of the Indians and to teach them the arts of agriculture and domestic manufacture. They were to furnish them with all the necessary tools, and women were to teach the females the business of spinning and weaving.²⁸

Since the government retained the sole right to deal with the Indian in the matter of land cession, commissioners were from time to time appointed to bargain with the chiefs of a tribe or tribes,²⁹ until an agreement could be reached and a treaty signed. A meeting place easily accessible to the negotiating tribes was chosen; the chiefs would arrive, sometimes with many of their tribal members, and from that time till the end of the negotiations they were fed by the government. Also from the time they began to arrive they were warmed to the occasion by presents, speeches, and even spiritous liquors.

Usually the government team that negotiated the treaties consisted of one or two commissioners, who received from six to eight dollars per day, a secretary who received three dollars per day, and as many interpreters as necessary, who were paid one dollar per day. Neither the secretary nor the interpreters were paid when they were not actively employed but they did receive subsistence.³⁰

The gifts which the agents used to get the Indians in the right frame of mind were not elaborate, but they varied from army uniforms to outright grants of money.³¹ The use of money as a persuader seems to have been the accepted practice. Jefferson himself, talking to Senator Plumer about one of the treaties with the Creeks, said that the treaty was the best obtainable by fair

means, but "that if our negotiator [*sic*] had resorted to bribery he might have done better."³² Secretary of War Dearborn in his instructions to Governor Harrison told him that if he should find it necessary to distribute two or three hundred dollars among the Miamis, the Pottawatamis or others to quiet them in respect to a sale of land made by the Delawares and Piankishaws, "you will do it in such a manner as you may consider most useful."³³ It seems clear that to gain the desired end the Jefferson administration felt no qualms about such use of money. In a letter to Dearborn, Jefferson mentioned the trouble "the 'Prophet' was giving, stating that while it was serious, Governor Harrison might gain advantage over him since he was "no doubt . . . a scoundrel, and only needs his price."³⁴

As we have mentioned previously, the government was not above the use of liquor to gain the consent of the Indian to land cession, even though an act of 1802 prohibited the sale of fire water to the aborigine.³⁵ Nevertheless, from the passage of this act through Jefferson's stay in office, one can trace the efforts of the government to decrease the amount of liquor the Indian could get his hands on. Writing Harrison in 1808 about the injurious effect of liquor on the Indians, Jefferson called attention to the fact that now they were buying it in the neighboring settlements, and he suggested that the territorial legislature remedy the situation.³⁶ All of this did not change reality, and it is clear that the government commissioners, faced with a tough situation, used liquor to gain their point. In 1805 James Wilkinson, Governor of Louisiana Territory, notified Secretary of War Dearborn that five hundred gallons of whiskey had been furnished to the Indian Department as he had ordered.³⁷ A year later Dearborn, in his instructions to Governor Hull of the Michigan Territory, advised him in the negotiations prior to a proposed treaty to use as little "spirit as possible."³⁸

It is doubtful if the government would have taken steps as soon as it did to regulate the sale of liquor to the Indian if it had not been for the request of an Indian chief that this be done. The moral aspect of the use of liquor to acquire desired ends seems not to have disturbed government officials, for prior to the passage of the regulatory act of 1802 it was not only used freely but was often included in goods given as part payment for land cessions. Commissioners James Wilkinson, Benjamin Hawkins, and Andrew Pickens, reported to the Secretary of War that in a treaty with the Chickasaws fifty gallons of whiskey at fifty cents a gallon were included in the payment.³⁹ Later the same trio in negotiations

with the Choctaws evinced surprise that the latter refused a quantity of whiskey offered them.⁴⁰

One must not forget, in the face of all this, that there were no means of compelling the Indian to cede his land, and many of them did prove stubborn, especially in respect to desirable tracts. Nevertheless, treaty after treaty was negotiated, and by the end of Jefferson's administration approximately 95,000,000 acres had been acquired.⁴¹

The crime of it all would seem to be that for all of these millions of acres of land—some of them the best in the nation—the government paid the Indian an average of one cent an acre,⁴² while selling many of these same lands later for two dollars per acre. In his report to President Jefferson concerning the purchases of land between 1801 and 1805, Secretary of War Dearborn stated: "It will be found . . . that the average price we have payed and engaged to pay for Indian cessions does not amount to quite one quarter of a cent per acre; and that exclusive of the purchases from the Sacs and Foxes, the remainder will fall a little short of one cent per acre, taking into account the expenses of the treaties."⁴³

Though Jefferson took advantage of the Indian's ignorance of land value and used gifts, bribes, and liquor as well as a friendly attitude to acquire large tracts of land very cheaply, acquisition of land was not an end in itself. It was only part of the ultimate goal, for by getting the Indians off their large tracts and turning them to agriculture and domestic arts, the process of civilizing them would be speeded up. Jefferson justified his methods in the light of the eventual good he hoped to do the Indian.

✓ An integral part of Jefferson's plan of civilization for the Indian was the factory system, which had been established in 1795. In effect it was a number of trading houses operated by the Government in Indian country. The primary purposes for which it had been established were to help control the native tribes, to take trade away from the British and Spanish, and to diminish the latter's influence while at the same time encouraging friendship towards the United States. Furthermore, supplying the tribes with good merchandise cheaply would protect them from the private trader, who was out to make a fast dollar whatever the means.⁴⁴

✓ *Factory*

During the administration of John Adams the factory system had shown little development. It was under Jefferson that it had its first real growth and effective operation. Within two years after he came into office, factories were established at Fort Wayne, Detroit, Chickasaws Bluffs, and Fort Saint Stephen on the Tombigbee River. Before his stay in office was over, there were thirteen

such factories operating throughout the Indian country. Acts renewing the system, with the necessary appropriations to keep it operating, were passed regularly during Jefferson's administration. They indicated his belief in the usefulness of such a set-up. Jefferson felt strongly that through this type of trade the tribes would be drawn closer to the United States. "Commerce is the great engine by which we are to coerce them and not war," he wrote Meriwether Lewis in 1808.⁴⁵

Through Jefferson's first administration, the Secretary of War continued to direct the activities of the factory system. This was changed in 1806 when Congress provided for a Superintendent of Indian Trade,⁴⁶ who though responsible to the Secretary of War,⁴⁷ took the burden of operation from the Secretary's shoulders. He was appointed by the President, and was requested to make quarterly reports to the Secretary of the Treasury. The Superintendent put up a bond of \$20,000 and received a salary of \$2,000 per year. He was responsible for making all the purchases and distributing supplies among the factories.⁴⁸

Under the law establishing the system, the President appointed factors or agents who handled the affairs of the various trading posts. These factors reported periodically⁴⁹ to the Secretary of the Treasury and took an oath for the faithful performance of their duties. They also had to furnish bond as the President directed, which usually ran between five and ten thousand dollars.⁵⁰ The position of factor was considered a desirable one for the salary ran as high as twelve hundred and fifty dollars per year, plus subsistence and allowances for household furniture and domestic utensils.⁵¹ Opportunities for advancement were favorable and some of the factors carried their families with them and lived the life typical of the frontier. Actually their existence was far from idyllic, for lost goods, spoiled skins, bad debts, commercial rivalries and Indian alarms kept things in constant ferment.⁵²

Factories were usually located at a military post for protective reasons and because of the proximity of the posts to the Indians. Even so, it was difficult to reach the more remote tribes and sometimes goods were distributed to private traders who operated among the distant villages.⁵³

To obtain the goods needed for trade, each factor filled out order blanks sent annually by the Superintendent of Indian Trade. The goods procured sometimes failed to be of the best quality because the Superintendent was limited to the domestic market. Though the goods were sold on a non-profit basis, operating costs and the high rate of transportation caused an advance in price of

between sixty-six and one hundred per cent.⁵⁴ Even with this much advance the system lost money, but the government felt that the effects were such as to warrant its continuance. As early as 1803, Dearborn informed Jefferson that some advantage could be expected, "not in the point of commercial profits, but by attaching and securing the friendship and confidence of the natives,"⁵⁵ and this seems to have been the general consensus of opinion.

That the system was meeting with some success in leading the Indians toward civilization is seen in the articles traded to them. For their furs, skins, beeswax, tallow, bear oil, and feathers, they were now asking for such items as earbobs, cowbells, silk stockings, jew's harps, and side-saddles, in addition to such obvious articles as blankets, guns, and powder.⁵⁶

Jefferson considered the factory system as much a part of his Indian policy as turning them to agriculture and domestic arts. Frequently in his correspondence he mentioned that turning the tribes toward agriculture and the establishment of factories among them, were the chief means by which the government would advance toward its goals—that is, the civilization of the Indians and the acquisition of lands.⁵⁷ In a letter to Secretary of War Dearborn in 1802, he stated clearly:

The cheapest most effectual instrument of preserving the friendship of the Indians is the establishing of trading houses among them. If we could furnish goods enough to supply all their wants and sell these goods so cheap that no private trader could enter into competition with us, we should then get rid of those traders who are the principal fomentation of the uneasiness of the Indians and being so essentially useful to the Indians we should of course become objects of affection to them.

Then in closing he came to the main point:

There is perhaps no method more irresistable of obtaining lands from them than by letting them get in debt, which when too heavy to be paid, they are always willing to lop off by a cession of land.⁵⁸

No idle thought on Jefferson's part, this policy was carried out and effectively so. The factors were instructed not to give credit to the whites, nor to just any Indian, "but to the principal chiefs of good character,"⁵⁹ the ones who could cede those fertile acres for which the American pioneer was crying.

The President was convinced that much of the unrest among the Indians could be traced directly to the private trader and, as has been mentioned, he hoped to rid the country of this trouble by underselling and consequently running them out of business. Until this method could become effective, he advised revoking the

licenses of the more troublesome ones.⁶⁰ It was evident to Jefferson that these methods would deprive many citizens of the United States of profit and even livelihood, and as early as 1803 he recommended that the efforts of the private traders be channeled in another direction, mainly up the Missouri River. This he hoped would keep the independent trader happy and deprive the British of a lucrative business. As a consequence, the first action taken in this direction was the Lewis and Clark expedition, sent to find out, among other things, something about this relatively unexplored area and sound out the Indian tribes as to their willingness to receive American traders.⁶¹

By 1808 it had become the policy to require all traders east of the Mississippi to settle and remain stationary at the factories where "we can have their conduct under observation and control."⁶² At the same time efforts were being made to get traders to go beyond the Mandan towns on the Missouri,⁶³ thereby carrying out the policy suggested in 1803.

In most cases Jefferson followed the Indian policy set forth under Washington and Adams. There was one program, however, that was inaugurated under Jefferson, but remained for a later President, Andrew Jackson to fulfill. This program was what came to be known as "removal," that is the exchange of lands held by the Indians on the east side of the Mississippi for their equivalent on the west side. In this fashion Jefferson would gain for his countrymen lands for which they were pressing, while at the same time removing temporarily from the immediate frontier the Indian menace.

The purchase of Louisiana presented an admirable opportunity for this program to be attempted. Even before the purchase had become a reality, the seed of the idea appeared in a letter the President wrote to William Henry Harrison. Discussing the general problem of the Indians, he insisted that they would in time either "incorporate with us as citizens of the United States or remove beyond the Mississippi, [and] the former is certainly the termination of their history most happy for themselves."⁶⁴ Three months later, with the purchase still pending, the plan had begun to take more definite form in the mind of Jefferson. He advised Governor W. C. C. Claiborne of the Mississippi Territory to cultivate those Indians who had moved across the River. He urged Claiborne to provide them with arms, ammunition and other necessities in order "to render a situation there desirable to those they left behind, to toll them in this way across the Mississippi, and thus prepare in time an eligible retreat for the whole."⁶⁵ He stated

Removal

that the government had not yet begun to do this, but that it had been encouraged by the fact that a considerable number of the four Southern tribes had settled between the St. Francis and the "Akanza" (Arkansas) with the Cherokees predominating. Jefferson suggested that a factory be established on the east bank of the Mississippi "where it would be most convenient for them to come and trade."⁶⁶

Then in July things took a more definite turn. News came from France that a treaty had been signed ceding Louisiana to the United States, and Jefferson began to worry about the legality of such a purchase. The immediate result was that he drafted an amendment to the Constitution which would cover that questionable exercise of the treaty-making power. In the drafts of the proposed amendment "the purchase of Louisiana is not mentioned and except in the first, or incorporating clause, there is no indication that any change had taken place in the ownership of the province."⁶⁷ The greater part of the proposed amendment was, in fact, devoted to the Indian and the policy of removal. In part it provided that "the legislature of the Union shall have the authority to exchange the right of occupancy in portions where the United States have full right for lands possessed by the Indians on the East side of Mississippi: to exchange lands on the East side of the river for those of the white inhabitants on the West side thereof and above the latitude of 31 degrees."⁶⁸ But aside from expressing Jefferson's ideas, the proposed amendment was of little importance, for it was dropped in favor of a speedier method of legalizing the purchase.

*Proposed
Constitutional
Amendment*

Minister Livingston in France sent a note to the President urging prompt action, for Napoleon was becoming uneasy because of Spanish protests and French discontent with the cession. The First Consul had not lived up to the terms of the secret treaty of San Ildefonso and Spain, supported by Great Britain, was threatening to contest the title to Louisiana.⁶⁹ Consequently rather than take the time necessary to secure an amendment to the Constitution, Jefferson did the expedient thing and pushed through Congress a bill authorizing the purchase. The bill, which became law October 30, 1803⁽⁷⁰⁾ does not mention removal at all, perhaps because of the necessity of getting it through Congress as quickly as possible. But in a succeeding bill passed the following March, dividing Louisiana into two territories and providing for a temporary government, the subject of removal appears again. Among other things it authorized the President to negotiate "with any Indian tribes owning land on the East side of the Mississippi and

residing thereon, for an exchange of lands, the property of the United States, on the West side of the Mississippi, in case the said tribes shall remove and settle thereon."⁷¹

The passage of this bill indicated that Congress was favorable toward Jefferson's policy of "removal." Typical of the general tenor of congressional thought was a speech on February 3 by Senator James Jackson of Georgia:

I have high authority for saying it is the intention of our government to take effectual measures to induce the Indians on this side of the Mississippi to exchange their lands for lands in upper L[ouisian]a. I think it is a prudent and practicable measure and that is one reason why I wish to prevent the establishment of a civil government in that territory . . . I would buy up the title of those who have already gone there. The Indians would have gone before this had not the Spaniards prevented them. The Indian wars have cost us millions of dollars—and much blood—they are bad dangerous neighbors. There are already many Indians there [in upper Louisiana.] [I]f you establish a civil government [there]—if you permit settlers [,] you will find the expense of that government immense, [and] it will render the purchase a curse.⁷²

Some weeks later Jackson claimed that Jefferson had assured him that "removal" was "a favorite measure" in his Indian program. At about the same time the President had informed the Senator that "sixteen of the Cherokee chiefs have already agreed to pass over to L[ouisian]a, and relinquish their lands on this side of the Miss[issippi]."⁷³ Of course, both men were influenced by the fact that the federal government had solemnly promised to extinguish, at its own expense, the Indian titles within the reserved limits of Georgia as soon as it could be done "peaceably and on reasonable terms,"⁷⁴ and this seemed to be a good solution. But whatever the situation, the bill was passed and without a great deal of opposition.

When the smoke had cleared from all this activity it soon became evident to Jefferson that his policy entailed some difficulties, for when the Delawares, a Northwestern tribe offered to remove, just as he had been suggesting, he was forced to inform them that before those lands could be offered for exchange the government first had to be well informed as to the title to them.⁷⁵ Soon letters began to come in primarily from the people in the newly acquired Louisiana Territory protesting the policy set forth by the law. One such letter informed the President that "they did hope that congress would have passed a law for the Strengthening [*sic*] this country by settlement & Sales or otherwise & put them in a situa-

tion to have defended themselves ag[ains]t those Indians already on their frontier who have been robing [*sic*] & plundering them with impunity this many years—instead of which they see a law pass'd to set other tribes of savages on their frontiers."⁷⁶

Such protests did not cause Jefferson to change his course. In December 1804, he wrote the Secretary of War that "instead of inviting Indians to come within our limits, our object is to tempt them to evacuate them."⁷⁷ Nevertheless, he was forced to slow up his plan. In his inaugural address of 1805, he does not mention removal and sticks to the efforts of the government to civilize the Indians.⁷⁸ This, however, was more to quiet the settlers across the Mississippi than anything else, for his correspondence shows that plans to carry out the project went on.

With all his efforts, actual removal never took place in Jefferson's administration, even though on at least three occasions efforts were made to carry it out: in the case of the Chickasaws in 1805, and in that of the Choctaws and the Cherokees in 1808. The first two attempts failed because the Indians were not as a whole favorable to such a project, and the last miscarried because interest subsided with the coming of Madison to the Presidency. Furthermore, the government in those trying years was not willing to advance the funds necessary to carry out the program.⁷⁹

Perhaps the government would have pushed the plan harder if it had not been that heated protests continued to come from the West. Governor James Wilkinson warned Jefferson in 1805 that "depopulation must precede the transfer of the Indians and this will never be accomplished whilst high official characters within the territory encourage the expectation of our speedy admission into the Union and treat your Ideas as the speculation of an individual, which are not to have effect."⁸⁰ Some time later he disclosed that this opposition came mainly from "many busy shortsighted politicians in and out of power."⁸¹

After the discouragement of the Delawares against removal in 1804, there was never any further mention of the possibility of removal of the tribes above the Ohio. Yet, as we have seen, efforts were made to remove some of the Southern tribes. The answer as to why the government allowed this policy is not hard to find. The Choctaws, Chickasaws, and Creeks, as well as the Cherokees, made up a good part of the Southern population. They were powerful and opposed vigorously the cession of land, blocking consolidated settlement in the South. Effective resistance to encroachment was more likely to come from them, with their superior intelligence and political organization, than from the

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scattered bands dwelling north of the Ohio.⁸² Also, under the vigorous efforts of William Henry Harrison and others in the Northwest, land was being obtained from the Indians as fast as was necessary and consequently there was no need to remove them. Though these northern tribes were numerous, they were small and weak and frequently quarreled among themselves, allowing the whites to play one faction against the other and reap the full benefits for themselves.⁸³

While there were some scattered instances when parts of tribes removed of their own free will across the Mississippi, planned removal was not carried out in Jefferson's administration. As a policy it had but one objective, which was to get the Indian off the land that the white population was demanding. It would seem a rather shortsighted measure, merely postponing the time when a final solution as to what to do with the red man would have to be made.

More concrete were the efforts made toward promoting civilization among the friendly Indians. In 1802 Congress had authorized the President to spend annually a sum not to exceed \$15,000 for this purpose.⁸⁴ From the very first Jefferson's attempt in this direction met with some success. Benjamin Hawkins, agent among the Southern tribes, informed Dearborn as early as the fall of 1801, that "in the Cherokee agency the wheel, the loom, and the plough is [*sic*] in pretty general use [with] farming and manufactures and stock-raising the topics of conversation among the men and women, and the accumulation of individual personal property taking strong hold of the men."⁸⁵ Similar progress was seen throughout the Southern tribes as Jefferson indicated in a letter to James Pembrton in 1808:

The four great southern tribes are advancing hopefully. The foremost are the Cherokees, the upper settlements of whom have made me a formal application to be received into the Union as citizens of the United States and to be governed by our laws. If we can form for them a simple acceptable plan of advancing by degrees to a maturity for receiving our laws, the example will have a powerful effect towards stimulating the other tribes in the same progression, and will cheer the gloomy views which have overspread their minds as to their own future history.⁸⁶

Toward the north, progress was not as rapid. Climate and the numerous small tribes, who were less intelligent and less ready for advancement, played a big part in slowing the spread of civilization among them. Cotton had proved to be one of the chief crops among the southern tribes and the women could be employed in the spinning and weaving of it. But this was not possible to the

north, and as a consequence the chase was still the chief means of gaining subsistence. Jefferson thought that the larger size of the southern tribes and the fact that "the agents and instructors [could] extend their influence over a much larger surface" were also factors. An alternative for the northern tribes, sheep raising, was not very successful on account of the number of wolves which preyed upon flocks in that area.⁸⁷

There were spasmodic efforts on the part of the government to teach the red men the "three R's." That some agents met with a degree of success in this direction is borne out by Jefferson's statement that among the Indians who could read, "'AEsops Fables' and 'Robinson Crusoe' are their first delight."⁸⁸ There was also a school started for poor white and Indian children at Detroit for which the War Department appropriated a sum of from two to four hundred dollars per annum.⁸⁹

Throughout the country some progress was made in the government's program of civilization and had it been allowed to continue without so many adverse forces, the story of the American Indian would have been different.

As Jefferson's administration was drawing to a close, it seemed as if much of the progress made with the Indians would be nullified by another general war. On June 12, 1807, the United States frigate *Chesapeake* was attacked off Cape Henry by the British ship *Leopard* for refusing to allow search for deserters. This incident raised the specter of war between Britain and the United States and quickened "the dead hopes of the Indians and the dead fears of the American frontier."⁹⁰ For over a decade peace had reigned in the Northwest but now the Indians, with a view to their own salvation, looked to their old "white father" to halt the advancing American settlements; and the United States strongly suspected the guilty hand of the British behind this threat to their frontier.

Jefferson reacted quickly to this danger after communications from the Northwest had confirmed his fears, and late in August he instructed Dearborn as to the measures to be taken. Hoping to "nip in the bud" any attempt the Indians might make, he ordered that the militia of Ohio, and of the Michigan and Indiana territories be made ready for action, and that stores, arms, and ammunition be deposited in convenient places. Then he ordered that conferences should be held with the chiefs of the important tribes to remind them that the United States had never wished to injure them and had always acted in their best interests. They were to be told that war was now imminent between the United States and Britain and that in this struggle it was the wish of the United

States that the Indians remain quiet spectators, "not wasting their blood in quarrels that do not concern them." If the English asked their aid, "it should convince them that it proceeds from a sense of their own weakness which would not augur success in the end." The United States, Dearborn was to emphasize, was strong enough not to need their aid. In answer to rumors that some of the tribes were preparing for war, which had caused similar preparation by the United States, Jefferson wanted the Indians warned that if "ever we are constrained to lift the hatchet against any tribe, we will never lay it down till the tribe is exterminated or driven beyond the Mississippi . . . therefore if they wish to remain on the land which covers the bones of their fathers, [they will have] to keep peace with people who ask their friendship without needing it, who wish to avoid war without fearing it. In war they will kill some of us, we shall destroy all of them. Let them then continue quiet at home, take care of their women & children & remove from among them the agents of any nation persuading them to war . . . in which case, they will have nothing to fear from the preparation we are now unwillingly making to secure our own safety."⁹¹ On the sixth of September Jefferson called Dearborn's attention to of an Indian rupture at Detroit. "We must make ever memorable examples of the tribe or tribes which shall have taken up the hatchet," he stated.⁹²

Even though, Jefferson was carrying a threat of force in one hand, all through the ensuing months of tension he kept the alternative of peace in the other. From time to time he instructed the governors to attempt to assure the Indians of our liberality and justice toward them. In addition, during the late months of 1807 and early 1808, he stopped the negotiations for land, fearing that the warlike preparations might cause the Indians to feel we were trying to intimidate them into making the sale. "The immediate acquisitions of land," he brought out, "is of less consequence to us than their friendship and a thorough confidence in our justice. We had better let the purchase lie till they are in a better temper."⁹³

As we know, the expected hostilities did not come while Jefferson was in office, and except for some minor trouble with "the Prophet," who kept the Indians in the Northwest uneasy, there was no incident of real consequence with the red men. This seems to have been the result of the President's prompt and forceful measures, which convinced them of the government's seriousness, yet assured them of its just motives.

The motivation behind Jefferson's Indian program was never questioned, however. In general its goals were practical and sen-

sible. Only the means employed offered grounds for criticism. While Jefferson's methods were in most cases realistic and expediency was often forced upon him, the use of bribery, liquor, and the enticing of Indian leaders into debt were not laudable means to accomplish what necessity demanded. True, progress towards civilizing the savage was seen, vast tracts of land were added to the public domain, and peace with the Indian was maintained. Nevertheless, the advance of the white population, accomplished in part by devious means, sowed the seeds which were soon to bring conflict.

1. Jefferson to Congress, December 8, 1801, *American State Papers, Indian Affairs* (2 vols., Washington, 1832-34), I, 646.
2. Dearborn to Harrison, December 22, 1801, Clarence Edwin Carter, *The Territorial Papers of the United States* (18 vols., Washington, 1934-52), VII, 38.
3. Dearborn to Dinsmore, May 8, 1802, *Ibid.*, VII, 146-7.
4. Jefferson to Harrison, February 27, 1803, A. A. Lipscomb and A. E. Bergh (eds.), *The Writings of Thomas Jefferson* (20 vols., Washington, 1904), X, 369.
5. Henry Adams, *History of the United States of America during the Administrations of Thomas Jefferson and James Madison* (9 vols., New York, 1889-91), I, 406.
6. Jefferson to Dearborn, August 12, 1802, Carter, *Territorial Papers*, VII, 68.
7. Lipscomb and Bergh, *Writings of Jefferson*, XVII, 373.
8. *Ibid.*, XVII, 373.
9. *Ibid.*, XVII, 373.
10. Jefferson to Congress, January 18, 1803, *A.S.P., Indian Affairs*, I, 684.
11. Dearborn to Harrison, February 22, 1803, Carter, *Territorial Papers*, VII, 86-87.
12. Jefferson to Harrison, February 27, 1803, Logan Esarey (ed.), *Messages and Letters of William Henry Harrison*, (2 vols., Indianapolis, 1922), I, 73.
13. *Ibid.*, I, 72.
14. Carter, *Territorial Papers*, V, 186, 189.
15. Dearborn to Wilkinson, April 16, 1803, *Ibid.*, V, 213-14.
16. *A.S.P., Indian Affairs*, I, 750.
17. Jefferson to Claiborne, May 24, 1803, Lipscomb and Bergh, *Writings of Jefferson*, X, 391-93.
18. Lipscomb and Bergh, *Writings of Jefferson*, X, 392.
19. Mary P. Adams, "Jefferson's Reaction to the Treaty of San Ildefonso" (U. Va., M.A. Thesis, 1952).
20. Jefferson to Congress January 18, 1803, *A.S.P., Indian Affairs*, I, 684.
21. J. Anderson and W. Cocke to Jefferson, March 5, 1801, MSS, Jefferson Collection, Library of Congress (Microfilm).
22. Carter, *Territorial Papers*, VII, 139-40, January 1, 1803.
23. Jefferson to Hawkins, February 18, 1803, Lipscomb and Bergh, *Writings of Jefferson*, X, 362.
24. Hawkins was a North Carolinian by birth and had served as Senator from that state until 1795 when he was defeated for re-election. He then abandoned all his old connections and served as agent among the Creek Indians until his death in 1818. See Merritt B. Pound, *Benjamin Hawkins-Indian Agent* (Athens, 1951).
25. Lipscomb and Bergh, *Writings of Jefferson*, XVII, 374, December 29, 1802.
26. Jefferson to B. Hawkins, February 18, 1803, *Ibid.*, X, 363.
27. *Ibid.*, X, 363.
28. Secretary of War to Pierre Chouteau, July 17, 1804, Carter, *Territorial Papers*, XIII, 31-32; Secretary of War to Silas Dinsmore, May 4, 1802; *Ibid.*, V, 147.
29. *A.S.P., Indian Affairs*, I, 650.
30. Secretary of War to Governor Hull, July 22, 1806, Carter, *Territorial Papers*, X, 63-64.
31. Secretary of War to Harrison, December 22, 1801, *Ibid.*, VII, 38.
32. E. S. Brown (ed.), *William Plumer's Memorandum of the Proceedings of the United States Senate*, 1803-07 (New York, 1923), 333.
33. Secretary of War to Harrison, May 24, 1803, Carter, *Territorial Papers*, VII, 288.
34. Jefferson to Secretary of War, August 12, 1807, Lipscomb and Bergh, *Writings of Jefferson*, XI, 325.
35. *Statutes at Large of the United States of America, 1789-1873* (17 vols., Boston, 1848-73), II, 139.
36. Jefferson to Governor Harrison, December 31, 1803, Lipscomb and Bergh, *Writings of Jefferson*, XII, 223.
37. Wilkinson to Secretary of War, August 10, 1805, Carter, *Territorial Papers*, XIII, 181.
38. Secretary of War to Governor Hull, July 2, 1806, *Ibid.*, X, 64.
39. *A.S.P., Indian Affairs*, I, 652, October 21, 1801.
40. *Ibid.*, I, 659, December 18, 1801.
41. Compiled from Payson J. Treat, *The National Land System 1785-1820* (New York, 1910), 404.

42. *A.S.P., Indian Affairs*, I, 703.
43. Secretary of War to Jefferson, January 12, 1805, Carter, *Territorial Papers*, VII, 256.
44. George Harmon, *Sixty Years of Indian Affairs* (Chapel Hill, 1941), 99-100.
45. Jefferson to Meriwether Lewis, August 21, 1808, Lipscomb and Bergh, *Writings of Jefferson*, XII, 143.
46. *Statutes at Large*, II, 403, April 21, 1806.
47. Leonard D. White, *The Jeffersonians* (New York, 1951), 508.
48. *Statutes at Large*, II, 403, April 21, 1806.
49. Under the law establishing the system the factors were to report twice yearly to the Secretary of the Treasury. The law of 1806 which created a Superintendent of Indian Trade changed this, requiring quarterly reports.
50. Edgar B. Wesley, "The Government Factory System Among the Indians," *The Journal of Economic and Business History*, IV, 487-511, and Carter, *Territorial Papers*, VII, 273.
51. Secretary of War to R. Tiller, May 24, 1805, Carter, *Territorial Papers*, XIII, 131-32.
52. Wesley, "Factory System," 502-03.
53. *Ibid.*, 499.
54. J. Mason to M. Irvin, September 9, 1808, Carter, *Territorial Papers*, VII, 586-90.
55. *A.S.P., Indian Affairs*, I, 684.
56. Wesley, "Factory System," 498-99.
57. Lipscomb and Bergh, *Writings of Jefferson*, XVII, 374, December 29, 1802.
58. Jefferson to Secretary of War, August 12, 1802, Carter, *Territorial Papers*, VII, 68-70.
59. J. Mason to M. Irving, September 8, 1808, *Ibid.*, VII, 587-88.
60. Jefferson to Dearborn, August 30, 1802, *Ibid.*, VII, 71-72.
61. Jefferson to Congress, January 18, 1803, *A.S.P., Indian Affairs*, I, 684.
62. Jefferson to Harrison, December 22, 1808, Esarey, *Letters of Harrison*, I, 323.
63. Secretary of War to W. Clarke, March 9, 1807, Carter, *Territorial Papers*, XIV, 109.
64. Jefferson to Harrison, February 27, 1803, Lipscomb and Bergh, *Writings of Jefferson*, X, 370-71.
65. Jefferson to W. C. C. Claiborne, May 24, 1803, Lipscomb and Bergh, *Writings of Jefferson*, X, 393-94.
66. *Ibid.*, X, 394.
67. Annie Heloise Abel, "The Events Resulting in Indian Consolidation West of the Mississippi," *Annual Report of the American Historical Association*, 1906, 242.
68. Paul Leicester Ford (ed.), *The Writings of Thomas Jefferson* (10 vols., New York, 1895), VIII, 244-45, July, 1803.
69. Abel, "Indian Consolidation," 248.
70. *Statutes at Large*, II, 245, October 31, 1803.
71. *Ibid.*, II, 289, March 26, 1804.
72. Brown, *Plumer*, 138.
73. *Ibid.*, 143.
74. Quoted in Abel, "Indian Consolidation", from *American State Papers, Public Lands*, I, 125-26.
75. Jefferson to Secretary of War, June 6, 1804, Carter, *Territorial Papers*, XIII, 25.
76. T. Waters to Jefferson, August 23, 1804 *Ibid.*, XIII, 35-39.
77. Jefferson to Secretary of War, December 2, 1804, *Ibid.*, VII, 240.
78. James D. Richardson, *A Compilation of the Messages and Papers of the Presidents, 1789-1910*, (10 vols., New York, 1911), I, 380-81.
79. Abel, "Indian Consolidation", 252-56.
80. Wilkinson to Jefferson, November 6, 1805, Carter, *Territorial Papers*, XIII, 268.
81. Wilkinson to Jefferson, December 23, 1805, Carter, *Territorial Papers*, XIII, 317.
82. Abel, "Indian Consolidation," 258.
83. *Ibid.*, 258.
84. Harmon, *Sixty Years of Indian Affairs*, 159.
85. Hawkins to Dearborn, September 6, 1801. *Letters of Benjamin Hawkins*, (Savannah, 1916), *Collections of the Georgia Historical Society*, IX, 340.
86. Jefferson to James Pemberton, June 21, 1808, Lipscomb and Bergh, *Writings of Jefferson*, XII, 75.
87. Jefferson to James Pemberton, November 16, 1807, Lipscomb and Bergh, *Writings of Jefferson*, XI, 270-71.
88. Jefferson to Governor James Jay, April 7, 1809, *Ibid.*, XII, 271.
89. Carter, *Territorial Papers*, X, 217.
90. A. L. Burt, *The United States, Great Britain, and British North America* (New Haven, 1940), 245-46.
91. Jefferson to Secretary of War, August 28, 1807, Ford, *Jefferson's Writings*, IX, 132-33.
92. Jefferson to Secretary of War, September 6, 1807, Lipscomb and Bergh, *Writings of Jefferson*, XI, 361.
93. Jefferson to Secretary of War, September 3, 1807, Lipscomb and Bergh, *Writings of Jefferson*, XI, 354-55.