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William T. Hagan. *Taking Indian Lands: The Cherokee (Jerome) Commission, 1889-1893.* Norman: University of Oklahoma Press, 2003. x + 279 pp. $39.95 (cloth), ISBN 978-0-8061-3513-7.

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Not The End of the Trail

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In *Taking Indian Lands*, William Hagan adds to an impressive collection of works on western Indians. Organized into eleven chapters including endnotes divided by chapter, the work includes both bibliography and index. While his previous works have focused on individual groups such the Sac and Fox and the Comanches, Hagan's latest work tackles the plight of several western Indian groups in the 1890s. His work delves into the tragic state of affairs of Indians after completion of both the "Trail of Tears" and the "Western Indian Wars." Most readers would assume that the survivors of these events began to heal and recover after they ended. Proving quite to the contrary, Hagan chronicles the government's continuous attempts to keep rearranging these tribes, at first selling portions of their reservation to other tribes and then allowing both the railroads and the ranchers ingress onto their lands. The primary purpose of the book is to document the systematic negotiations of the Cherokee Commission to reduce the reservations located within Indian Territory to make way for the state of Oklahoma.

As early as 1855, the Federal government began to pressure relocated Indians to accept other groups on land originally designated for their specific tribe. In that year, Congress persuaded the Choctaws and Chickasaws to cede land meant for the Wichitas (p. 6). Much like the Revolution which disrupted the lives of communities such as the Hodeenosaunee (Six Nations) and the Cherokees, so the Civil War disrupted the lives of relocated tribes in Indian Territory. Many of them sided with the Confederacy and so as early as September 1865, the government notified tribes that their behavior had abrogated their pre-war treaties, now placing them at the mercy of the post-war government (p. 7). By 1880, members of Congress began to pave the road of statehood for Indian Territory and by March 1889, President Benjamin Harrison signed a bill into law authorizing the creation of the commission that would settle land claim matters in that area (p. 17).

Harrison initially chose Democrat Alfred M. Wilson and Republicans Lucius Fairchild and John F. Hartranft as commission members. The Secretary of the Interior was John W. Noble (pp. 19-20). Their first task lay with preliminary meetings with the Western-band Cherokees. As with all tribes, the commission was to get the tribes to accept division of their communal land into individual allotments with surplus land bought by the government for no more than $1.25 an acre to be sold to white settlers. When the Cherokee delegates noted they would need a constitutional amendment to sell their land, the commission told the Cherokees that they did not truly own their land (p. 28). Stumped by Cherokee intransigence, the commission decided to move on to deal with smaller tribes to convince the larger ones, like the Cherokees, to sell lands for minimal, below market prices. Commissioners would repeatedly use such tactics as well as telling Indians that Congress would simply take their land if they chose not to cooperate.

One interesting aspect of the author's research is that, for some tribes, there were in fact several "Removals." Hagan notes that the Iowas were forced onto reservations in Nebraska by 1836 only to later be removed to Indian Territory, specifically land originally assigned to the Creeks (p. 29).

One of the more successful treaty negotiations came with the Sac and Fox, a relatively small tribe of about five hundred. The commission met with Moses Keokuk, their leader whom they rather quickly persuaded to accept allotment of their land to individual heads of household with residual lands being sold for white settlement (pp. 30-31). However, Commissioner Sayre told the leader during negotiations that his people did not have full title to their land to be able to set an asking price and that the commission never had any intentions of bargaining with his people (p. 53). While authorized to pay $1.25 per acre the commissioners took their jobs seriously with respect

to pinching the purse. In the end, they paid the Sac and Fox only $1.23 an acre, quite a coup (p. 54).

When the commissioners returned to Tahlequah, Oklahoma, they resumed negotiations with the Cherokees only to find them more recalcitrant than ever, standing by their treaty rights to reservation land. When the committee communicated this to Secretary Noble, President Benjamin Harrison soon after included a warning in his state of the union address noting that he could not allow Indians who merely occupied reservation land to stand in the way of enlightened government planning (p. 34). The commission then hinted to Cherokee leadership that it might be moving some of the more aggressive Plains Indians, those called savages by the Cherokees, onto Cherokee lands (p. 36).

While membership on the commission would change, pressure tactics seldom did. When Lucius Fairchild resigned from the commission, former Michigan governor David Jerome assumed his place with a moderate amount of government service related to Indians under his belt (pp. 42-43). Although not an original member, Jerome would be a dominant member of the commission and, like his new colleagues, he was no stranger to coercion. When the Iowas proved recalcitrant in accepting allotment and sale of surplus lands, Jerome quickly told them that an alternate source of income, leased pastures to cattlemen, would soon end. In fact, the government had taken steps to remove this income source specifically so all tribes in Indian Territory would have little to no economic support upon which to rely (p. 44). In other words, western tribes had learned to adapt and make money for themselves on communally owned land, by rather lucrative leases to white ranchers. While this would have been a perfectly acceptable economic venture for white Americans, this movement toward independence had to be crushed in order to pressure them to give up their own lands. When commission members stalled out in negotiations with the Poncas, the commissioners tried to create factionalism between tribal chiefs to accomplish their goals in a classic divide-and-conquer strategy (p. 179). Thus there truly was no progressive commitment to Indian affairs, only window dressing.

One of the treasures of this work is its collection of statements made by Indian leaders in defense of their communal lifestyles. Iowa chiefs mentioned during negotiations with the Jerome Commission that original treaties between their people and the U.S. government had guaranteed them their land "as long as the grass grows and water runs" (p. 47). Pressure tactics often worked, however, as the Iowas capitulated and received less than twenty-eight cents per acre for their surplus land (p. 49). It seems as if the commission took an especial pleasure in getting sale prices well under the amount authorized. In negotiations with the Wichitas, the team pressured the tribe to accept fifty cents per acre (p. 128). Interestingly, the commission got no bonuses for such low-balling. That same tribe finally agreed to concessions but stalled out the commission by getting the Court of Claims to set the sale price which it did some years later at $1.25 an acre (p. 133).

Like the proverbial albatross, the commission kept returning to deal with the Western-band Cherokees who presumably had been "softened up" by the commission's successful agreements with smaller tribes. When commissioners contacted them again they did not find waiting compliance. The Cherokees were adamant about price and attempted to use negotiations to get the U.S. government to remove non-Indian intruders, something it had never taken seriously. The other issue which the Cherokees pushed for was access to the federal court system (p. 95). Perhaps of all the tribes they contacted, the Jerome Commission found less utility in their use of bullying tactics against a people who had pioneered constitutional government among Indians. This attempt ended in failure as well.

Another gem in this work is the sense of history and irony many tribes brought to the negotiation table. When the commission met with Wichitas, tribal leaders stated that the rations they received were just payment for the millions of buffaloes slaughtered by qhites only wanting their skins. Caddo Jake, one such leader, recalled a slightly faulty version of history stating that Christopher Columbus had made treaties with the Indians and if the commissioners abrogated these treaties, the world would end. Angered, Commissioner Jerome told him, "act like white men and act like smart men would and don't talk about what Columbus did but about what will happen to your families tomorrow" (p. 127). Perhaps to Jerome's pleasure, it would be nearly a century later when both Indians and non-Indians began to seriously talk about the full ramifications of what Columbus did. During hectic negotiations with the Poncas, tribal leaders accused the representatives of changing their presentations and misrepresenting what Indian representatives had said in early sessions. When commission members challenged that charge with proceeding transcripts, the Poncas steadfastly held to their claim that words were being used against them (p. 175).

With a few more tribes under their belt, the Jerome Commission returned once more to the Cherokees.

While they had been challenged by their dealings with smaller, less assimilated tribes, the commissioners came up against their most skilled adversary with this group who insisted upon the inclusion of a multi-part demand in negotiations which included a firm commitment by the United States to remove intruders from Indian lands, access to the U.S. federal court system, and a payment price of $3.00 per acre for their lands (pp. 152-153). In the face of such a united front, Commissioner Sayre fired back that the Cherokees were dependent upon the good will of the United States which could withdraw them from protection under the Trade and Intercourse Act if it so chose, resulting in their complete ruination (p.154). Ultimately, the commission did get its treaty, as it did with other western tribes.

Oddly, only near the end of its life did the commission receive more routine guidelines for interaction with the tribes. For smaller tribes, the commission was to proceed as quickly as possible with as little discussion of tribal affairs and concerns as possible. It also included instructions to discuss the sale price of land as a whole unit, not the per-acre price (p. 181). In its dealings with the Comanches, the commission encountered an able representative, Quanah Parker, who was not impressed by opening speeches of government largesse and comfortable lifestyles for those who complied. He took a small delegation to Washington to confer with the Commissioner of Indian Affairs (pp. 184-185). When commissioners tried to press the issue of allotment and sale here, Parker bullied them for a change to reveal the per-acre price they were offering. When commissioners brushed his questions aside, Parker reminded them that they were not in the final stages of closing a deal. Rather, most of his people opposed the plan and needed to know these basic business facts (pp. 187-188).

As one Indian delegate told the commissioners, "the great spirit knows the white people would not treat the red brothers right so he put the Indians and the white people with a great water between." So it goes with this work–a well-written, meticulous recount of this not-so-glorious passage in American history. This work succeeds on many levels for the student of western Indian history, both at the undergraduate and graduate levels. It gives the reader a good sense of the mentality of nineteenth-century Americans, especially in their views of native peoples. It also gives a sobering look at the wheels of American government in the age of Manifest Destiny. One particularly valuable service done by Hagan is to include follow-ups to document tribes who later contested the actions of or prices offered by the Jerome Commission. The author notes which tribes received what adjustments and when these compensations occurred. The work is clearly biased in favor of Western Indians; however, there seems to be no indication that the commission did anything toward the betterment of western tribes with the possible exception of pushing tribes to accept payment for land rather than having the government seize it for nothing.

William Hagan's work should receive its place on the bookshelves of scholars of the American Indian. With respect to this topic, far from being the end of the trail, hopefully Hagan's work will stimulate others to pursue subsequent research in this area to further our knowledge of the ongoing struggle of the American Indian.

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